

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the Administrative Building Board/Commission Meeting Room of said county on Monday, December 11, 2017.

Members Present: Ernest W. Palin, Jr., Vice Chair  
F. W. Jenkins, Jr., Board Member  
Jason D. Bellows, Board Member  
B. Wally Beauchamp, Board Member  
William R. Lee was absent.

Staff Present: Frank A. Pleva, County Administrator  
Don G. Gill, Assistant County Administrator and  
Planning/Land Use Director  
Crystal Whay, Building/Land Use Assistant

Mr. Palin called the meeting to order at 7:00 p.m.

Mr. Pleva stated that Mr. Lee was absent due to a family medical emergency.

**PUBLIC INPUT**

Sharon Gill, a District 1 citizen, stated that she wanted to thank Mr. Jenkins for his service. She stated that she attended the special meeting of the Board of Supervisors in which the bids for the proposed EMS facility were presented and she has two strong concerns. She stated that the first concern is the extravagance of the proposed EMS facility based on the size of the County and stated that it was quite disturbing. She stated that, coming from the world of public and private business management and financial feasibility consulting, she has seen multiple cases of existing space being under utilized or improperly utilized, which creates the illusion of the need for more space. She stated that, prior to going forward, a clear and objective review of all existing County facilities should be made. She stated that it has been her experience that space is generally available.

Ms. Gill stated that her second point is that during the bid review there was no mention of local labor inclusion. She stated that any capital expenditure by a local government should be seen as an economic stimuli to the community. She stated that whatever direction the EMS facility takes, the requirement that any company that is given a capital contract by Lancaster County will provide jobs for County residents

should be mandated. She stated that there should be a requirement that a percentage of the labor come from the County regardless of the bidding entity's functional location.

Milton Conrad, a District 1 citizen, stated that there are currently fifty oyster boats in Greenvale Creek generating over \$20,000 of income per day for the counties of Lancaster, Northumberland and Richmond. He stated that he wanted to also give an update on what is happening in Greenvale Creek. He stated that the jetties will be completed this week and then the dredging will begin.

George Bott, a District 1 citizen, stated that last month he asked the Board to support the broadband efforts of the Northern Neck Electric Cooperative, but he wanted to modify the term "broadband." He stated that recently he met with the United States Department of Agriculture Rural Utilities Department-Electric Division and was informed that, by law, utilities cannot bring broadband to areas. He stated that the word "smartgrid" is the term to use. He stated that smartgrid allows the USDA to fund utilities' efforts to bring fiber optics to customers' homes and once that is done, there is so much capacity that they can lease it to third parties who can bring broadband, so there is a subtle distinction.

Mr. Bott thanked Mr. Beauchamp and Mr. Jenkins for their service.

Charlie Costello, a District 2 citizen, stated that he thought a thorough review should be done concerning the proposed EMS facility and the entire EMS department. He thanked Mr. Jenkins and Mr. Beauchamp for their service.

Chief Terry McGregor stated that he was present on behalf of the Virginia Department of Emergency Management to present Mr. Beauchamp with a certificate for his many years of dedicated service as the Director of Emergency Services for Lancaster County. He stated that, on a personal note, he also wanted to thank Mr. Jenkins and Mr. Beauchamp for their service.

Mr. Beauchamp stated that in twenty years of being involved in state and local EMS, he has not found a more dedicated group of people than the EMS community.

Doug Hines, a District 2 citizen, stated that he had written a letter to the County Administrator and the Board of Supervisors regarding the Deputy Building Official, Ernie Sadler, and would like to further pursue it. He stated that he had a lot of information and would not go into details, but would like some attention to the matter.

Mr. Pleva asked Mr. Hines for his contact information, as the letter was unsigned.

## **PRESENTATIONS**

1. Recognition of Service of Retiring Supervisors F. W. “Butch” Jenkins, Jr. and B. Wally Beauchamp

Mr. Palin presented plaques to Mr. Jenkins and Mr. Beauchamp for their many years of service on the Board of Supervisors. Mr. Beauchamp was also honored with a certificate from the Virginia Association of Counties.

2. Lancaster Community Library

John Cann, Treasurer of the Lancaster Community Library’s Board of Directors, thanked the Board of Supervisors for its past support. He presented the Board with materials that showed pictures of the various programs that the library offers to the community. He stated that the programs include children’s programs, community activities, computer access, notary services, meeting rooms, and many other offerings. He stated that they are looking to expand the young adult programs in the future.

3. Robinson, Farmer, Cox Associates – FY 2017 Audit

Paul Lee of Robinson, Farmer, Cox Associates stated that he was there to present the FY 2017 audit for Lancaster County. He stated that the audit went very well. He stated that the overall opinion on the financial statements was an unmodified opinion, which used to be called an unqualified opinion, and is the best available. He referred to the internal control report and stated there were no significant deficiencies or material weaknesses to point out. He referred to the federal compliance report and stated that there were no comments there, which is also good.

Mr. Lee referred to the balance sheet and stated that the unassigned fund balance was approximately \$3.4 million and had dropped some from last year. He stated that the figure was about eleven percent of the overall operating budget. He stated that they recommend anywhere from fifteen to twenty percent.

Mr. Lee referred to a table that represented the tax collection percentage over the years and stated that the County always stays at about one hundred percent of taxes collected. He stated that is important to know for budgeting purposes.

Mr. Bellows made a motion to Accept the FY 2017 Audit from Robinson, Farmer, Cox Associates.

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

None.

**PUBLIC HEARING**

1. Amendments to the Zoning Ordinance: Article 14 –Provisions for Appeals

Mr. Palin asked Mr. Gill to present the issue.

Mr. Gill stated that the issue was a Proposed Amendment to Article 14 of the Zoning Ordinance. He stated that the Planning Commission has unanimously forwarded Article 14-Provisions for Appeals, to the Board of Supervisors recommending approval of the proposed amendment.

Mr. Gill stated that Chapter Seven of the Comprehensive Plan states that following the completion of the comprehensive plan update, the County will undertake a review of the zoning ordinances to identify any provisions that negatively impact desired development patterns. He stated that the zoning ordinance will be revised to encourage and support appropriate nonresidential growth, while protecting those resources, features and qualities that comprise the local rural character and quality of life. He stated that Articles 2 through 9, 11 through 13 and 15 through 17 have already been amended and now the Planning Commission has forwarded a proposed amendment to Article 14.

Mr. Gill stated that the Board of Zoning Appeals (BZA) first reviewed this article since they are the board charged with its compliance and the hearing of appeals and requests for variances from the zoning ordinance. He stated that the BZA requested an amendment to include the addition of two alternate members to their board, as permitted by the Code of Virginia Section § 15.2-2308 to ensure that all applicants will have a full five member board deciding a case. He stated that three affirmative votes are required for all BZA cases, which can be difficult if some members are not present or abstain from voting. He stated that a meeting without a full board present to consider an application for appeal or variance may also be perceived as unfair to an applicant, but the addition of two alternate members should alleviate this problem.

Mr. Gill stated that the Planning Commission held its public hearing on this proposed amendment at its November 9, 2017 meeting. He stated that all changes requested by the BZA and Planning Commission have been made and are highlighted on the draft of Article 14. He stated that advertising had been conducted as required by law and other than the discussion at the prior BZA and Planning Commission meetings, there has been no response from the public.

Mr. Palin opened the public hearing.

There was no public comment.

Mr. Palin closed the public hearing.

Mr. Beauchamp made a motion to Approve the Amendment to the Zoning Ordinance-Article 14-Provisions for Appeals.

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

### **CONSENSUS DOCKET**

Motion was made by Mr. Bellows to approve the Consensus Docket and recommendation as follows:

1. Minutes for November 16<sup>th</sup> Regular Meeting

Recommendation: Approve minutes as submitted

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

### **CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of November 2017 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for November 2017 in the amount of \$279,377.13 and invoice listings for November 2017 in the amount of \$732,202.69\*.

\*Capital Improvements - \$127,730.50

\*Loan Payments - \$2318.29

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

2. Award of Bid for Sheriff’s Office Computer Aided Dispatch, Mobile Data, Law Enforcement Records and Jail Management System

Sergeant Jeffrey Haywood thanked Mr. Jenkins and Mr. Beauchamp for their many years of service to the County.

Sergeant Haywood stated that he was present to give an update on the bids that the Sheriff’s Department had received for its Capital Improvement Budget request for the Computer Aided Dispatch, Law Enforcement Records and Jail Management System. He stated that they received three bids on November 15<sup>th</sup> to replace their existing seventeen-year old reporting system. He stated that after a review, the bid was awarded to Soma Global for \$230,000 over a four-year period. He stated that Soma Global was \$47,000 cheaper than the closest competitor and \$22,000 under what was initially requested in the Capital Improvement Budget for this project. He stated that he was asking for the Board’s permission to grant the contract to Soma Global.

Mr. Beauchamp made a motion to Accept the Proposal from Soma Global and Authorize Mr. Pleva to Execute the Contract.

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

3. FY 2018 School Budget Appropriation Request for Approved Capital Improvement Local Match Funds and Non-County Funds Received from State and Federal School Security Equipment Grant Programs

Mr. Pleva stated that a memorandum had been received from Whitney Barrack, Finance Director for Lancaster County Public Schools, that stated the

school was awarded a School Security Equipment Grant in the amount of \$16,800 with a local funds match of \$4,200. He stated that they recommended approval of the appropriation as requested.

Mr. Bellows made a motion to Approve the FY 2018 School Budget Appropriation Request for the School Security Equipment Grant Program.

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

4. Scheduling the 2018 Board of Supervisors Organizational Meeting

Mr. Palin stated that Chairman Lee had recommended scheduling the Organizational Meeting for Tuesday, January 9<sup>th</sup>. It was decided that date was fine with the current and new members and the meeting was set for 6:00 p.m.

Mr. Bellows made a motion to schedule the 2018 Board of Supervisors' Organizational Meeting on Tuesday, January 9, 2018 at 6:00 p.m.

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

**BOARD REPORTS**

Mr. Palin stated that Chairman Lee would like to have an appointment made to the Bay Aging Board to fill Joe Curry's position. He made a motion to appoint Gracie Tiggle to the Bay Aging Board of Directors.

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye

B. Wally Beauchamp                      Aye

Mr. Bellows stated that he wanted to extend his appreciation to Mr. Jenkins and Mr. Beauchamp for their tenure on the Board. He stated that it has been a great honor to serve with them and he considered them friends as well as mentors.

**COUNTY ADMINISTRATOR**

Mr. Pleva wished everyone a happy holiday season. He stated that he wanted to echo Mr. Bellows' comments and also wanted to wish Mr. Jenkins and Mr. Beauchamp the very best in their retirement.

**CLOSED SESSION**

Mr. Palin stated that there were two items up for discussion in closed meeting. He suggested waiting on those items until next month when Chairman Lee could be in attendance.

Mr. Pleva stated that there were a couple of personnel matters that the Board may want to discuss now.

Mr. Palin stated that they would address the personnel issues and postpone the real property issue until next month.

Motion was made by Mr. Palin to enter into closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act. The subject matter to be discussed in the closed meeting is Personnel Matters, § 2.2-3711.A.1 of the Code of Virginia, 1950, *as amended*. The subject and purpose falls within the following exemption § 2.2-3711.A.1 (discussion of consideration of the employment, compensation and performance of specific public officers, appointees or employees of the public body.)

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

**RECONVENE**

Motion was made by Mr. Beauchamp to reconvene the open meeting.



VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

**CERTIFICATION**

**WHEREAS**, the Lancaster County Board of Supervisors convened in a closed meeting on December 11, 2017 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Personnel Matters, § 2.2-3711.A.1 of the Virginia Freedom of Information Act;

**WHEREAS**, § 2.2-3712 of the Code of Virginia requires a certification by the board of supervisors that such closed meeting was conducted in conformity with Virginia law;

**NOW, THEREFORE BE IT RESOLVED** that the Lancaster County Board of Supervisors hereby certifies that, to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Motion was made by Mr. Palin to certify the closed meeting.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number 1 and number 2 above? If so, identify yourself and state the substance of the matter and why in your judgment it was a departure. There was no comment.

Hearing no further comment, Mr. Palin called the question. A roll call vote was taken:

**ROLL CALL**

VOTE:	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye

B. Wally Beauchamp                      Aye

This certification resolution is adopted.

No action taken on the closed meeting matters.

**ADJOURNMENT**

Motion was made by Mr. Jenkins to adjourn.

VOTE:                      Ernest W. Palin, Jr.                      Aye

F. W. Jenkins, Jr.                      Aye

Jason D. Bellows                      Aye

B. Wally Beauchamp                      Aye