

VIRGINIA: At a Regular Meeting of the Board of Supervisors for the County of Accomack held in the Board Chambers in Accomac on the 19th day of January, A.D., 2011.

Members Present: Donald L. Hart, Jr., Chair
Laura Belle Gordy, Vice Chair
Wanda J. Thornton
Ron S. Wolff
Grayson Chesser
Sandra Hart Mears
John Charles "Jack" Gray
Robert Crockett
E. Philip McCaleb

Others Present: Steven B. Miner, County Administrator
Yvonne N. Pennell, Administrative Assistant
Mark B. Taylor, County Attorney

Call to Order

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

Adoption of the Agenda

Mrs. Thornton made a motion to approve the Agenda as amended. Mr. Crockett seconded the motion. The motion passed unanimously.

Public Comment

The Chair read the Rules governing conduct during the Public Comment Period.

The following person addressed the Board concerning plans for hiring Fire Medics:

Jody Bagwell, Representative of the Bloxom Volunteer Fire Company and the Chairman of the Accomack County Fire Commission

The following person addressed the Board concerning various shortfalls of open government in Accomack County:

Wesley Edwards

Introduction of New Election District 6 Supervisor

The Chair introduced and welcomed Robert D. Crockett, newly appointed Election District 6 Supervisor.

The Chair also recognized former Supervisors C. Reneta Major and Gregory Duncan, seated in the audience.

Disposition of the Real Property Known as the Former Mary N. Smith School

Kelvin Pettit offered a proposal for the development of 'The Mary N. Smith Center for Cultural Enrichment' in the former Mary N. Smith School.

County Attorney Mark Taylor addressed the Board concerning the *Responses to questions regarding the building and water usage* for the former Mary N. Smith School, and advised the Board to postpone action concerning the disposition of the property.

Mrs. Thornton 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. Mr. Wolff seconded the motion. The motion passed unanimously.

1. Pursuant to subsection (A) (3) concerning 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.

Former Mary N. Smith School

Open Session

The Chair declared the meeting open to the public.

Certification of Closed Meeting

Mr. Wolff made a motion, seconded by Mrs. Thornton, to reconvene in Open Meeting and to Certify by roll call vote, pursuant to Section 2.2-3712 (D) of the Code of Virginia, that to the best of each member's knowledge the only matters heard, discussed, or considered during the Closed Meeting were (i) public business matters lawfully exempted from Open Meeting requirements under this chapter and (ii) such public business matters as were identified in the motion by which the Closed Meeting was convened.

Aye: Mrs. Thornton Mrs. Mears Mrs. Gordy
Mr. Wolff Mr. Gray Mr. Hart
Mr. Chesser Mr. Crockett Mr. McCaleb

Property Known as the Former Mary N. Smith School

Mr. Gray made a motion that the Board accepts title to the property known as Mary N. Smith School that has been declared surplus, and offered to Accomack County by the Accomack County School Board. Mrs. Thornton seconded the motion. The motion passed unanimously.

Mr. Gray made a motion that the Board decline the proposal from the Mark-Dana Corporation to convert the Mary N. Smith School into affordable housing. Mrs. Mears seconded the motion.

Following discussion, the motion passed unanimously.

Mr. Gray made a motion that the Board authorize the County Administrator to execute the documents, on the advice of the County Attorney, as necessary to donate the property known as the Mary N. Smith School to the Mary N. Smith Alumni Association for use according to their proposal. Mrs. Mears seconded the motion.

Following discussion, the motion passed unanimously.

Recess

By consensus of the Board, the Chair called a five-minute recess.

Call to Order

The Chair called the meeting back to order.

Employee Recognition

The County Administrator announced that the County Central Accounting Department had once again received an award from the Government Finance Officers Association (GFOA). Amy Ford accepted the GFOA's Distinguished Budget Presentation Award for the FY11 Accomack County Budget documents on behalf of the Central Accounting Department.

Consent Agenda

Mr. Crockett requested that Item b - Award of IFB 630 – Quinby Harbor Phase II Redevelopment Project and Item c - Budgeting and appropriating \$115,000 from Contingencies to the Quinby Harbor Phase II Redevelopment Project be removed from the Consent Agenda. Mrs. Thornton requested that Item f - A request from the Virginia Association of Counties concerning the proposed real property assessment bill (HB 1588) be removed from the Consent Agenda.

Mr. Wolff made a motion to approve the Consent Agenda as amended. Mr. McCaleb seconded the motion. The motion passed unanimously.

- a. The award of Re-bid #631 for printing services
- d. The adoption of the FY2012 Budget Calendar
- f. To establish a Fund Balance Policy and adopting Rainy Day Fund Resolution

- g. To support the Town of Melfa's grant application for funding for a new concrete railroad crossing
- h. To authorize the County Administrator to sign the Transportation Partnership Opportunity Fund (TPOF) Grant Agreement for Wallops Research Park
- i. The use of E.D. 2 District Fund for dock inspection and hoist design/specification
- j. Update on Stolen County Laptop

Quinby Harbor Phase II Redevelopment Project

Discussion followed, with David Farlow, Chair of the Quinby Boat Harbor Committee, responding to questions from the Board concerning IFB 630 – Quinby Harbor Phase II Redevelopment Project and the proposed Budgeting and Appropriating of \$115,000 from Contingencies to the Quinby Harbor Phase II Redevelopment Project.

Finance Director Michael Mason explained that Undesignated Funds Balance were available and could be used in place of the Contingency Fund.

The Chair made a motion that the Board appropriate \$115,000 from the Undesignated Funds Balance for the Quinby Harbor Phase II Redevelopment Project. Mr. McCaleb seconded the motion.

Discussion followed.

Mrs. Thornton called for the question. The motion failed with the following vote. Aye: Mr. Hart; Mrs. Thornton; Mrs. Mears; and Mr. McCaleb. Nays: Mr. Wolff; Mr. Chesser; Mr. Gray; Mrs. Gordy; and Mr. Crockett.

Mrs. Thornton made a motion that the Board place the Quinby Harbor Phase II Redevelopment Project as a priority on the Capital Improvements List for FY2012, and that IFB 630 – Quinby Harbor Phase II Redevelopment Project be extended. Mr. McCaleb seconded the motion. The motion passed unanimously.

Proposed Real Property Assessment Bill (HB 1588)

The County Attorney explained the request from the Virginia Association of Counties concerning the proposed real property assessment bill (HB 1588) of the increased cost to counties for Real Estate Assessment Appeals to Boards of Equalization.

Discussion followed.

Mr. McCaleb made a motion to Board reject the request from the Virginia Association of Counties concerning the proposed real property assessment bill (HB 1588). Mrs. Thornton seconded the motion. The motion failed with the following vote. Aye: Mrs.

Thornton; Mr. Gray; and Mr. Crockett. Nay: Mr. Hart; Mr. Wolff; Mr. Chesser; Mrs. Mears; Mrs. Gordy; Mr. McCaleb.

Mr. Wolff made a motion to accept the request from the Virginia Association of Counties concerning the proposed real property assessment bill (HB 1588). Mr. Chesser seconded the motion. The motion passed with the following vote. Aye: Mr. Hart; Mr. Wolff; Mr. Chesser; Mrs. Mears; Mrs. Gordy; Mr. McCaleb. Nay: Mrs. Thornton; Mr. Gray; and Mr. Crockett.

Mr. Gray left the meeting at 7:20 p.m.

Presentation of the FY-2010 Comprehensive Annual Financial Report

The Finance Director introduced David Foley, RFC, of the auditing firm Robinson, Farmer & Cox Associates. Mr. Foley presented the FY-2010 Comprehensive Annual Financial Report, and provided a review of the audit process and results.

Public Hearing

Joynes Neck Agricultural and Forestal District

Land Use Planner Rob Testerman read the staff report for the Four-Year Review of the Joynes Neck Agricultural and Forestal District.

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Joynes Neck Agricultural and Forestal District.

No public comments were offered and it was noted that this matter had been addressed and acted on during the Public Comment period.

The Chair closed the Public Hearing.

Mr. Crockett made a motion that the Board accept the recommendation of the Agricultural and Forestal District Advisory Committee and Planning Commission to continue the Joynes Neck Agricultural and Forestal District with modifications of properties within the district and modification of the district conditions to include the provisions of the Model Agricultural and Forestal District Ordinance adopted on May 16, 2007. Mrs. Thornton seconded the motion. The motion passed unanimously with Mr. Gray absent.

Virginia Cooperative Extension

Agriculture and Natural Resources Agent/Unit Coordinator William Shockley provided the Board updates on the following issues.

- 1) Johnsongrass/Gypsy Moth Program, including a Supplemental Budget appropriation of \$1750.00 to assure the efficient continuation of the Accomack County Johnsongrass/Gypsy Moth Program;
- 2) Annual Report

Mr. McCaleb made a motion that the Board approve the supplemental budget appropriation of \$1750.00 to assure the efficient continuation of the Accomack County Johnsongrass/Gypsy Moth Program. Mr. Wolff seconded the motion. The motion passed unanimously with Mr. Gray absent.

Eastern Shore Community College

Eastern Shore Community College President Linda Thomas-Glover offered a PowerPoint presentation of the recent statistics and future development plans for the Eastern Shore Community College, and responded to comments from the Board.

Eastern Shore Public Library

Eastern Shore Public Library Director Carol Vincent addressed the Board concerning plans for development of the Eastern Shore Public Library, planned for a 5.16-acre lot, on Shore Parkway in Onley, donated by Shore Bank.

Virginia Regional Transport/STAR Transit

Mark McGregor of Virginia Regional Transport/STAR Transit presented a report concerning the improvements in the STAR Transit local bus services, distributed copies of the Virginia Regional Transport/STAR Transit Annual Report, and responded to comments from the Board.

Appointments

Accomack-Northampton Transportation District Commission

Mrs. Thornton made a motion to appoint Mrs. Gordy to the Accomack-Northampton Transportation District Commission to replace Steve Mallette, who resigned. Mr. Crockett seconded the motion. The motion passed unanimously with Mr. Gray absent.

Agricultural and Forestal District Advisory Committee

Mrs. Thornton made a motion to appoint Mr. Chesser to the Agricultural and Forestal District Advisory Committee to replace Mr. Mallette. Mr. Wolff seconded the motion. The motion passed unanimously with Mr. Gray absent.

Harborton Public Facilities Committee

The Chair made a motion to appoint M. Rodney Smith to the Harborton Public Facilities Committee for a four-year term, the term to begin immediately and end on December 31, 2014. Mrs. Thornton seconded the motion. The motion passed unanimously with Mr. Gray absent.

The Chair stated that the vacancy on the Harborton Public Facilities Committee had been filled at a previous Board Meeting, and directed staff to verify the appointment.

Parks and Recreation Advisory Committee

Mr. Hart made a motion to appoint Mrs. Gordy as the ex-officio member of the Parks and Recreation Advisory Committee. Mrs. Thornton seconded the motion. The motion passed unanimously with Mr. Gray absent.

Solid Waste Committee

Mr. Wolff made a motion to appoint Mr. Crockett to the Solid Waste Committee to replace Steve Mallette, who resigned. Mrs. Thornton seconded the motion. The motion passed unanimously with Mr. Gray absent.

Mr. McCaleb left the meeting at 8:20 p.m.

Inclement Weather Policy for the Convenience Centers

Mrs. Thornton expressed concerns about the lack of preparation at the Chincoteague Convenience Centers during recent snows. A resident slipped and fell due to lack of ice-melting salt available for application in pedestrian areas.

Public Works Director Stewart Hall responded with an apology, explaining that the shortage had occurred during the second snowfall, and had been replenished since that time.

County Attorney's Report

The County Attorney distributed information concerning communications from the General Assembly, the Governor's Transportation Plan, and the stolen County laptop issue.

Board of Supervisors Comment Period

Mr. Chesser thanked Mr. Crockett for assuming the Committee appointments, and welcomed him to the Board.

Mrs. Gordy reminded Board members of the policy to speak not more than twice on a subject under discussion, as the policy had been breached during the meeting.

Mrs. Thornton reported on Congressman Scott Rigell's visit to the Eastern Shore. The County Administrator provided additional comment on the issues discussed with Congressman Rigell.

Mr. Crockett expressed his appreciation to Mr. Steve Mallette for the seven years he served on the Board.

Mr. Hart welcomed Mr. Crockett to the Board, and thanked him for his enthusiasm and preparation for his first meeting.

Budget Items

Mr. Crockett made a motion to transfer funding from the Public Safety Budget to Buildings and Grounds to fund Project 1-Replace Health Department Roof/Interior renovations and Project 4-Replace Veterans Affairs Office roof. Mrs. Thornton seconded the motion.

Mr. Wolff offered a friendly amendment to the motion to transfer funding from the Public Safety Budget to Buildings and Grounds to fund Project 1-Replace Health Department Roof/Interior renovations, Project 2-Repair and paint Administration Building exterior window trim, and Project 4-Replace Veterans Affairs Office roof. The amendment failed to receive a second.

The original motion passed unanimously with Mr. Gray and Mr. McCaleb absent.

Mr. Crockett made a motion to approve the Budget Items as amended. Mrs. Thornton seconded the motion. The motion passed unanimously.

Payables

Mrs. Gordy made a motion to approve the Payables as presented. Mrs. Thornton seconded the motion. The motion passed unanimously.

Adjournment

Mr. Wolff made a motion to adjourn. Mr. Chesser seconded the motion. The motion passed unanimously. The meeting adjourned at 8:47PM.

Chair