

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 November, 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
Shelia West, Administrative Assistant

Call to Order

The meeting was called to order by the chair and opened with a prayer by Ms. Lewis, 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 the amendment by Mr. Crockett to add under old business 8.3 discussion of the library. Mr. Wolff seconded the motion. The motion was unanimously approved.

Public Comments

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

Mr. Gerald Matthews – Assawoman – spoke concerning on the Antares Rocket failure and presented a DVD on the Antares Rocket disaster.

Mr. Haydon Rochester – Onancock – requested that the Contract Renewal for Bowman Consulting Group for the Central Accomack Water and Wastewater Systems be removed from the consent agenda and stated reasons why he objected.

Mr. Jay Davenport – Onancock – requested that the Bowman Consulting Group Contract Renewal be removed from the Consent Agenda and consider it as a regular agenda item and vote to suspend further contracts until negotiations with the Town of Onancock were concluded.

Minutes

Mr. Wolff made a motion to approve the Minutes of the October 15, 2014 meeting. Ms. Lewis seconded the motion. The motion was unanimously approved.

Consent Agenda

Mrs. Gordy requested that item 5.3, Contract Renewal –IFB 264 Water & Wastewater Engineering Services- Bowman Consulting Group be moved to the end of the Agenda. Mrs. Thornton made a motion to approve the following items under the Consent Agenda with the change requested by Mrs. Gordy. Ms. Major seconded the motion. The motion was unanimously approved.

- 5.2 Contract renewal with SLAIT-Consulting, LLC to provide service desk functions for the County’s Information Technology system for the term of December 1, 2014 to November 30, 2015 in accordance with the terms and conditions of the Service Level Agreement,
- 5.4 The FY16 Budget Call and Budget Calendar,
- 5.5 Staff recommendation to appoint Ms. Gracie Milbourne as Acting Zoning Administrator, and Mr. Mark Bowden as Acting Building Official until permanent recommendations could be prepared,
- 5.6 Scheduled a Public Hearing to receive public comment concerning a proposed amendment to Chapter 106 Zoning, to remove Article XXII, Planned Unit Developments, Section 106-561 of the Code of the County of Accomack, Virginia
- 5.7 An increase in additional local funds for Star Transit in the amount of \$31,133 from Contingencies to keep the Chincoteague route open,
- 5.3 Contract Renewal – IFB 264 Water & Wastewater Engineering Services – Bowman Consulting Group-

Mr. Stewart Hall, Public Works Direction told the Board that the Bowman Consulting Group did not have an open task item other than miscellaneous services, and that their time and expenses were paid for attending the Planning Commission Meeting to explain the plant layout, the process, and responded to questions.

Mrs. Thornton made a motion to approve Contract Renewal - IFB 264, Water & Wastewater Engineering Services, with Bowman Consulting Group. Mr. Wolff seconded the motion. The motion was unanimously approved.

Presentation from Somerset Utilities

Mr. Jerry Sanders of LVI Power, LLC, Baltimore, MD gave an update and progress on the natural gas pipeline. He told the Board the plans for how the gas line changed and instead of coming into Salisbury, Maryland from the west, Mr. Sanders stated the line would connect in Pennsylvania and go through Delaware. He stated the change would mean fewer problems with the FERC (Federal Energy

Regulatory Commission) and this would allow his company to use existing rights-of-way.

Draft Transportation Prioritization Report

Ms. Sue Simon, Economic Development Transportation Planning Coordinator, gave an update on the draft Prioritization Report for Accomack County. She told the Board VDOT had asked the Transportation Technical Advisory Committee to prepare the prioritization report and list of recommendations for both the Accomack County Board of Supervisors and the Northampton Board of Supervisors.

Bid Award – IFB 680 Quinby Harbor Phase III

Mr. Hart made a motion to award IFB 680 Quinby Harbor Phase III to the sole bidder, BIC, Inc., for the base bid amount of \$261,320 for improvements to the North Wharf of Quinby Harbor and approve the shortfall of \$15,000; \$7500 from E. D. 8 and \$7500 from E. D. 9 District Projects funds to cover the budget shortfall. Ms. Major seconded the motion. The motion was unanimously approved.

Update on Early Retirement Program for Schools

Beth L. Onley, Chief Operating Officer, gave a PowerPoint presentation to the Board that had been voted on at the School Board's meeting on November 18, 2014. She gave a history of what had been spent in the Early Retirement Option for FY11, FY12, and FY13 and the projection for early retirement option. She explained the alternative proposal with a supplemental benefit and responded to questions from the Board of Supervisors. The Alternative Proposal Supplemental Benefit was as follows:

- Eligibility based on qualification for full VRS retirement (30 Years), with the last consecutive 15/20 years in service to Accomack County Schools
- Benefit available to eligible employees for either 7 years or the attainment of Medicare age (currently 65 years old), whichever occurs first
- Benefit available to all eligible employees: Classified, Teachers & Administrators
- Eligible employees are allowed to work up to 15/20 days in a fiscal year at the daily rate of pay currently paid to a long term substitute in that position Classified \$49 - \$110, Teacher \$235, and Administrator \$300
- Teachers will be required to maintain their certification
- School Board must renew the Supplemental Benefit every year. Those already eligible and participating in the benefit will be grandfathered until they no longer qualify

Ms. Onley gave the following advantages:

- Cost savings from current ERO Plan \$202,953/\$123,798
- The experience classroom management of a retired teacher cannot be duplicated by an untrained individual from the standard substitute list

- The experience of a retired administrator in matters such as leading a building, discipline procedures, recruiting, etc. cannot be duplicated by an untrained individual
- Receiving 50%/100% more in experienced retiree work day to benefit the Division.

She said current policy GBOA stated “Should the Early Retirement Option be rescinded, persons already in the program will continue to receive their benefits until such time as the employee is no longer eligible according to the original membership guidelines.” She gave a briefing related to the current plan with a one/two year phase out for current employees, and stated the proposed plan to employees would be presented at 3 town hall style meetings.

A lengthy discussion ensued concerning a cost analyst of taking the \$408,000 per year and adding it to the lower income teacher’s salaries to see what the amount would be brought up to.

Mrs. Thornton stated any Retirement Benefit Plan that the School Board would give to their employees would have to be approved by the Board of Supervisors and it was never approved by the Board. County Attorney Mark Taylor stated he had researched the history on the benefit/program that had been created to help retirees in their retirement benefit, but it would have to come before the Board for their approval.

Discussion continued.

Easter Shore Public Library

Mr. Crockett commented on the Eastern Shore Public Library space needs and made a motion to request the County Administrator and staff bring a brief report back to the Board at the January meeting the following outlined items for the Board’s consideration:

1. The time the staff feels that is needed to compile a list of possible and well considered options to improve the library services, and
2. The resources which may be needed to prepare such a list and whether the funds are already in the budget or if more would be needed and upon receipt of that information at the January meeting, he would at that time ask the Board’s consideration for further discussion on the issue of the library space needs and solutions.

Mr. Wolff seconded the motion. The motion was unanimously approved.

Review Committee on Boards and Commissions - Recommendations

Ms. Lewis told the Board she and Mrs. Thornton were making the following recommendations related to boards and commissions:

1. All districts need to be represented on boards/commissions as much as possible,
2. Should refrain from appointing citizens to more than one policy making board,
3. All boards/commissions have term limits, excluding Board of Supervisors members,
4. Members of the Wetlands Board should not serve on the Planning Commission,
5. Special District – membership governed by Code of Virginia/County Ordinance
Election District – represents each of the Election Districts with 9 members or more

District – represents each Magisterial District with 5 to 8 members (which may include at-large members)

At- Large District – represents 1-4, and

6. When terms end, appointee will not be reappointed.

Mrs. Thornton made a motion to approve aforementioned recommendations. Ms. Lewis seconded the motion. The motion was unanimously approved.

Captains Cove/Greenbackville Mosquito Control District

Mr. Wolff made a motion to appoint Lance Stitcher to the Cove/Greenbackville Mosquito Control District for a four year term beginning immediately and ending June 30, 2018. Mr. Hart seconded the motion. The motion was unanimously approved.

Mr. Wolff made a motion to appoint Garey Wayne Cropper to the Captain's Cove/Greenbackville Mosquito Control District for a four year term beginning immediately and ending June 30, 2018. Mr. Hart seconded the motion. The motion was unanimously approved.

Greenbackville Boat Harbor Committee

Mr. Wolff made a motion to appoint Jim Porter to the Greenbackville Boat Harbor Committee to fill the unexpired term of Mr. Kelly D. Price beginning immediately and ending December 31, 2015. Mr. Hart seconded the motion. The motion was unanimously approved.

Attendance Report

A discussion took place regarding the committees, commissions, and agencies not submitting attendance reports. Mrs. Lewis asked if an effort was being made to make sure all attendance reports were being done. Mr. Miner stated he would discuss this with staff and get a list compiled of the committees, commissions, or agencies that are not submitting attendance reports.

Recommendations to Amend Accomack County Fire and Rescue Commission Bylaws

Mr. Crockett told the Board the Accomack County Fire and Rescue Commission requested the following three amendments to their Bylaws.

1. Eliminate the Member-At-Large positions,
2. Members of the Fire and Rescue Commission who fail to be present at three (3) consecutive meetings and have failed to be represented by their alternate will void their membership on the Commission. It will be the sole responsibility of the members to send their alternate to the meeting they can't attend. Members who memberships become void and request reinstatement on the Commission shall submit their request in writing to the Chairperson. The request will be voted on at the next regularly scheduled Commission meeting. Those requests receiving majority approval shall be reinstated with a penalty of 6 months loss of voting privileges commencing on the date of reinstatement. The Tangier Fire and Rescue Company will be exempt from this rule because of the burden of traveling to Accomack on a monthly basis, and
3. Distribution of County Funding to Fire and Rescue Companies is outlined in the terms and conditions of County funding Agreement and in accordance with approved Financial Policies.

Mr. Crockett made a motion to accept the Accomack County Fire and Rescue Commission's recommendations to the Bylaws. Mr. Wolff seconded the motion. A discussion ensued. The motion was unanimously approved.

Mission Statement

MISSION STATEMENT

The principal reason and purpose of the Accomack County Fire & Rescue Commission is to provide professional guidance to the County of Accomack, its citizens, and its Fire & Rescue Agencies. The Commission will strive to enhance the quality of services provided by the Fire & EMS Agencies of Accomack County. Members of the Accomack County Fire & Rescue Commission are dedicated to serve the citizens of our County. The overall goal to improve Fire & EMS services in our County will be done through planning and implementation. Planning for today and tomorrow will be aimed at one common goal:

THE IMPROVEMENT OF DELIVERED FIRE & EMS SERVICES TO SAFEGUARD LIVES AND PROPERTY IN THE COUNTY OF ACCOMACK.

BYLAWS

ACCOMACK COUNTY FIRE & RESCUE COMMISSION

ARTICLE I

This Commission which is duly recognized and chartered by the County of Accomack, Commonwealth of Virginia shall be known by the name of the Accomack County Fire and Rescue Commission.

Members shall represent each Fire and Rescue Company in the County of Accomack. Other members of the Commission will consist of the County Administrator, or his representative, and one member of the Accomack County Board of Supervisors. Each fire and rescue company in the County must submit a name of their representative, and *three (3) alternates*, to the Accomack County Board of Supervisors by November

15th each year. The board will ratify all members of the Fire & Rescue Commission at the December meeting. Names can be submitted at any time to replace members that are unable to fulfill their term on the Commission. A list of representatives who serve on the Commission shall be attached to these bylaws, and will be updated at the next regularly scheduled meeting if a change of membership occurs. The Commission has the authority to appoint committees that may include non-members of the Commission.

Members of the Fire and Rescue Commission who fail to be present at three (3) consecutive meetings and have failed to be represented by their alternate will void their membership on the Commission. It will be the sole responsibility of the members to send their alternate to the meeting they can't attend. Members whom membership become void and request reinstatement on the Commission shall submit their request in writing to the Chairperson. The request will be voted on at the next regularly scheduled Commission meeting. Those requests receiving majority approval shall be reinstated with a penalty of 6 months loss of voting privileges commencing on the date of reinstatement. The Tangier Fire and Rescue Company will be exempt from this rule because of the burden of traveling to Accomack on a monthly basis.

The Commission shall conduct a regular business meeting on the third Thursday of each month.

ARTICLE II

Elected officers of the Accomack County Fire & Rescue Commission shall consist of a Chairperson, Vice Chairperson, and Secretary/Treasurer.

If a vacancy should occur among elected officers, such vacancy shall be filled at the next regular or special called meeting by elective process.

ARTICLE III

The government of the Commission is entrusted to its duly elected officers. New officers shall serve a one year progressive term. Elections will be held annually on the regular meeting night of the month of January. Officers elected shall take office at the January meeting.

ARTICLE IV

The Commission shall hold one regular meeting monthly, and special meetings may be called at any time the Chairperson deems necessary. The Chairperson has the right to cancel or postpone meetings. Executive Sessions can be requested by any voting member of the Commission and passed by a majority vote according to State Statute.

ARTICLE V

It shall be the duty of the Chairperson to conduct all meetings of the Fire & Rescue Commission, and to have supervision over the business and the affairs of the Commission, and such officer shall be the Executive Officer.

Six (6) members will represent a quorum. When the voting process is required in decision making, the majority of the Commissioners present are empowered to make decisions binding on all. A majority means a simple majority of one-half the members present plus one. (1) One Commissioner, one vote, alternate cannot vote when the Commissioner is present and a tie vote would be defeated.

ARTICLE VI

The Vice Chairperson shall assume and discharge the duties of the office of the Chairperson in the absence of or disability of the Chairperson, or when called upon by the Chairperson.

ARTICLE VII

The Secretary/Treasurer shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such other records as the Commission may direct,

render reports of membership when called upon at a meeting, and handle under the direction of the Chairperson all correspondence of the Commission. The Secretary shall have roll call at all regular meetings. The Secretary/Treasurer shall handle the financial affairs of the Commission, keep a record of all money received and expended, and render an account of the status of all financial affairs to the Commission at each regular business meeting.

ARTICLE VIII

The bylaws may be amended at any regularly scheduled or special meeting of the Commission by an Extraordinary Majority, two-thirds (2/3) majority vote of the members present at the meeting; provided that each member is notified by personal contact that such an amendment is to be voted on at a specified meeting. To amend the bylaws it has to lie on the table for thirty (30) days.

ARTICLE IX

Distribution of County funding to Fire and Rescue Companies is outlined in the terms and conditions of County Funding Agreement and in accordance with approved County Financial Policies.

Standing Committees

Apparatus Testing
Eastern Shore Regional Fire Training Center
EMS Council
SOP Committee
Communications

County News Letter

Mrs. Thornton stated the Board needed to get more information out to the public concerning things that were being done and decisions that were being made because it was a good public service to do so.

Mrs. Thornton made a motion to direct staff to compile a newsletter once every three months and transfer up to \$3000 from contingency fund to cover the costs. Mr. Crockett seconded the motion. The motion was unanimously approved.

Other

Town of Hallwood Issues

Mr. Wolff gave an update on the Town of Hallwood no longer having a police officer and at times would request the Sheriff's Department to come in the town to enforce County laws. He told the Board there would need to be an agreement between the Town, County, and Sheriff's Department (Memorandum of Understanding) to provide this service.

A discussion ensued.

The Board requested the County Attorney to research the Hallwood issue, speak with the Sheriff, and bring back the findings to the Board for discussion.

Recess

It was the consensus of the Board to take a 30 minute recess.

Call to Order

The Chair called the meeting to order.

Public Hearings

Proposed Ordinance Amendment to the Accomack County Stormwater Management Ordinance, Chapter 38, Environment, Article IV, Stormwater Management, Sec. 38-87, Definitions, to Change the Composition of the Appeals Board

Mr. Crockett 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 38, Environment, Article IV, Stormwater Management, Sec. 38-87, Definitions, to change the composition of the Appeals Board of the Code of the County of Accomack, VA

**AN ORDINANCE TO AMEND THE ACCOMACK COUNTY CODE
CHAPTER 38 – ENVIRONMENT, ARTICLE IV – STORMWATER
MANAGEMENT SEC. 38-87 DEFINITIONS**

WHEREAS, the Board of Supervisors of Accomack County enacted the Stormwater Management Ordinance on May 21, 2014; and

WHEREAS, the Board of Supervisors of Accomack County has determined that an amendment needs to be made regarding the composition of the Appeals Board referred to in said Stormwater Management Ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Accomack County Board of Supervisors this 19th day of November, 2014, that the Accomack County Stormwater Management Ordinance is hereby amended with regard to the Appeals Board as follows:

Sec. 38-87. Definitions. ([Section] 9VAC25-870-10).

In addition to the definitions set forth in [Section] 9VAC25-870-10 of the Virginia Stormwater Management Regulations, as amended, which are expressly adopted and incorporated herein by reference, the following words and terms used in this article have the following meanings unless otherwise specified herein. Where definitions differ, those incorporated herein shall have precedence.

Administrator means the environmental program manager or his designee.

Agreement in lieu of a stormwater management plan means a contract between the VSMP authority and the owner or permittee that specifies methods that shall be implemented to comply with the requirements of a VSMP for the construction of a single-family residence; such contract may be executed by the VSMP authority in lieu of a stormwater management plan.

Appeals board means the VSMP appeals authority, which shall be appointed by the board of supervisors. The appeals board will consist of five (5) members, including an engineer, a builder, a real estate developer ~~local developer~~, and an individual from the local Eastern Shore Soil and Water Conservation District and the Accomack County Zoning Administrator.

Applicant means any person submitting an application for a permit or requesting issuance of a permit under this article.

Best management practice or BMP means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

Chesapeake Bay Preservation Act land-disturbing activity means a land-disturbing activity, including clearing, grading, or excavation that results in a land disturbance equal or greater than 2,500 square feet and less than one acre in the area designated as subject to the Chesapeake Bay Preservation Act and regulations adopted pursuant thereto. (Note: The area of Accomack County subject to the Chesapeake Bay Preservation Act and regulations adopted pursuant thereto is designated as the "Chesapeake Bay Watershed" on the official zoning map of Accomack County.)

Common plan of development or sale means a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules.

Control measure means any best management practice or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

Clean Water Act or CWA means the Federal Clean Water Act (33 U.S.C § 1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

Department means the department of environmental quality.

Development means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreational, transportation or utility facilities or structures, or the clearing of land for nonagricultural or nonsilvicultural purposes.

General permit means the state permit titled GENERAL VPDES PERMIT FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITIES found in Part XIV ([Section] 9VAC25-880-1 et seq.) of the regulations authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

Land disturbance or land-disturbing activity means a manmade change to the land surface that potentially changes its runoff characteristics, including clearing, grading, or excavation, except that the term shall not include those exemptions specified in subsection 38-88(c) of this article.

Layout means a conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

Minor modification means an amendment to an existing general permit before its expiration not requiring extensive review and evaluation, including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter general permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

Operator means the owner or operator of any facility or activity subject to regulation under this article.

Permit or VSMP authority permit means an approval to conduct a land-disturbing activity issued by the VSMP authority for the initiation of a land-disturbing activity after evidence of state VSMP general permit coverage has been provided where applicable.

Permittee means the person to whom the VSMP authority permit is issued.

Person means any individual, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, governmental body, including federal, state, or local entity as applicable, any interstate body or any other legal entity.

Regulations means the VSMP permit regulations ([Section] 9VAC25-870) as amended.

Site means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity. Areas channel ward of mean low water in tidal Virginia shall not be considered part of a site.

State means the Commonwealth of Virginia.

State board means the state water control board.

State permit means an approval to conduct a land-disturbing activity issued by the state board in the form of a state stormwater individual permit or coverage issued under a state general permit or an approval issued by the state board for stormwater discharges from an MS4. Under these state permits, the Commonwealth imposes and enforces requirements pursuant to the Federal Clean Water Act and regulations, the Virginia Stormwater Management Act and the regulations.

State Water Control Law means Code of Virginia, § 62.1-44.2 et seq.

State waters means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

Stormwater means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater management plan means a document(s) containing material describing methods for complying with the requirements of section 38-91 of this article.

Stormwater pollution prevention plan or SWPPP means a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meets the requirements of this article. In addition the document shall identify and requirement the implementation of control measures and shall include, but not be limited to the inclusion of, or the incorporation by reference of, an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

Subdivision means the same as defined in section 78-3 of Accomack County's Subdivision Ordinance.

Total maximum daily load or TMDL means the sum of the individual waste load allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade-offs.

Virginia Stormwater Management Act or Act means Code of Virginia, § 62.1-44.15:24 et seq.

Virginia Stormwater BMP Clearinghouse website means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to

comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

Virginia Stormwater Management Program or VSMP means a program approved by the state board after September 13, 2011, that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations.

Virginia Stormwater Management Program authority or VSMP authority means an authority approved by the state board after September 13, 2011, to operate a Virginia Stormwater Management Program.

(Ord. of 5-21-2014, § 1-2)

County Attorney Mark Taylor gave a report on the amendment of the Stormwater Ordinance to change the Constitution of the Appeals Board to enlarge it and specify the membership as requested by the Board.

Mr. Crockett made a motion to close the Public Hearing. Ms. Major seconded the motion. The motion was unanimously approved.

The Chair closed the Public Hearing.

Mrs. Thornton made a motion to adopt the Ordinance as presented. Mr. Wolff seconded the motion. The motion was unanimously approved.

Proposed Amendment to Chapter 102, Waterways, Article II, Ramps and Docks, Section 102-33, Saxis Boat Dock, to allow for specific rules and regulations for the County owned dock at Saxis 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 Chapter 102, Waterways, Article II, Ramps and Docks, Section 102-33, Saxis Boat Dock, to allow for specific rules and regulations for the County owned dock at Saxis of the Code of the County of Accomack, VA.

**AN ORDINANCE TO AMEND CHAPTER 102, WATERWAYS,
ARTICLE II, BOAT HARBORS, RAMPS AND DOCKS,
SEC. 102.33, SAXIS BOAT DOCK,
OF THE ACCOMACK COUNTY CODE**

WHEREAS, the Accomack County Board of Supervisors, is desirous of amending the County Code to allow for specific rules and regulations for the County owned dock at Saxis; and

WHEREAS, the Accomack County Board of Supervisors is desirous of granting joint powers for the County owned dock at Saxis with the Town of Saxis whereby the Town of Saxis officials would have authority to enforce the rules and regulations applicable to the operation of the County dock facility at Saxis, including commercial and recreational use; and

WHEREAS, pursuant to Virginia Code § 15.2-1725, the Accomack County Board of Supervisors understands that it is in the best interest for its citizens to have official rules and regulations pertaining to the County owned dock at Saxis and wishes to enable the Town of Saxis officials to enforce such rules and regulations; and

WHEREAS, the Accomack County Board of Supervisors, is desirous of amending the Accomack County Code, Chapter 102, Waterways, Article II, Boat Harbors, Ramps and Docks, Division I. Generally, Sec. 102-33, Saxis Boat Dock.

NOW, THEREFORE, BE IN ENACTED that the Board of Supervisors of Accomack County, Virginia, pursuant to Virginia Code § 15.2-1725, amends the Accomack County Code by adding the following: Chapter 102, Waterways, Article II, Boat Harbors, Ramps and Docks, Division I. Generally, Sec. 102-33, Saxis Boat Dock, as follows:

Sec. 102-33. Use of county-owned dock at Saxis.

(a) Mooring, docking and/or wharfage at the county-owned dock at Saxis shall be limited to recreational (non-commercial) vessels only during the commercial oyster season. Should circumstances require the exclusion of commercial vessels for a longer period, an extension of time may be granted by the County or town of Saxis.

(b) In addition to any county police officer, the town of Saxis is specifically authorized and appointed to enforce the provisions of this section and to grant any reasonable extensions of time as provided for in subsection (a) of this section.

(c) Any person violating any of the provisions of this section shall, upon conviction, be guilty of a class 2 misdemeanor.

County Attorney Mark Taylor gave a brief overview of the Ordinance that was drafted after a meeting in Saxis as requested by Mrs. Lewis. He stated it was an ordinance to provide for cooperative operation or enforcement of rules at the County dock at Saxis which was similar to the ordinance that is in place in the operation of the County Dock at Tangier. Mr. Taylor responded to questions from the Board.

Comments were offered by:

Denise Drew – Mayor of Saxis – dockage fee at Saxis Marina

A. W. Williams – Saxis – objected to ordinance change

Tamara Williams – Saxis - table the ordinance until issues are looked at

Wesley Williams – Saxis – objected to ordinance change

The Chair closed the Public Hearing.

Mr. Hart made a motion to table the issue until more information was received and if the town could legally collect the fee since grants were used to build the facility, have staff find out if other areas charge a fee, and get answers to the concerns and have the County Attorney and Public Works Director bring the information back to the next Board of Supervisors meeting. Ms. Major seconded the motion. The motion was unanimously approved.

Modest Town Agricultural and Forestal District Review

The Chair stated he owned land in the Modest Town Agricultural and Forestal District and recused himself from discussion. He turned the meeting over to the Vice Chair.

Vice Chair Reneta Major opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning Modest Town Agricultural and Forestal District Review.

Kristen Tremblay, Assistant Planner presented the Modest Town Agricultural and Forestal District Review to the Board and gave an overview of the district.

No one spoke on the Modest Town Agricultural and Forestal District Review.

The Vice Chair closed the Public Hearing.

Agricultural and Forestal Review-Modest Town District
Review by: December 2014
Recommended for Removal

Tax Map #	Owner 1	Owner 2	Acreage	Land Use Taxation	Comments:
70-A-114G	PAUL D GEORGE		0.40	NO	
70-A-98E	THOMAS JAMES MEARS		0.71	NO	
70-A-80A	JOHN CULLEN LEWIS	SARAH PERRY LEWIS	0.95	NO	New Home
79-13-3	TERRY A LEWIS	KAREN D LEWIS	2.66	NO	
69-A-104	SHORT ROWS LLC		149.00	YES	Owner Requested
78-A-119	SHORT ROWS LLC		12.84	YES	Owner Requested
79-A-34	SHORT ROWS LLC		46.41	YES	Owner Requested
79-2-1	SHORT ROWS LLC		71.89	YES	Owner Requested
79-2-2	SHORT ROWS LLC		56.84	YES	Owner Requested
79-2-3	SHORT ROWS LLC		49.31	YES	Owner Requested
79-2-4	SHORT ROWS LLC		8.22	YES	Owner Requested
88-A-36	SHORT ROWS LLC		186.75	YES	Owner Requested
88-A-36A	SHORT ROWS LLC		72.99	YES	Owner Requested

Mr. Wolff made a motion to accept the recommendations for the following properties considered not being in agricultural or forestal production:

1. Less than (5) acres and not contiguous to any other agricultural parcel owned by the same person;
2. Subdivided after the year 2000 and intended for proposed development of a more intensive, non-agricultural or forestal use.

Mr. Hart seconded the motion. The motion was approved 8-1 with Mr. Gray

abstaining.

Sec. __-__. Modest Town Agricultural and Forestal District.

The Modestown Agricultural and Forestal District, established pursuant to Ordinance No. _____ and adopted by the Board of Supervisors on _____, shall consist of all of that real property more particularly described below, and shall be in accordance with the Accomack County Agricultural and Forestal District Ordinance, Chapter ____, as may be hereafter amended from time to time by the Board. It shall be continued for a period of four (4) years.

Properties:

Owner Name 1	Owner Name 2	Tax Parcel
ACE 1971 TRUST	& GIGI 1971 TRUST	71-A-2B
ACE 1971 TRUST	& GIGI 1971 TRUST	70-A-127
ACE 1971 TRUST	& GIGI 1971 TRUST	70-A-146
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-A
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-1
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-2
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-3
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-4
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-5
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-6
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-7
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-8
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-9
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-10
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-11
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-12
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-13
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-14
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-15
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-16
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-17
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-18
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-19
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-20
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-21
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-22
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-23
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-1-ROW
ACE 1971 TRUST 1/2	& GIGI 1971 TRUST 1/2	71-A-2B
B S MATTHEWS & SONS	C/O GLENN MATTHEWS	70-A-148
BARNES, FLETCHER J III		69-3-A1
BARNES, FLETCHER J III		68-A-233
BARNES, FLETCHER J III		69-3-A
BARNES, FLETCHER J III		69-A-39
BARNES, FLETCHER J III		69-A-92
BARNES, FLETCHER J III		69-A-93
BARNES, FLETCHER J III		79-A-125
BAR-RAB LLC		70-A-123
BAR-RAB LLC		70-A-124
BAR-RAB LLC		70-A-125
BAR-RAB LLC		70-A-126
BAR-RAB LLC		70-A-80
BAR-RAB LLC		70-A-90
BAR-RAB LLC		70-A-92
BAR-RAB LLC		70-A-94B
BAR-RAB LLC		88-4-B
BAR-RAB LLC		88-A-6
BAR-RAB LLC		70-A-80C
BELL, HOLLAND T	& JANET W BELL	69-A-100
BELL, HOLLAND T	& JANET W BELL	69-A-101
BELL, HOLLAND T	& JANET W BELL	70-A-77
BELL, HOLLAND T	& JANET W BELL	70-A-78

BELL, HOLLAND T SR	OR JAMES BELL	80-A-15
BELL, JANET W		70-3-A
BLAKE, MAXINE L	C/O ROBERT F ALFREE ET UX	79-13-6
BLAND, GEOFFREY L	& BERIT H BLAND	80-A-5
BLOXOM, JOHN M IV TR &	JOHN T LAYTON JR TR	55-A-73
BLOXOM, JOHN M IV TR &	JOHN T LAYTON JR TR	55-A-73B
BLOXOM, ROBERT S	OR PATRICIA K BLOXOM	79-A-135
BLOXOM, ROBERT S	OR PATRICIA K BLOXOM	80-A-17
BLOXOM, ROBERT SPURGEON	OR PATRICIA K BLOXOM	80-A-18
BLOXOM, ROBERT SPURGEON	OR PATRICIA K BLOXOM	80-A-19
BROWN NORMA CAROLINE LIFE		70-A-116
BROWN NORMA CAROLINE LIFE		70-A-53
BROWN NORMA CAROLINE LIFE		70-A-74
BROWN NORMA CAROLINE LIFE		70-A-75
BULL, ANNE B		70-2-3A
BULL, ANNE B		70-A-72
BULL, WILLIAM R JR	& MELANIE BULL BUNDICK	80-A-7
BULL, WILLIAM R JR	& MELANIE BULL BUNDICK	80-A-9
BUNDICK, WILLIAM JACKSON		70-A-84
BUNDICK, WILLIAM THOMAS		79-A-129
COMMONWEALTH OF VIRGINIA	DEPT OF CONSERVATION & RECREAT	79-10-1
COMMONWEALTH OF VIRGINIA	DEPT OF CONSERVATION & RECREAT	79-10-2
COMMONWEALTH OF VIRGINIA	DEPT OF CONSERVATION & RECREAT	79-10-3
COMMONWEALTH OF VIRGINIA	DEPT OF CONSERVATION & RECREAT	79-10-4
COMMONWEALTH OF VIRGINIA	DEPT OF CONSERVATION & RECREAT	79-10-5
COMMONWEALTH OF VIRGINIA	DEPT OF CONSERVATION & RECREAT	79-10-6
COMMONWEALTH OF VIRGINIA	DEPT OF CONSERVATION & RECREAT	79-A-141A
COMMONWEALTH OF VIRGINIA	DEPT OF CONSERVATION & RECREAT	80-A-20
COMMONWEALTH OF VIRGINIA	DEPT OF CONSERVATION & RECREAT	80-A-21
DARBY, H STEVEN	FREDERICK C T/A ROBERT DARBY 7 SONS	55-A-107
DIMARE HOMESTEAD INC		69-A-91B
DIX, THOMAS B JR SUCC TR		69-2-A
DIX, THOMAS B JR SUCC TR		69-3-B
DIX, THOMAS B JR SUCC TR		79-A-43
DIX, THOMAS B JR SUCC TR		88-A-7
DIZE, COLBURN L TR ½	& POLLY B DIZE	55-10-1
DIZE, COLBURN L TR ½	& POLLY B DIZE	55-10-2
DIZE, COLBURN L TR ½	& POLLY B DIZE	55-10-3
DIZE, COLBURN L TR ½	& POLLY B DIZE	55-A-106A
EASTERN SHORE SOIL	&WATER CONSERVATION DISTRICT	78-A-134
FERBEE, JOSEPH E SR		70-A-96A
FISH, ANDY VICTOR	OR KATHLEEN CAMPBELL FISH	56-10-1
FREDERICK, EARL B	& THERESA A THOMPSON	79-A-151
GAYLE, LYNN P TR	& LINDA E GAYLE TR	79-A-51
GIGI 1971 TRUST	ACE 1971 TRUST C/O G C SEYBOLT	71-A-4
GIGI 1971 TRUST 1/2	ACE 1971 TRUST 1/2	70-A-143B
GIGI TRUST 1971 THE 1/2	ACE TRUST 1971 THE 1/2	70-A-143
GRAY, JOHN C		70-A-38
GRAY, JOHN C		70-A-96
GRAY, JOHN CHARLES		70-A-98
GRAY, JOHN CHARLES		70-A-99
GRAY, JOHN CHARLES		70-A-114
GRAY, JOHN CHARLES		70-A-128
GRB FAMILY LIMITED PARTNERS		79-A-140
GRB FAMILY LIMITED PARTNERS		79-A-141
GRB FAMILY LIMITED PARTNERS		79-A-142
HALL, SANDRA R 60%	RACHEL H FISHER TR 40%	56-A-51
HOPELAND PROPERTY OWNERS	ASSOCIATION INC	71-A-7
INGRATED FISHERIES	INTERNATIONAL LIMITED	55-A-107A
J R WHITE FAMILY LIMITED	PARTNERSHIP THE	79-A-124
JOHNSON, C MITCHELL	& SANDRA H JOHNSON	79-A-79A
JOHNSON, C MITCHELL ETUX	C/O MARTA OLGA GONZALEZ LOPEZ	79-A-79B
JOHNSON, J EDMOND		79-A-40
JOHNSON, J EDMOND		88-A-1
KELLAM, RUTH T	VERA T BRUTON ET ALS	56-5-A
KELLAM, RUTH T	VERA T BRUTON ET ALS	56-5-B
KELLAM, RUTH T	VERA T BRUTON ET ALS	56-5-C
KELLAM, RUTH T	VERA T BRUTON ET ALS	56-5-C1
KELLAM, RUTH T	VERA T BRUTON ET ALS	56-5-D
KELLAM, RUTH T	VERA T BRUTON ET ALS	56-5-E
KELLAM, RUTH T	VERA T BRUTON ET ALS	56-A-57
KELLY, JOSEPH M	MARGARET M KELLY	80-A-14A
LEE, SHEILA N		55-6-C

LEWIS, LYNWOOD W JR		80-A-25
LEWIS, LYNWOOD W JR &	LISA LEWIS	80-A-22
LEWIS, THERESA E LIFE		79-A-149
MAPP/HEWES LLLP		88-A-6A
MAPP/HEWES LLLP		79-4-A
MAPP/HEWES LLLP		79-4-B
MAPP/HEWES LLLP		79-4-C
MAPP/HEWES LLLP		79-A-152
MASON, LELAND E ET UX 1/2	DAVID J TYREE ET UX 1/2	55-6-B1
MATTHEWS, GERALD B JR	& CHRISTOPHER G MATTHEWS	56-A-52
MATTHEWS, GLENN T		56-A-48
MATTHEWS, GLENN T		70-A-34
MATTHEWS, GLENN T 1/2	& G B JR & C G MATTHEWS 1/2	70-A-147
MEARS, WILLIAM EDWARD		79-A-92A
MEARS, WILLIAM EDWARD		79-6-A
MEARS, WILLIAM EDWARD		79-6-B
MEARS, WILLIAM EDWARD		79-6-C
MEARS, WILLIAM EDWARD		79-6-D
MEARS, WILLIE EDWARD		79-A-33
MERRITT, RANDAL B	& LORETTA Y MERRITT	69-A-12
MERRITT, RANDAL B	& LORETTA Y MERRITT	69-A-34
MERRITT, RANDAL B	& LORETTA Y MERRITT	69-A-37
MERRITT, RANDAL B	& LORETTA Y MERRITT	69-A-40
MERRITT, RANDAL B	& LORETTA Y MERRITT	69-A-41
NEEL, JAMES B	OR WENDY E NEEL	56-10-B
ONLEY, BRANTLEY T	OR HARTLEY G ONLEY	70-A-94
PARKS, JERRY F 1/2	& KELLY TERESE PARKS ET AL	69-A-98
PARKS, JERRY F 1/2	& KELLY TERESE PARKS ET AL	70-A-61
PARKS, JERRY F1/2	& KELLY TERESE PARKS ET AL	70-A-79B
PARKS, JERRY F1/2	& KELLY TERESE PARKS ET AL	80-A-1
PARKS, MARION S		69-A-95
PARKS, MARION S		70-A-61
PARKS, MARION S 1/2	& JERRY F PARKS 1/2	69-A-106
PARKS, SABRA L		69-A-119
PATTI, BETTE A	OR BETTE A PATTI	69-A-32
POPERING, JOEL VAN	EDWARD VAN POPERING	80-A-32
RICHARDSON, NANCY CAROL LIF	C/O NANCY CAROL MATTHEWS	80-A-21A
ROCHMIS, PAUL G	OR ANN ROCHMIS	80-A-6
RUSSEL, BETSYE B	& FRANK W BLAKE II	79-A-134
SANDIFER, ALEXANDER WESTON	& MARTHA ELIZABETH SANDIFER	70-A-144
SANDIFER, ALEXANDER WESTON	& MARTHA ELIZABETH SANDIFER	70-A-145
SANDIFER, ALEXANDER WESTON	& MARTHA ELIZABETH SANDIFER	70-A-62
SANDIFER, C WESTON JR	NORMA S BROWN C/O C W SANDIFER	55-3-B
SANDIFER, C WESTON JR	NORMA S BROWN C/O C W SANDIFER	55-3-E
SANDIFER, C WESTON JR	NORMA S BROWN C/O C W SANDIFER	55-5-A
SANDIFER, C WESTON JR	NORMA S BROWN C/O C W SANDIFER	55-5-B
SANDIFER, C WESTON JR	NORMA S BROWN C/O C W SANDIFER	55-5-C
SANDIFER, C WESTON JR	NORMA S BROWN C/O C W SANDIFER	70-A-42
SANDIFER, C WESTON JR	NORMA S BROWN C/O C W SANDIFER	70-A-57
SEYBOLT, CALVERT H		71-1-B
SEYBOLT, G C SR	& H K SEYBOLT TRS	55-6-A2
SEYBOLT, GEORGE C JR		71-1-E
SEYBOLT, HORTENSE K TR	C/O CROSSAN SEYBOLT	71-1-C
SEYBOLT, REVA B TR ETAL 1/2	CALVERT H SEYBOLT TR ETAL 1/2	71-1-D
SNEAD, RYAN C	STEPHANI L SNEAD	79-13-1
TAYLOR & FULTON INC		69-A-69
TAYLOR, SHIRLEY P		88-A-19A
TAYLOR, SHIRLEY P	J F PARKS 1/3 KELLY T PARKS ETAL 1/3	70-A-60
VIRGINIA LAND PRODUCE INC		79-A-1A
WESSELLS, ELLEN BUNDICK	½ ETALS C/O H C WESSELLS II	70-A-86
WESSELLS, HOWARD C II &	WILLIAM C WESSELLS	70-A-89
WESSELLS, WILLIAM C	& HOWARD C WESSELLS II	70-A-64
YOUNG, DONALD T		78-A-32
YOUNG, DONALD T	& LOUISE J YOUNG	79-5-A
YOUNG, DONALD T	& LOUISE J YOUNG	87-A-84
YOUNG, FRANKLIN D		79-A-32B
YOUNG, LOUISE FLOYD		78-A-38
YOUNG, MATTHEW D		88-A-9

The Vice Chair turned the meeting over to the Chair.

Atlantic Town Center Development Corporation Conditional Rezoning and Presentation by Mark Baumgartner

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning Atlantic Town Center Development Corporation's Conditional Rezoning and Presentation by Mark Baumgartner.

Mr. Rich Morrison, Economic and Community Development Director, gave a brief overview of the request for rezoning and noted that the purpose was to provide for multi-family housing in the County; that a concept plan and proffers had been offered and if approved, that new development in this area would be served by the previously-approved water and wastewater facility and responded to questions from the Board.

Mr. Crockett introduced emails from NASA indicating they were concerned about the location of this project and recommended the zoning not be changed. A discussion ensued concerning the email from Caroline Massey dated September 17, 2014 stating NASA objected to the rezoning.

Mr. Miner told the Board the matter with NASA was very important and he had been following it and was very concerned because he felt it represented an unresolved issue. He said he thought the County had a very clear delineation APZ Zone.

Presentation by Mark Baumgartner, Pender & Coward

Mr. Baumgartner gave a presentation on the Atlantic Town Center-Villages Development Project concerning the preliminary Market Study and responded to questions. Mr. Baumgartner's presentation was for 432 residential units on approximately 49 acres of land and the 28 acres set aside for the drain field for those units and this project would be a phased development process. He explained the four reasons given for the Planning Commission's denial of the request were not valid reasons.

Comments were offered by:

Robert Tittle – Greenbackville – opposition to rezoning from agriculture to residential
Hayden Gordon – Greenbackville – opposition to rezoning from agriculture to residential
Ronnie Thomas – Atlantic – opposition to rezoning from agriculture to residential
Steve West – Wattsville – opposition to rezoning from agriculture to residential
Herman Chesser – Atlantic – opposition to rezoning from agriculture to residential
Pete Messick – Melfa – spoke on behalf of Association Realtors endorsing the project

The Chair closed the Public Hearing.

Mr. Crockett made a motion to table the rezoning and request to Caroline Massey from NASA come to the January Board Meeting and clarify her emails dated July 23,

2014 and September 9, 2014 where NASA opposed the rezoning request. Ms. Major seconded the motion.

Discussion continued and the motion, as stated, was unanimously approved.

Town Center Utility Facility Conditional Use Permit Amendment

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning Atlantic Town Center Development Utility Facility Conditional Use Permit Amendment.

Mr. Morrison told the Board the request was to increase the capacity to 30,000 gallons per day and to relocate the wastewater treatment plant.

Comments were offered by:

Robert Tittle – Greenbackville – opposing amendment to the utility facility conditional use permit

The Chair closed the Public Hearing.

Mr. Crockett made a motion not to take any action until clarification had been heard from NASA. Ms. Major seconded the motion. The motion was unanimously approved.

Receive FY15 1st Quarter Financial Report

Michael Mason, Director of Finance handed out a copy of the Financial Report and explained the same. He informed the Board major revenues were down 13.4% because the tax bills were mailed out eight days later than they were mailed out last year and the FY15 Revenue Forecast called for 1.6% growth over fiscal year 2014. He gave an update on the expenditures in all departments and they were within their quarterly appropriation. Mr. Mason stated the things that were not reflected in the report was the Perdue Property Tax Refund of approximately \$650,000 and it would impact the FY15 2nd quarter, State Aid to Locality Reductions were approximately \$87,000 less than expected, and he gave a report on the reduction by Service Area and the Major Revenue Summary.

County Administrator's Report

Dr. Steve Miner gave an update on the following items:

- Orbital Launch Situation
 - Chincoteague trees taken at the landfill – to date 6.68 tons had been received with a total of \$440.88 in tipping fees charged to the County of Accomack. A motion to waive the tipping fees.

Mr. Crockett made a motion to authorize waiving of the tipping fees. Mrs.

Thornton seconded the motion. The motion was unanimously approved.

- Disclosure Forms – have to be filed twice a year (new change) required to file one with the County by December 15th and June 30 and the other has to be filed directly to the State (by July 1, 2015)
- Received a letter of apology from the Shorekeeper's President, Mr. Ordeman for the comments that had been made stating the wastewater plant would endanger the water table were invalid. Mr. Chesser asked that a copy of the letter be sent to the Planning Commission, and the Town of Onancock and the Onancock Town Council.
- Redwood Lane and Six Year Plan – Mr. Miner gave a summation that Redwood Lane had been recommended for inclusion in various past six year plan, and in some of the years Redwood Lane was not recommended and it was not in the current recommend plan and as of today it was off the list. He continued and stated even in the years when it was on the plan, County records reflect no funding was ever programmed for any improvements to the road.

Mr. Hart asked the Board to consider placing Redwood Lane back on the Six Year Plan.

- An email he received from Mr. Lawton, Onancock Town Manager on November 19, 2014 and stated he felt it was a positive step.

Mr. Hart stated he was not going to say too much in open forum but felt the County Committee needed to get back together and discuss the sewer and water matter among themselves because of recent events and comments made by town residents and town officials at meetings and privately.

A discussion took place.

County Attorney's Report

Mark Taylor, County Attorney reported that the closing on the Parksley Shore Bank was complete, and the Shulman Trust Property (donated property on Guard Shore Road 7 acres) Deed had been received and recorded.

He gave a briefing related to Disclosure Forms and stated the Governor had formed an advisory panel to recommend further changes to conflicts and ethics laws in the State of Virginia.

Board of Supervisors Comments

Mrs. Thornton gave an update of the meeting she attended in Richmond and asked that the full report be emailed to Rich Morrison, Mark Taylor, and the Board.

Mr. Wolff gave a follow-up on a meeting held on Monday and said he had an attendance of 75 to 80 people. He told the Board NASA gave a great presentation. He commented about the Signis Capsule and stated it did not explode; that it came apart and

a lot of the cargo was intact and was reusable. He said Orbital was looking to launch in other places, but in 2015 a hot fire test would be done.

Mr. Wolff made a motion to send a Resolution of Support to NASA Director, Charlie Boldwin, Orbital, and Mid-Atlantic Regional Spaceport (MARS) indicating that the County was in support of their endeavors and hopes things move forward and they continue to launch. Mrs. Thornton seconded the motion. The motion was unanimously approved.

Mr. Chesser told the Board the Hunter Landowner Advisory Committee met and no action was taken on anything. He asked the Board to look at the video Gerald Matthews handed out concerning the launch and what the shock wave was like.

Ms. Major asked the Board to congratulate Mr. Hart as being elected the Secretary of Treasurer for VACo.

Budget and Appropriation Items

Appropriate Funds to Replace VJCCCA Related Vehicle

Mr. Hart made a motion to adopt the following Resolution to replace the VJCCCA vehicle. Ms. Major seconded the motion. The motion was unanimously approved.

RESOLUTION TO APPROPRIATE REMAINING FY15 BUDGETED FUNDS FOR VJCCCA VEHICLE REPLACEMENT

WHEREAS, on April 8, 2014, the Accomack County Board of Supervisors adopted the County Fiscal Year 2015 budget; and,

WHEREAS, the adopted Fiscal Year 2015 budget included capital funding in the amount of \$13,333 for the purpose of acquiring a replacement vehicle to be used by County staff charged with delivering services in accordance with the Virginia Juvenile Community Crime Control Act (VJCCCA) grant agreement; and,

WHEREAS, the \$13,333 budgeted represents 2/3 of the expected cost of the replacement vehicle with Northampton County funding the remaining 1/3 or \$6,667.

WHEREAS, only 50% of this capital funding has been appropriated to date due to the quarterly appropriation process put in place by the Accomack County Board of Supervisors to address budgetary constraints; and,

WHEREAS, the vehicle targeted for replacement has been removed from service due to excessive repair costs under the assumption that VJCCCA grant travel expenses would be temporarily absorbed by the Department of Juvenile Justice 2A District Court Services Unit until funding for the replacement vehicle was fully appropriated; and,

WHEREAS, the Department of Juvenile Justice 2A District Court Services Unit has been recently notified by the State that it must cut its travel budget by 50% effectively ending their ability to assist with any VJCCCA travel costs; and,
WHEREAS, travel is necessary for the County to fulfil its commitment under the VJCCCA grant agreement;

NOW THEREFORE BE IT RESOLVED, by the Accomack Board of Supervisors this 19th day of November that the remaining budgeted funding for the acquisition of a replacement vehicle in the amount of \$6,667 be appropriated.

Resolution to Amend FY15 County Budget and Appropriate Funds

Mr. Hart made a motion to approve the following Resolution to Amend FY15

County Budget and Appropriate Funds. Mr. Crockett seconded the motion. The motion was unanimously approved.

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	Information Technology	The County's internet access for the Accomack campus (Sheriff's Office, Planning building, Administration building, and Registrar's office) is through the School's dedicated Internet connection with the Eastern Shore Broadband Authority (ESVBA). We have been informed by School officials that they will be moving this service out of the Administration building and into one of the schools. Without this move, the schools will no longer be eligible for discounts under the E-rate program. This will force the County to purchase a separate Internet connection from the ESVBA to continue to provide Internet access and other IT services to County departments and constitutional offices on a 24/7 basis. The cost of this connection is estimated to be \$2,500 per month. The distinction between the County, as an organization that operates 24/7, and the Schools, who operate on a standard work week, is critical to understanding the rationale behind this request. County staff are required to respond to all service outages regardless of the time or day of the week. Today, if a service interruption occurs during nontraditional hours, County staff has the ability to troubleshoot the internet connection simply because the service is located at the Administration Building. Once it is moved to another location, this ability is gone likely resulting in extended outages especially during emergency situations. In addition, schools are shut down for extended periods of time during summer, spring and Christmas breaks meaning service interruptions could potentially last for days before school personnel were on-site to remedy the outage. In summary, the County needs to purchase its own dedicated internet service to maintain the level of uptime users such as the Sheriff's Office and the Emergency Management Department require to perform their duties.	Contingencies (Note that the School's internet service cost will decrease if this request is granted by at least \$500 a month which the Board could recoup by a reduction in their future appropriation.)	\$ 30,000
General Fund	External Agency Operating Subsidies	Provide additional funding so that the Chincoteague route can be continued. Previously, a portion of the operating cost for this route were paid from the New Freedom Grant which required only a 5% match. It is now paid from the 5311 grant which requires a local match of 32%.	Contingencies	\$ 31,133
General Fund & Consolidated Fire Fund	Volunteer Fire and Rescue	To reappropriate FY14 funds not distributed to Parksley Volunteer Fire Department. This department was not in compliance with the Fire and Rescue Accountability Policy during FY14 therefore payments were withheld. It is expected this company will become fully compliant in FY15 based on discussions with the Company management. This action will allow the FY14 funding to be disbursed once compliance is assured.	Assigned Fund Balance (Does not impact previously reported \$1.6M surplus)	\$120,238
Total				\$181,371

Payables

Upon certification by the County Administrator, Mr. Wolff made a motion to approve the payables. Ms. Major seconded the motion. The motion was unanimously approved.

Closed Meeting

Mr. Wolff made a motion that the Board go into closed meeting for the following purposes pursuant to Section 2.2-3711 of the Code of Virginia of 1950, as amended. Mrs. Mears seconded the motion. The motion passed unanimously.

- a. Pursuant to subsection (A) (1) for discussion or consideration, of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, and
- b. Pursuant to subsection (A) (7) for consultation and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture 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. Wolff	Mr. Chesser
	Mrs. Lewis	Mr. Gray	Mrs. Gordy
	Mr. Crockett	Mr. Hart	Ms. Major

Nays: None

Absent: 0

Adjournment

Mr. Wolff made a motion to adjourn the meeting. Mr. Crockett seconded the motion. The motion was unanimously approved. The meeting adjourned at 11:30p.m.

John Charles “Jack” Gray, Chair

Date