

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors began in the County Administrator's Office of said county on Thursday, July 19, 2001.

Present: F. W. Jenkins, Jr., Chairman
Donald O. Conaway, Board Member
Patrick G. Frere, Board Member
Cundiff Simmons, Board Member
William H. Pennell, Jr., County Administrator

Others

Present: David Rose and Ted Cole, Davenport and Associates; James E. Cornwell, County Attorney

Mr. B. Wally Beauchamp was absent from the meeting recovering from recent surgery.

Mr. Jenkins called the meeting to order at 6:00 p.m.

Mr. Rose and Mr. Cole discussed the Capital Improvement Plan previously adopted by the Board of Supervisors. Mr. Rose stated the county is able to take advantage of favorable tax laws. He said federal law permits the county to use the Industrial Development Authority to issue Bank Qualified Bonds to finance its Capital Improvement Program.

Mr. Cole proceeded to describe the actual short term and long term borrowing needed for FY02/FY03 and again in FY04/FY05. He compared the existing debt to future debt and showed the benefits of restructuring debt to best provide for the needs of the county.

Mr. Jenkins made a motion to proceed with the Davenport and Associates Plan and to come back with the necessary documents and proposals from bond counsel and the Industrial Development Authority.

VOTE: 4 – 0 Aye.

Mr. Pennell stated he would check with Paul Lee, the county's auditor, about how invoices are paid out of the Capital Improvement budget. He would like to know if they are paid directly or transferred to the School Board for projects under its control.

Recess to the Circuit Courtroom at 7:00 p.m.

RECOVENUE

Others

Present: Weldon Howard, Weston Conley, Redistricting Committee Members; Lloyd B. Hubbard, Mayor, Town of White Stone; Peggy W. Harding, Registrar; Jim Cornwell, County Attorney; Robert Mason, Rappahannock Record

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

PUBLIC HEARING

Decennial Redistricting – Mrs. Harding, the county's Registrar reported that Rosanna Blenco of the Virginia Department of Elections informed her that the county has been given a deadline of August 6, 2001 to submit its Redistricting Plan to the Justice Department and the Virginia Department of Elections.

Mayor Lloyd B. Hubbard said that the Town Council of White Stone has concerns about citizens passing one polling place to drive to another farther away. The citizens living in the James Wharf Road area of the county are located in District 5 under the

proposed redistricting plan. The Town of White Stone is located in District 3 under the proposed plan. The Town Council believes these citizens associate themselves more with White Stone than they do with Irvington. He questions the fairness to the county residents living near White Stone.

Mr. Howard, Vice Chair of the Redistricting Committee questions the timetable for the submission of the redistricting plan to the Justice Department.

Mr. Cornwell responded with the chronology of the steps the plan must take to receive preclearance.

Mr. Bruce King asked would Plan Two and Plan Three be submitted along with Plan One.

Mr. Jenkins responded by stating that they would be submitted insofar as informing the Justice Department that more than one plan was considered and why Plan One was chosen if that is the decision of the Board of Supervisors.

Mr. Cornwell stated that plans are being approved in approximately 30 days or less.

Mr. Frere stated he would like to have Plan Three reconsidered. He said Plan Three keeps compactness, maintains minority/majority districts and create communities of interest. This plan would make it more convenient for voters mentioned by Mayor Hubbard. The reason for lower minority representation in the minority/majority districts was due to lower minority percentage of county population following the 2000 decennial census.

Mr. Conaway stated his main concern was to maintain two minority/majority districts; however, he was also concern that population doesn't equal voters. What he means is that the population numbers in the census bureau's software only count totals. It

does not show how many of the people living in an area are of voting age. He is concerned that the minority census numbers contain more children and other non-voters than those in a majority district.

Mr. Jenkins said he was concerned that the minority/majority issue could not be resolved because of the way population was distributed following the recent census.

Mr. Conaway asked could the approved plan be modified before 2011?

Mr. Cornwell said no.

Mr. Frere made a motion to strike Plan One and adopt Plan Three as the Redistricting Plan for Lancaster County to be submitted to the Justice Department.

VOTE: 1 Aye (Frere) 3 Nay (Jenkins, Simmons, Conaway)

Mr. Conaway made a motion to adopt Plan One as the Redistricting Plan for Lancaster County to be submitted to the Justice Department.

VOTE: 3 Aye (Jenkins, Simmons, Conaway) 1 Nay (Frere)

Lancaster County Health Department “Pump and Haul” Resolution - Mr. Simmons said he was concerned about who enforces the “pump and haul” system and who monitor’s the compliance.

Mr. Conaway stated that the Lucas family scenario was a desperate situation that the Health Department permits to be accommodated by the pump and haul provisions of its regulations.

Mr. Simmons stated the Health Department should be enforcing the sewerage handling and not requiring the county to do its work.

Mr. Conaway made a motion to table the Health Department Resolution Authorizing a Temporary “Pump and Haul” Permit and send it back to staff for further work.

VOTE: 4 – 0 Aye.

Mr. Conaway leaves the meeting.

National Fire Protection Association (NFPA) 1710 & 1720

Mr. Jenkins made a motion to adopt the Resolution opposing National Fire Protection Association (NFPA) 1710 & 1720.

VOTE: 3 – 0 Aye.

WHEREAS, the National Fire Protection Association (NFPA) is an international association of individuals and trade and professional organizations; and

WHEREAS, the mission of the NFPA is “to reduce the worldwide burden of fire and other hazards on the quality of life by providing and addressing scientifically based consensus codes and standards, research and education”; and

WHEREAS, NFPA has produced over 275 codes and standards that deal with every aspect of fire and life safety; and

WHEREAS, NFPA is an internationally recognized authority in producing codes and standards dealing with fire and life safety; and

WHEREAS, NFPA is currently proposing two new standards: NFPA 1710, *Organization and Deployment of fire Suppression Operations, emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*, and

NFPA 1720, *Organization and Deployment of Fire Suppression, emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments*; and

WHEREAS, proposed NFPA standards 1710 and 1720 define minimum response times, minimum fire company staffing levels, initial full alarm response levels, and extra alarm response levels; and

WHEREAS, levels of service delivery for fire and emergency medical services have always been determined by local jurisdictions; and

WHEREAS, proposed NFPA standards 1710 and 1720 would impose onerous, unfounded mandates upon local governments to meet established response times and staffing levels, if adopted by NFPA with subsequent consideration taken by federal agencies, such as the Occupational Safety and Health Administration and insurance companies; and

WHEREAS, the NFPA has clearly gone outside its authority in proposing these national minimum staffing and response standards; and

WHEREAS, because NFPA codes and standards are voluntary and need to be adopted by local jurisdictions, these standards will be “the norm” because of the stature of NFPA in the development and promulgation of other codes and standards; and

WHEREAS, these two proposed standards will be considered and voted on at the NFPA annual conference; and

WHEREAS, if adopted and issued, these proposed NFPA standards would force local governments to shift dollars from fire prevention programs to fire suppression activities, potentially increasing the risk of fire and the danger to local firefighters.

NOW THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors opposes any attempt by the National Fire Protections Association to adopt standards for staffing of fire, specialized, or emergency medical services vehicles controlled by units of local government; and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors opposes any attempt by the National Fire Protection Association to adopt a standard dictating or affecting the response time of any fire, specialized, or emergency medical services vehicle; and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors will send this resolution to the National Fire Protection Association registering the County's opposition to proposed standards 1710 and 1720, which preempt local authority and place a one-size-fits-all mandate on this county and on all cities, towns and counties.

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors will send this resolution to the Virginia Secretary of Public Safety, the Virginia Secretary of Health, the Director of Fire Programs and the Director of Emergency Medical Services.

Tax Anticipation Loan

Mr. Simmons made a motion to accept the Tax Anticipation Loan bid (4%) from Northern Neck State Bank, approve the Resolution and authorize the County Administration to execute any documents required by bond council and the bank to secure this note.

VOTE: 3 – 0 Aye.

BOARD REPORTS

Parking on County Parkland – Confederate Memorial - Mr. Simmons stated that Ms. Fannie Pumphrey's home was currently for sale and as a courtesy she was allowed to park on the confederate memorial lot. He said a letter should be sent to the Realtor and Ms. Pumphrey that the county would no longer allow parking on the memorial lot. The new owner(s) would need to be informed that they must use easement previously granted by the county for access to their driveway next to the Woman's Club building.

The Board of Supervisors agreed by consensus that the county administrator correspond with Mrs. Pumphrey and her realtor to inform them that once Mrs. Pumphrey sold the house and moved from the property, parking would no longer be permitted on the county parkland.

Corridor Protection Overlay Grant - Mr. Frere stated he attended the Planning District Commission executive committee meeting in Mr. Beauchamp's absence and discussed the Corridor Protection Overlay Grant. He said each of the four counties has been asked to contribute \$1,500 and the each of the other counties of the Northern Neck have approved funding in their budgets for this grant.

Mr. Simmons made a motion to transfer \$1,500 from Board of Supervisors health insurance line item to the Planning District Commission for the Corridor Protection Overlay Grant.

VOTE: 3 – 0 Aye.

ADJOURNMENT

Mr. Simmons made a motion to adjourn. VOTE: 3 – 0 Aye.