

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the Administrative Building Board/Commission Meeting Room of said county on Thursday, May 29, 2014.

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

Staff Present:                Frank A. Pleva, County Administrator  
                                      Don G. Gill, Planning and Land Use Director  
                                      Jack Larson, Finance Consultant  
                                      Crystal Whay, Building/Land Use Secretary

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

**PUBLIC INPUT**

None.

**PRESENTATIONS**

Chief Terry McGregor stated that he wanted to invite the members present from the Upper Lancaster Volunteer Rescue Squad, Kilmarnock-Lancaster Volunteer Rescue Squad, White Stone Volunteer Fire Department and the Lancaster County Sheriff’s Office to come forward.

Chief McGregor stated that it was his pleasure to inform the Board of Supervisors of the recent achievements of Lancaster County first responders. He stated that on May 24<sup>th</sup>, the Peninsula’s EMS Council presented regional EMS awards in various categories and several Lancaster County organizations were awarded the Regional EMS Award for Outstanding EMS Call of the Year for their efforts at a vehicle accident that occurred on December 23, 2013. He stated that the participating agencies on this call were: Kilmarnock-Lancaster Volunteer Rescue Squad, Lancaster County Emergency Services, Lancaster County Sheriff’s Office, Upper Lancaster Volunteer Rescue Squad and the White Stone Volunteer Fire Department. He stated that the agencies were recognized for their extraordinary efforts in coordination of a complex

incident, excellent scene management and patient care. He stated that this award reflects the collective efforts of all of the participating agencies and demonstrates the excellent degree of service each organization provides to Lancaster County.

Mr. Bellows thanked them for their dedicated service to the residents of Lancaster County. The other Board members nodded in agreement.

Chief McGregor stated, additionally, that two other Lancaster County Emergency Services Paramedics received recognition by the Peninsula's EMS Council. He stated that Paramedic Blake Byrd and Paramedic Patricia Newsome were both nominated for the Regional EMS Award for Outstanding Prehospital Provider. He stated that Blake Byrd received the award and as a result, is nominated for the Governor's EMS Award for Outstanding Prehospital Provider. He stated that Mr. Byrd was honored for his dedication and outstanding patient care, commitment to professional development and mentoring of other providers.

Chief McGregor stated that Lancaster County Emergency Services Paramedic Tom McCrea was awarded the EMT of the Year by Rappahannock General Hospital. He stated that Tom received this award in recognition of his consistent quality and excellence in patient care, professionalism and service to the EMS system. He stated that Tom is dedicated to serving the community and cares deeply for the patients he serves and is very deserving of this award.

Mr. Beauchamp asked the members of the organizations that were present to introduce themselves. They were Captain Martin Shirilla, Deputy Bella Edwards and Dispatcher Kim Davis of the Lancaster County Sheriff's Office, Judy Hammell and Connie Walker of the Upper Lancaster Volunteer Rescue Squad, Mike McAdoo, Jamie Townsend and Eric Brown of the Kilmarnock-Lancaster Volunteer Rescue Squad.

## **VIRGINIA DEPARTMENT OF TRANSPORTATION**

### **1. Six-Year Plan-Secondary System of Highways-Public Hearing**

Mr. David Brown, the Residency Administrator for the Northern Neck, stated that each year, by code, VDOT is required to meet and coordinate the secondary six-year plan with the counties. He stated that the process includes identifying those projects that each county would like to see included in the secondary six-year plan. He stated that the funds are for new projects and are not applied toward the regular maintenance. He stated that the projects that are currently presented in the secondary six-year plan are Squires Road (Route 676) and Whites Lane (Route 619). He stated that the Board could add projects to the plan at tonight's meeting or in a subsequent meeting.

Mr. Brown stated that there were opportunities for the County to participate in and receive additional funding such as transportation alternatives. He stated that it was a program that localities could use to make improvements such as installation of sidewalks for schools or bike lanes. He stated that another program is revenue sharing, where localities match funds with

VDOT to help facilitate and accelerate a project. He mentioned other programs such as recreational access and the rural rustic programs. He stated that VDOT also provided training opportunities for counties. He stated that, at various times throughout the year, there are local workshops that help provide guidance on VDOT programs.

Mr. Jenkins referred to training on recreational access and asked when the next session would be held.

Mr. Brown replied that he thought it was scheduled for the end of September and would let Mr. Pleva know.

Mr. Beauchamp referred to Taylors Creek Road and asked if that could be considered for the six-year plan. He stated that he recently used the road and there are so many patches that it looks like a checkerboard. He asked about the patch work.

Mr. Harper replied that the cause was base failure of the pavement.

Mr. Brown stated that they could look at it, but maintenance is not eligible for the six-year plan funds. He stated that he has met with other VDOT departments about doing appropriate paving in the area. He stated that he thought a full reclamation project there may be in order. He stated that if the Board wanted him to pursue that, he would.

Mr. Beauchamp stated that if the road has base failure, it seems like a major project.

Mr. Brown stated that is why he mentioned a full reclamation of Taylors Creek Road. He stated that it would involve rehabilitating the road grade to give it more firmness.

Mr. Beauchamp asked for a consensus for Mr. Brown to look into a project for a solution on Taylors Creek Road. He stated that it had been an on-going problem and needs to be addressed.

There was a consensus.

Mr. Beauchamp opened the public hearing.

Mr. Harry Sadler, a District 1 citizen, stated that he had complaints about the condition of Route 354 from Route 3 to Morattico Road. He stated that it had been neglected and had patches and potholes throughout. He stated that River Road had been repaved from Morattico Road to Ottoman twice. He stated that nothing had been done on Route 354 from Route 3 to Morattico Road and he wanted to know why.

Mr. Jenkins stated that he agreed with Mr. Sadler, in that the road had been neglected. He stated that road is the entrance to one third of the County and commuters go in and out of the road everyday. He stated that the road is uncomfortable to drive on and its condition is bordering on being dangerous. He stated that he understood it is on the VDOT schedule.

Mr. George Bott, a District 1 citizen, stated that there are over 350 patches on the section of Route 354 between Morattico and Route 3. He stated that there are 30 patches between Morattico and White Chapel Road and there are 8 patches between White Chapel Road and Ottoman Ferry Road.

Mr. Charlie Costello stated that the six-year plan had been presented tonight for public comment, but the public had not seen it. He stated that the presentation should have been made last month and it was unfair to ask the public to comment on a plan they had not reviewed.

Mr. Beauchamp asked if the plan needs to be adopted tonight.

Mr. Brown replied that the issue was advertised and a copy of the plan was forwarded to the County Administrator and a copy was available at the Warsaw office. He stated that they would like to have the plan approved by the end of June, but if there are projects that the Board wants to add, they could approve the plan and amend it later.

Mr. Brown referred to Morattico Road and stated that some patching had been done and the area that has been mentioned is going to be resurfaced and is on this year's schedule. He stated that they receive a certain amount of funding and that is spread out throughout the state, so there is only so much money to go around to all of the projects.

Mr. Brown referred to the Secondary Six-Year Plan and stated that the Board is not limited to this meeting to make additions, such as Taylors Creek Road or roads in the Town of Irvington. He stated that three roads in Irvington had been mentioned at a prior meeting.

Mr. Sadler stated that Mr. Brown had referred to Morattico Road, but it was River Road that needed the work.

Mr. Brown stated that he meant to say River Road (Route 354).

Mr. Beauchamp closed the public hearing.

Mr. Palin stated that he understood the time constraints that Mr. Brown had and suggested that the Board act on the Secondary Six-Year Plan and when other road issues come up, the Board can present him with revisions.

Mr. Palin made a motion to approve the VDOT Secondary Six-Year Plan.

Mr. Jenkins asked if that would include the three roads that had been mentioned in Irvington.

Mr. Beauchamp replied no.

**VIRGINIA DEPARTMENT OF TRANSPORTATION SECONDARY**  
**SIX YEAR PLAN (SSYP)**  
**FY 2015 - 2020**

**WHEREAS**, Sections 33.1-23 and 33.1-23.4 of the Code of Virginia 1950, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and

**WHEREAS**, the Lancaster County Board of Supervisors previously agreed to assist in the preparation of the Plan, in accordance with the Virginia Department of Transportation's policies and procedures, and participated in a public hearing on the proposed Plan (2015 through 2020) as well as the Construction Priority List (2015) on May 29, 2014, after being duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

**WHEREAS**, David T. Brown, Residency Administrator, Virginia Department of Transportation, appeared before the Board of Supervisors and recommended approval of the Six-Year Plan and budget for Secondary Roads (2015 through 2020) and the Construction Priority List (2015) for Lancaster County.

**NOW, THEREFORE BE IT RESOLVED**, that since said Plan and budget appear to be in the best interest of the Secondary Road System in Lancaster County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2015 through 2020) and Construction Priority List (2015) are hereby approved as presented at the public hearing by the Lancaster County Board of Supervisors.

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

Mr. Brown stated that he would like to respond to Mr. Jenkins' inquiry. He stated that, if the Board chooses, he could provide the cost for the three Irvington roads at a future meeting.

Mr. Jenkins stated that he would be hesitant to do all three roads at one time and would like to be advised on which one road would be the best to do first.

Mr. Harper replied Pine Circle (Route 1303).

Mr. Brown stated that was the Town of Irvington's first request.

Mr. Jenkins asked when the work would start on Route 354 on the area that Mr. Sadler had mentioned.

Mr. Brown replied that he did not have the contractor's schedule, but it is on this year's paving program.

Mr. Beauchamp referred to the traffic change in Kilmarnock between Walgreens and CVS and stated that he had received a lot of phone calls and the CVS management is upset because people are cutting through their parking lot to make right hand turns. He stated that traffic is getting backed up, since there is no longer two turn lanes.

Mr. Lee stated that he has also heard many concerns over the traffic change. He stated that he would like to hear from VDOT on the issue.

Mr. Brown presented a truck turning template to the Board. He stated that VDOT had received concerns and calls from various truck drivers that travel through the area. He stated that there is a thru-truck restriction through the Town of Kilmarnock, so trucks must use Route 688. He stated that the trucks have been running over the curb at Walgreens, the signage has been hit and sometimes, the trucks have to swing out into the adjacent through lane of Route 3 to negotiate the turn.

Mr. Brown stated that the template shows what the turning ratio is for a typical truck. He stated the area was evaluated by traffic engineers to make the current modifications. He stated that it probably would have been more prudent to notify the Board before the work had begun, but he had not been made aware of when the work was to be done. He stated that he apologized for not being able to let the Board or the Town of Kilmarnock know ahead of time. He stated that he thought by making some adjustments in the traffic signal timings, it will help to alleviate some of the traffic issues.

Mr. Lee stated that some of the calls that he had received were about backups on Route 3. He stated that people cutting through the CVS parking lot is what may be alleviating the backups on Route 688.

Mr. Palin referred to the turn lane and asked if that lane could be expanded.

Mr. Brown replied that they are discussing with the Town of Kilmarnock, the possibility of getting the left turn lane back. He stated that to facilitate that would require the acquisition of additional right of way through there. He stated that it may be another possibility for the Secondary Six-Year Plan process, because Route 688 is a secondary road.

Mr. Lee asked for an update about the ponding at the beginning of the Norris Bridge.

Mr. Harper replied that they are working on it.

**PUBLIC HEARINGS**

1. Ordinance Amending the Previous Ordinance Creating the Emergency Ambulance Service Revenue Recovery Board (EASRRB) and an Amendment to Section 2-56 of the Lancaster County Code of Ordinances

Mr. Pleva stated that the current members of the Emergency Ambulance Service Revenue Recovery Board are the Counties of Essex, Lancaster, Richmond and Westmoreland. He stated that Northumberland County has requested to become a member. He stated that it would be more cost effective to have another member on the Board. He stated that the proposal was to amend the existing ordinance and the County's code. He stated that he was not aware of any of the other counties having a problem with including Northumberland. He stated that he had not received any comment on the proposal.

Mr. Beauchamp opened the public hearing.

There was no public comment.

Mr. Beauchamp closed the public hearing.

Mr. Beauchamp made a motion to adopt the proposed Ordinance and County Code Amendment to include Northumberland County on the Emergency Ambulance Service Revenue Recovery Board.

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

2. Ordinance for the Acquisition by Purchase or Condemnation of Portions of Real Estate for the Greentown/Gaskins Road Wastewater Treatment System

Mr. Pleva stated that this was a public hearing to receive comment on the proposed purchase or condemnation of portions of real estate for the Greentown/Gaskins Road Wastewater Treatment System. He stated that compensation was based on an appraisal of the easements. He stated that they had conducted community meetings and there were 6 parcels left with title issues that could not be resolved. He stated that the values shown on the proposed ordinance were calculated by a professional appraiser. He stated that the

County hopes to bid on the project no later than August. He stated that the County cannot bid until all of the title issues are resolved because the USDA will not allow it.

Mr. Pleva stated that after adoption of the proposed ordinance, it would authorize the County Attorney to issue condemnations of the easements to allow the wastewater project to proceed.

Mr. Beauchamp opened the public hearing.

There was no public comment.

Mr. Beauchamp closed the public hearing.

Mr. Lee made a motion to adopt the Ordinance for the Acquisition of the easement properties for the Greentown/Gaskins Road Wastewater Treatment System.

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

**CONSENSUS DOCKET**

Motion was made by Mr. Jenkins to approve the Consensus Docket and recommendations as follows:

1. Minutes for April 22, April 29 and May 13, 2014 Budget Work Sessions, April 24, 2014 Regular Meeting, May 13, 2014 School Board Budget Public Hearing and May 13, 2014 Dyer Creek Boat Ramp Project Special Meeting

Recommendation: Approve minutes as submitted

2. Abstract of Votes-Town Elections Held on May 6, 2014

Recommendation: Approve abstract of votes as submitted

3. VRS Certified Rate Resolution

Recommendation: Approve resolution as submitted

**EMPLOYER CONTRIBUTION RATES FOR COUNTIES, CITIES,  
TOWNS, SCHOOL DIVISIONS AND OTHER POLITICAL  
SUBDIVISIONS IN ACCORDANCE WITH THE 2014  
APPROPRIATION ACT ITEM 468(H)**

**BE IT RESOLVED**, that the County of Lancaster, Employer Code 55151, does hereby acknowledge that its contribution rates effective July 1, 2014 shall be based on the higher of a) the contribution rate in effect for FY 2014, or b) eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium (the “Alternate Rate”) provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the “Certified Rate”); and

**BE IT ALSO RESOLVED**, that the County of Lancaster, Employer Code 55151, does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the certified rate of 12.88%, effective July 1, 2014.

**BE IT ALSO RESOLVED**, that the County of Lancaster, Employer Code 55151, does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

**NOW, THEREFORE**, the officers of the County of Lancaster, Employer Code 55151, are hereby authorized and directed in the name of Lancaster County to carry out the provisions of this resolution, and said officers of Lancaster County are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the County of Lancaster for this purpose.

4. Older Virginians Month Resolution

Recommendation: Approve resolution as submitted

**OLDER VIRGINIANS MONTH**

**WHEREAS**, there are approximately 1.5 million adults in the Commonwealth who are over 60 years old, and this population will expand to more than 2 million by 2030, when one in every four Virginians will be over 60 years old; and

**WHEREAS**, the month of May has been designated by the U.S. Administration for Community Living as the time for communities across America to honor its older citizens by celebrating their contributions and achievements: and

**WHEREAS**, this year’s theme for May is “Safe Today, Healthy Tomorrow,” which emphasizes the value of injury prevention and safety awareness in helping older adults remain healthy and active; and

**WHEREAS**, Virginia is committed to helping all individuals live longer, healthier lives; and

**WHEREAS**, the Virginia Area Agencies on Aging and Senior Centers, integral parts of Virginia’s aging network for wellness and support services, welcome this year’s theme and will provide opportunities to enrich the lives of individuals young and old by:

- Providing information on fire, fall, and scam prevention methods in coordination with local fire departments, law enforcement agencies and home health service providers
- Participating in regional TRIAD crime prevention programs for seniors
- Partnering with the business community to inform older adults on how to “safety proof” their homes
- Organizing walkathons and other health-focused events; and

**WHEREAS**, the State Adult Services and Adult Protective Services Program has joined the Virginia Department for Aging and Rehabilitative Services to streamline services that will make communities safer for older Virginians;

**NOW, THEREFORE**, I, Terence R. McAuliffe, do hereby recognize May 2014 as **OLDER VIRGINIANS MONTH** in our **COMMONWEALTH OF VIRGINIA**, and I call this observance to the attention of all our citizens.

VOTE:	B. Wally Beauchamp	Aye
	Jason D. Bellows	Aye

F. W. Jenkins, Jr.	Aye
Ernest W. Palin, Jr.	Aye
William R. Lee	Aye

**CONSIDERATION DOCKET**

The Board considered the following item on its Consideration Docket:

1. Approval of May 2014 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for May 2014 in the amount of \$246,131.17 and invoice listings for May 2014 in the amount of \$489,635.17\*.

\*Greentown/Gaskins Road - \$30,387.50

\*Capital Improvements - \$23,000.00

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

**BOARD REPORTS**

None.

**COUNTY ADMINISTRATOR**

Mr. Pleva asked Mr. Gill to give an update on the FEMA maps.

Mr. Gill stated that there are new flood insurance rate maps. He stated that a flood insurance study was done for the County and the letter of final determination will take effect October 2, 2014. He stated that FEMA wants to hold a community meeting on August 21, 2014. He stated that the County will have to update the flood plain ordinance prior to October 2, 2014 and adopt the new maps as part of the process.

Mr. Gill stated that the good news is that the majority of base flood elevation zones are decreasing in the County. He stated that the Board will probably see the first draft of the revised flood plain ordinance in July.

Mr. Gill reminded the Board that they opted-out of establishing their own stormwater management program. He stated that the Board will still need to revise some language in its Erosion and Sediment Control Ordinance and the Chesapeake Bay Preservation Ordinance to reflect the new technical criteria that will be taking effect July 1, 2014.

Mr. Pleva asked Mr. Gill about a request that he had received from John Martin.

Mr. Gill replied that the request was included in the Board members' packages. He stated that the request was to return Mr. Sowder's parcel back to him. He stated that a public hearing was required and it could be done as early as the June 26, 2014 meeting if the Board desired.

There was a consensus to hold a public hearing to return Mr. Sowder's property at the next regular Board meeting on June 26, 2014.

#### **ADJOURNMENT**

Motion was made by Mr. Jenkins to adjourn to June 19, 2014 at 5:00 p.m.

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