

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the Administrative Building Board/Commission Meeting Room and via conference call through the Zoom platform on Thursday, August 27, 2020.

Members Present: Jason D. Bellows, Chair (Remote participant)

Ernest W. Palin, Jr., Vice Chair

Jack D. Larson, Board Member

William R. Lee, Board Member

Robert S. Westbrook, Board Member

Staff Present: Don G. Gill, County Administrator

James Cornwell, County Attorney (Remote participant)

Brian D. Barnes, Planning/Land Use Director and Environmental Codes Compliance Officer

Glenn Rowe, Information Technology Director

Crystal Whay, Clerk to the Board and Building/Land Use Assistant

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

Mr. Palin stated that Chairman Jason Bellows had a work conflict with tonight's meeting, but will try to join the meeting later if he can. He stated that, in accordance with the policy adopted by the Board of Supervisors that allows no more than one board member to participate remotely in a board meeting, he made a motion that the Board of Supervisors allow Chairman Bellows to participate remotely in this meeting.

VOTE:	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

CLOSED MEETING

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 matters to be discussed in the closed meeting are Personnel, §2.2-3711.A.1, Acquisition of Real Property, §2.2-3711.A.3 and Legal Matters, §2.2-3711.A.8 of the Code of Virginia, 1950, as amended. The subject and purpose falls within the following exemption(s) under §2.2-3711.A.1 (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees), §2.2-3711.A.3 (acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County's bargaining or negotiating position) and §2.2-3711.A.8 (for the consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.)

VOTE:

Ernest W. Palin, Jr.	Aye
Jack D. Larson	Aye
William R. Lee	Aye
Robert S. Westbrook	Aye

RECONVENE

Motion was made by Mr. Palin to reconvene the open meeting 6:46 p.m.

VOTE:

Ernest W. Palin, Jr.	Aye
Jack D. Larson	Aye
William R. Lee	Aye
Robert S. Westbrook	Aye

CERTIFICATION

WHEREAS, the Lancaster County Board of Supervisors convened in a closed meeting on August 27, 2020 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Personnel, §2.2-3711.A.1, Acquisition of Real Property, §2.2-3711.A.3 and Legal Matters, §2.2-3711.A.8 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
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

This certification resolution is adopted.

No action taken on the closed meeting matters.

Mr. Palin stated that the meeting will be recessed until 7:00 p.m.

Mr. Palin called the meeting to order at 7:00 p.m. He stated that Chairman Bellows was now participating remotely.

PUBLIC INPUT

Brenda Burtnett, a District 2 citizen, stated that she was there to voice her objections to the Chesapeake Bay Act exemption that the Board of Supervisors granted on July 30th. She asked how they would give an exemption to the Chesapeake Bay Act for a house that should not have been placed there in the first place. She explained the history of the property and the house located there. She stated that, when the house was moved to the lot in 1998, it was not sited or a survey done and that was why neither Mr. Barnes nor Mr. Pruett could find permits on file. She

stated that more than half of the house is in clear violation of the 100-foot resource protection area.

Mrs. Burtnett stated that, as Mr. Larson had stated at last month's meeting, the Bay Act was in effect in 1998 and there should have been a site plan and BMP's filed. She stated that Mr. Larson had said, that since a permit had not been filed, the house was in violation and should not have been granted the exemption. She stated that Mr. Barnes also recommended denial. She stated that some members of the Board of Supervisors ignored those recommendations. She stated that the Board of Supervisors has now set a precedent for many more exemptions.

Mrs. Burtnett stated that the Rogers, who had been granted the exemption, knew that the house was located within the resource protection area.

Mrs. Burtnett stated that her property is adjacent to the Rogers' property and has been plagued by erosion problems that have caused two significant cave-ins. She referred to pictures of her property in a booklet that she had given to all of the Board members. She stated that the exemption was given because Mr. Palin had said that, during his walk-through of the property, he had found the site sloped away from the river and did not see any evidence of erosion. She stated that her property is adjacent and slopes away as well and asked the Board members to look at pictures of her property on page 6 that she said shows progressive erosion. She stated that this area is within feet of where the exemption was given.

Mrs. Burtnett stated that any encroachment in the 100-foot buffer must meet six findings according to the code. 1) She stated that the request for exemption to the criteria is the minimum necessary to afford the applicant relief. She stated that, in this case, that is not true. She stated that the lot has almost seven acres and the house could be moved. 2) She stated that granting the exemption will not confer special privileges that are denied to others. She stated that everyone in the neighborhood would love to be closer to the water, but they took the necessary steps to site their homes. 3) She stated that the exemption should be in harmony and not give substantial detriment to water quality. She stated that the Rogers' property does not even "perc". 4) She stated that the request should not be based upon conditions or circumstances that have been self-created or self-imposed. She stated that, in this case, that is what has happened. 5) She stated that reasonable and appropriate conditions are imposed as warranted that will prevent the allowed activity from causing degradation of water quality. 6) She stated that other findings are appropriate and required by the local government. She stated that this house already sits illegally within the 100-foot resource protection area.

Mrs. Burtnett stated that, by adding a 1200 square foot porch to the original 784 square foot house, it is increasing the structure by two and a half times. She stated that the Board of Supervisors deliberated on this matter a great deal of time because they had doubts. She stated that she hoped that her presentation, as well as Carol Nance's package of information that was received earlier, provides the Board the information needed for a reconsideration of the exemption.

Ruth Fast, a District 2 citizen, stated that Mrs. Burtnett had already said some of the comments that she had planned on saying. She stated that, at the July 30th meeting, the Board of

Supervisors did not have all of the facts and they did have some misinformation as well. She stated that this was not about one exemption and someone's view, but rather, about a community's long-term efforts to do the right thing and uphold the intent of the Chesapeake Bay Act. She stated that they were asking that the Board reconsider its decision of July 30th.

Charlie Costello, a District 2 citizen, stated that he had been asked to remind people to fill out their census forms and he hoped everyone would take the time to do it because it is important.

Mr. Costello stated that the Planning Commission is currently reviewing the County's Comprehensive Plan. He stated that his concern is that a solar ordinance will be completed before the Comprehensive Plan review and the land use portion of the plan has been done. He stated that, in his opinion, the ordinance should follow the Comprehensive Plan review. He stated that he was also concerned about solar farm placement within the County.

Ronald Benson, a District 2 citizen, stated that he lived in the Drum Point Subdivision which is downstream from the Rogers' property. He stated that he was the president of the Drum Point Property Owners' Association and the members had some concerns about the exemption that was granted last month. He stated that he had to deal with many agencies when developing his property years ago. He stated that it was a hassle to do it, but well worth it because his property would be protected from inappropriate usage. He stated that the 100-foot setback is a very important part of protecting the waters. He stated that, after reading about the issue in the local paper, it appeared to him that it was an after the fact approval of the original relocation of the house. He stated that does not seem appropriate at all and he would like the issue to be reconsidered.

Kevin Burtnett, a District 2 citizen and the husband of the first speaker, stated that he stood behind his wife's presentation, one hundred percent. He stated that he did not feel like they received the notice of the public hearing in enough time to prepare for the meeting. He stated that he would hope that the Board of Supervisors would reconsider the action that was taken on July 30th concerning the Rogers' property.

VIRGINIA DEPARTMENT OF TRANSPORTATION

David Beale, Resident Engineer for the Northern Neck, stated that he was in attendance with Mike Bryant, the Lancaster Area Headquarters Superintendent. He stated that the pavement work has been completed and primary route mowing has started again. He stated that he would like to thank Mr. Bryant and his crew for opening the roads up so quickly after the storm earlier in the month. He stated that there is another site on Ocran Road where they will be cleaning up some additional debris. He stated that they were aware of private property debris, but, unfortunately, the Virginia Department of Transportation can't take that debris without the authorization from Virginia the Department of Emergency Management. He stated that they were willing to work with the County and VDEM should that occur. He stated that there is another storm coming this weekend and they will be ready. He stated that they were taking the Merry Point Ferry out of service tomorrow because of the impending weather.

Mr. Larson stated that he had some of his constituents in the Corrotoman by the Bay Subdivision approach him about possibly having a speed study done on the portion of the road that comes off of Sullavans Road that has a speed limit of 35 miles per hour. He stated that the speed limit drops down to 25 miles per hour once you get down into the lower part of the subdivision where the density of the houses increases dramatically. He stated that the feeling is that 35 miles per hour is too fast coming into that area because houses are there and they think 25 miles per hour would be better and safer.

Mr. Beale stated that they could look into that request. He asked the name of the road that comes off of Sullavans Road.

Mr. Gill replied that road is Corrotoman Drive.

Mr. Gill referred to the speed study and asked Mr. Beale if he needed a letter from the County requesting the study.

Mr. Beale stated that the funding for the speed study will come from the County's secondary six-year plan, so if they receive a letter from the County that states the Board of Supervisors is requesting the study, then they can begin.

Mr. Gill asked the Board about a motion directing him to send the speed study letter.

Mr. Lee made a motion to direct the County Administrator to send a letter to VDOT requesting a speed study be done on Corrotoman Drive, going into the Corrotoman by the Bay Subdivision.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

Mr. Bellows stated that one of his constituents in the Ocran area had some damage done to his columns and asked what the process was for a remedy.

Mr. Beale replied that he was aware of some columns that had been knocked over and he was not certain who had knocked them over, but he would encourage the resident to file a claim with VDOT, so it can be investigated and they can be compensated accordingly through that process. He stated that if Mr. Bellows can get the resident's contact information to him, he would help them through the process.

Mr. Bellows stated that he would get that information to Mr. Beale.

Mr. Beale stated that Mr. Bryant just told him that he has the information, so they would take care of that request.

PRESENTATIONS

1. Broadband Authority Update

Kevin Bean, a member of the Broadband Authority, stated that, on August 17th, the Broadband Authority submitted their regional application for a Virginia Telecommunications Initiative grant (VATI). He stated that, if approved, this grant will support Atlantic Broadband providing service to every serviceable location in Region 3. He stated that the County's contribution to this project will be \$596,400. He stated that neither Atlantic Broadband nor the Authority is in a position to answer questions concerning whether a specific address is included in the project area.

Mr. Bean stated that they have not heard any results yet from the RUS ReConnect grant application that was submitted in March. He stated that, if approved, that grant would provide the County with just under \$23 million to construct a county-owned network that will provide service to every unserved location in the entire county. The County's contribution to the ReConnect project would be \$8.3 million dollars. He stated that the ReConnect results will be announced before the VATI results and if they win the ReConnect grant, they will withdraw from VATI.

Mr. Bean stated that on August 11th they submitted their final report to the Department of Housing and Community Development and are very close to completing all the requirements for the Telecommunications Planning Grant that they have been working on for several months.

Mr. Bean stated that they have placed an article in today's Rappahannock Record to bring the public up to date with the Authority's various activities. He stated that the article includes a request for any interested persons to contact them regarding the vacancy on the Authority.

Mr. Bean stated that the Broadband Authority participated in Representative Wittman's second "fireside chat" on the topic of rural broadband on August 24th.

Mr. Bean stated that they have developed a proposal for installing emergency service broadband upgrades and deploying smart poles at various locations throughout the County. He stated that this project would be covered by CARES Act funds.

PUBLIC HEARINGS

1. Application for Special Exception – Amy Harvey and Jennifer Bramblett, Twin Branch Wellness and Recovery

Mr. Barnes stated that the public hearing is for a special exception request pursuant to Article 5-1-13 of the Lancaster County Zoning Ordinance to establish an adult female wellness retreat and treatment and recovery facility on Davis Mill Road located in District 2.

Mr. Barnes stated that this was the site of the former Morning Star nursing home and the Open Door Church. He stated that a conditional use permit was issued by the County in 1985 to the nursing home. He stated that the current request is for a rehabilitation and therapy facility for women only. He stated that the applicants have been working with the County's Building Official to get the building up to the latest code requirements. He stated that staff has given this request a favorable recommendation as long as there was little or no concern from the neighbors. He stated that he had not received any public comment to date. He stated that he had sent the notice out in plenty of time, but had noticed that the mail service has become very slow. He stated that if someone was to say that they had not received their notice and had concerns about the request, he would recommend tabling the request until the following month. He stated that would give the opponents a chance to have their concerns heard and the applicants a chance to come up with solutions for any concerns.

Mr. Larson referred to the applicants' letter and stated that the capacity was to be no more than 25 women served at one time. He asked if the health department had signed off for that septic capacity.

Mr. Barnes replied that the property owners were present and they will speak to that.

Mr. Larson stated that he had no problem with the application, but sometimes approvals will need to be contingent on health department approval if they have not already received it.

Dr. Westbrook stated that, in light of what the Burtnetts have said in the public input portion, he thought Mr. Barnes had said that in the future he might recommend holding off on a decision until everyone has received notice. He asked Mr. Barnes about this.

Mr. Barnes replied that he was recommending as the staff person that they were always safe to table any request if opposition is met. He stated that decision would be up to the Board.

Dr. Westbrook asked about a delay causing a hardship for these applicants.

Mr. Barnes replied that only the applicants can answer that.

Mr. Larson asked if that would mean that they were, in effect, having a de facto additional public hearing that would also need advertising.

Mr. Barnes replied that would be a question for the County Attorney.

Mr. Larson stated that the only time a matter should be tabled is if there is some kind of procedural issue that needs to be ironed out. He stated that he did not want them to say that there

will be another public hearing and if no advertisement is done, that is where they can get into trouble.

Mr. Barnes stated that what he was saying was if they experience opposition for this request, the Board might consider tabling it to give the applicants a chance to address any issues. He stated that he was trying to be aware of the postal situation and slow mail delivery.

Mr. Palin opened the public hearing.

Amy Harvey, one of the applicants, stated that she and her business partner are looking to help people and have seen the lack of such facilities. She stated that, in her opinion, the location was a good one and they have been in touch with most of their neighbors, who all seemed very supportive. She stated that they are also looking to eventually employ between 21 and 30 people. She stated that the septic application has been submitted to the health department, but has not been approved yet.

Michael Thompson, a District 2 citizen and a neighbor of the subject property, stated that he was just interested in the intent of the applicants, but really did not have any concerns.

Ms. Harvey replied that the facility will be for drug and alcohol rehabilitation for women.

Mr. Thompson stated that he had recently noticed more traffic on the road and they may have to work with VDOT on installing some speed signs to keep it safe.

Mr. Palin closed the public hearing.

Mr. Palin made a motion to Approve the Special Exception Request to Establish an Adult Female Wellness Recovery Facility Located at 1461 through 1471 Davis Mill Road, contingent on Health Department Approval for a maximum of 25 people.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

CONSENSUS DOCKET

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

1. Minutes for the July 30, 2020 Regular Meeting

Recommendation: Approve minutes as submitted

2. Affirmation of the Declaration of Local Emergency Issued on August 3, 2020 Due to Potential Impacts from Tropical Storm Isaias

Recommendation: Approve affirmation as presented

3. Affirmation of the Fee Waiver Policy for County Permits Issued for Repair of Damage Caused by Tropical Cyclone Isaias on August 4, 2020

Recommendation: Approve fee waiver policy as presented

4. Resolution Requesting a CARES Act Funding Extension and Rescission of the Non Revenue Replacement Requirement

Recommendation: Approve resolution as submitted

Requesting a CARES Act Funding Extension and Rescission of the Non-Revenue Replacement Requirement

WHEREAS, Congress passed and the President signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020; and

WHEREAS, the CARES Act provides funding for programs and services to address the COVID-19 pandemic; and

WHEREAS, Virginia has received approximately \$3.1 billion as its share of the Coronavirus Relief Fund and has proportionately, by population, distributed such funds to localities in the Commonwealth; and

WHEREAS, such funding is required to be expended by December 30, 2020, and

WHEREAS, that December 30, 2020 deadline is unrealistic since meaningful projects and services to help Lancaster County citizens often take many months to plan and implement, and

WHEREAS, the Board of Supervisors anticipates to be experiencing expenses related to COVID-19 past the December 30, 2020 deadline and CARES Act funding would continue to aid, as it already has, in providing programs and services to county citizens to address the COVID-19 pandemic;

NOW, THEREFORE BE IT RESOLVED that the Lancaster County Board of Supervisors requests that the December 30, 2020 deadline for the use of the CARES Act funds be extended to a future date when the COVID-19 pandemic can be declared over, in order to allow for the use of such funds during the entire length of the pandemic; and

BE IT FURTHER RESOLVED that the Lancaster County Board of Supervisors requests the requirement that CARES Act funds not be used for revenue replacement be rescinded, given the fact that revenue sources and amounts are likely to be diminished due to the COVID-19 pandemic; and

BE IT FINALLY RESOLVED that a copy of this resolution expressing the sense of the Lancaster County Board of Supervisors on this issue be sent to Congressman Rob Wittman, Senator Mark Warner, Senator Tim Kaine, Delegate Margaret Ransone, Senator Ryan McDougle, Governor Ralph Northam, the Virginia Association of Counties, and adjoining counties.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of August 2020 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for August 2020 in the amount of \$284,046.44 and invoice listings for August 2020 in the amount of \$649,223.81.*

*Capital Improvements - \$52,488.03

*CARES Act expenses - \$15,000.00

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

Jack D. Larson	Aye
William R. Lee	Aye
Robert S. Westbrook	Aye

Mr. Larson referred to an expenditure that was related to Tropical Storm Isaias and asked if there would be any reimbursement funding available to help offset those costs.

Mr. Gill replied that Chief Smith would address that in his presentation, but that reimbursement funding is unknown at this point.

2. Master Plan Revision for the Harbour on Indian Creek

Mr. Barnes stated that the issue is to request to cancel the remaining authorization from a Master Plan approved on October 29, 1998 on an 8.389-acre parcel located off Fleets Bay Road and Harbour View Drive on Tax Map #29-44, zoned R-2, in District 3.

Mr. Barnes stated that the subject applicants have requested that county staff refer their master plan portion, that was yet to be acted upon, to the Board of Supervisors for cancellation. He stated that the subject parcel, 29-44, was divided off of the main parcel as the original master plan was developed and built out. He stated that this land locked parcel was to be phase two of this development when the Property Owners Association made this property transfer of July 14, 2020. He stated that the Property Owners Association does not have the desire to pursue the rest of phase two and asks for the Board of Supervisors to vote to revise the Master Plan to remove the future development authority on this phase two portion.

Mr. Barnes stated that County staff saw no issue with this request. He stated that this master plan revision does not require a public hearing because the master plan development had already been heard and it was up to the Board on how to revise it. He stated that the property was in good standing as far as tax payments and there are no zoning violations.

Mr. Bellows made a motion to Approve the Master Plan Revision for the Harbour on Indian Creek.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

3. Potential Refunding Analysis – 2014A and 2019 Lease Revenue Bonds

Ted Cole with Davenport and Company stated that his company has served as a financial advisor to the County over the years when it came to certain borrowings and capital planning. He stated that they try to keep tabs on the County's existing debt portfolio and identify when there might be opportunities for refinancing. He stated that what they have seen in recent months is that, generally speaking, rates are very low. He stated that, in particular, the bond market has an exceptionally low interest rate environment and the banks cannot get that aggressive. He stated that this is not always the case. He stated that his company has identified a potential refunding of a couple of the County's existing bank loans. He stated that the first one was issued in 2014 for capital improvement expenses and another one that was issued in 2019 for land acquisition and other projects.

Mr. Cole stated that, in the course of sharing the information about refunding the current loans, Mr. Gill told him that there may be a potential for new borrowings that the Board might consider. He stated that one of the projects mentioned was a local match for a broadband project if the Broadband Authority was successful at obtaining the USDA grant and that match would be approximately \$8.3 million dollars. He stated that they understand this is still a work in progress. He stated that another project that may need funding is a P25 public safety radio project at a cost of approximately \$1.1 million dollars. He stated that what he would call the "new money" would be around \$9.4 million dollars with the understanding that those projects are still evolving. He stated that refinancing the old debt and borrowing new money are not contingent on each other.

Mr. Cole stated that the Virginia Resources Authority (VRA) is a very widely used bond program that the state administers and it has a broad authorization of the types of projects that they will finance. He stated that they generally finance everything except for schools. He stated that another state agency called the Virginia Public Schools Authority (VPSA) is used exclusively for schools.

Mr. Cole referred to the two outstanding pieces of debt and stated that the 2014 debt was about \$3.7 million dollars and was at a fixed rate of 2.2 percent with the maturity date being in 2025. He stated that the 2019 debt was about \$1.8 million dollars, with a 2.79 percent interest rate and matures in 2029. He stated that they have set up a refunding analysis that estimates the VRA's borrowing rates, in the current market. He stated that, while working with Mr. Gill, they have submitted a non-binding, no-fee application to VRA. He stated that VRA has a cycle with deadlines that must be met. He stated that they are under no obligation to VRA, nor are they guaranteed approval. He stated that there was a savings of approximately \$154,000 for both debts including the costs of refinancing. He stated that, if the decision is made to do this, the County would be entering into fixed rate debt just like it has now, but it would be reducing the interest rate and providing debt service savings. He stated that, when VRA sells bonds, there is a ten-year, no pre-payment condition, which is standard in the bond markets. He stated that the debt that the County has with the banks today is pre-payable at any time, so that is a consideration.

Mr. Cole referred to the "new funding" on pages 7 and 8 of the hand-out and stated that they have assumed that the County would borrow approximately \$1.1 million dollars for the P25 Public Safety Radio Project over a 15-year term, which would roughly mirror the useful life of

the asset, but could be a shorter term and the rate would be 1.5 percent. He stated that the debt service would be somewhere around \$80,000 per year. He referred to the broadband project grant match of approximately \$8.3 million dollars and stated that they had calculated that debt over a 20-year term, just to have a starting point, at 2 percent, which comes out to about \$515,000 per year in debt service.

Mr. Cole stated that the timing is important because the VRA program is fairly rigid. He stated that VRA sells bonds three times a year. He stated that his company has identified the potential refunding and borrowing new money for the fall pool. He stated that the application deadline was early August and that was submitted. He stated that it was non-binding and any work that Davenport has done on the refunding is “at risk” because there is also the potential that interest rates increase and they did not want to put the County in the position of having to pay for services that it decided not to use if the savings were no longer there. He stated that tonight’s presentation is just informational, but there will come a time when a commitment will need to be made. He stated that, if the County wanted to move forward, there would need to be some collateral for the loan. He stated that the two loans that are in place currently are secured by the Primary School and the Sheriff’s Office and Correctional Facility respectively. He stated that, if the Board decides to move forward with either the refunding of old debt or borrowing new money, they would need to have their decision made at the next Board meeting on September 24th to meet the fall deadlines. He stated that decision would come by way of a resolution and within that resolution there would be parameters that were established. He stated that, on the refunding, they would establish that they would only want to move forward if they could achieve some level of savings and if that savings could not be realized then the County would be under no obligation to proceed. He stated that, on the new funding, the parameter could be a “not to exceed” interest rate. He stated that the VRA program is scheduled to sell its bonds on October 28th and that is the date when the interest rates will be locked in.

Mr. Bellows asked that since the new projects are still evolving, did they have to have defined projects for the borrowing.

Mr. Cole replied that part of that answer depends on how broad the resolutions are written. He stated that the bond attorney will allow that to happen to a certain extent. He stated that another consideration is the VRA program has certain projects that they are able to fund and will provide some latitude for moving money to other projects, but that is a conversation that would have to happen with them. He stated that he would say yes, there are opportunities, but there are limits as well.

Mr. Bellows asked what would happen if they decided to borrow the money and then did not win the grant. He asked if they could potentially use that money for another use if it fit within the VRA requirements.

Mr. Cole replied that the money could be used for other purposes as long as it met the VRA requirements and the resolution was written broadly enough. He stated that, when it came to school projects, that area was really more for the VPSA program. He stated that he was not saying that VRA would not fund school projects, but they would have to talk to them about it.

Mr. Larson asked that, with respect to school funding, what were the interest rates for the VPSA program as compared to the VRA rates. He also asked if that financing had a ten-year, no pre-payment stipulation.

Mr. Cole replied that the VPSA and the VRA are similarly rated and will get similar interest rates. He stated that the VPSA program, the one for schools, has a little more of a favorable cost and fee structure. He stated that VPSA sells to the same bond market, so there is the ten-year, no pre-payment stipulation.

Dr. Westbrook stated that if the County was successful in obtaining the USDA Rus ReConnect Grant, the Broadband Authority will own the system. He stated that, as new customers pay to use the system, he believed the Authority wanted to have the option of either expanding further or pay down the debt. He stated that Davenport and Company has used a twenty-year amortization for the debt associated with the grant match, as a starting point. He asked about the flexibility.

Mr. Cole replied that he thought the question would be what cash flows would the Broadband Authority believe it could afford for that debt, taking into account its revenues and operating costs. He stated that a couple of things figure into the term of the debt. He stated that the first one would be the affordability and the second would be if the asset that is being financed has a useful life that lines up with the terms of the debt.

Dr. Westbrook asked what would happen if they do not find out about the USDA grant results until after September 25th.

Mr. Cole replied that one way that might be managed is to put approvals in place while the preliminary application to VRA has the grant match amount in it. He stated that a conversation would need to happen with VRA and they could give some latitude, but probably by early October, they would need to know one way or the other.

Mr. Gill stated that, since the school topic had been raised, he wanted to inform the Board that the Planning Commission, at their meeting last night, forwarded an amendment to the Capital Improvement Budget recommending a \$13.145 million dollar renovation of the Lancaster Middle School into an elementary school. He stated that this issue will be coming before the Board at its next regular meeting on September 24th. He stated that a similar scenario exists with VPSA where the County can apply for \$13.145 million dollars at no obligation and see what the results would be.

Mr. Cole stated that the VPSA has an application deadline of next Monday, August 31st. He stated that the application is non-binding and there is no fee to apply. He stated that applying would preserve that option, and if it was something that the Board wanted to do, then by September 8th, the School Board would need to take action by way of a resolution that says that they would like the Board of Supervisors to consider moving forward with a VPSA borrowing. He stated that the VPSA board will be considering applications on September 16th. He stated that the Board of Supervisors' approval of the resolution could happen as late as October 5th. He stated that, if the Board of Supervisors decided not to approve the resolution, the issue is tabled.

Mr. Lee stated that he did not see any reason why the Board would not proceed with the VPSA application. He stated that it is non-binding and with the timeline that Mr. Cole had mentioned, they would need to act quickly. He stated that, after the public hearing, the Board can make the decision. He stated that he thought they should move forward and get the application submitted by Monday.

Mr. Cole stated that his recommendation would be to use a 30-year term in the application and they can always shorten the term later. He stated that the application would also include a broad description of the project and an amount to be financed.

Dr. Westbrook asked about collateral.

Mr. Cole replied that VPSA does not require collateral. He stated that VPSA is the one exception in Virginia where they can issue general obligation bonds without a referendum. He stated that, with VPSA, if the County participates in their program, it would be issuing a general obligation bond to that program and a public hearing is required. He stated that because it would be a general obligation bond backed by the County's full faith and credit, there is no collateral requirement.

Mr. Lee made a motion to direct the County Administrator to file the VPSA application for the Lancaster Middle School renovations by the deadline on Monday, August 31st.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

Mr. Palin made a motion to Authorize the County Administrator and Davenport and Company to pursue the refinancing of the 2014A and 2019 lease revenue bonds and possible new financing for the potential grant match for the USDA Rus ReConnect Grant and the P25 Public Safety Radio Upgrade.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye

4. Consideration of Electronic Agenda Management System

Glenn Rowe, Information Technology Director, stated that for the past few months County staff has been evaluating agenda management software for the purpose of replacing the current system of providing the members of the various boards, commissions and authorities with hard copies of agenda materials. He stated that the new system would entail an electronic or digital cloud-based agenda book that can be accessed before, during and after the meetings from anywhere.

Mr. Rowe stated that they began this process by looking at the product known as BoardDocs, which at \$6,000 per year, the pricing was attractive, but it was found that it would not meet the current and future needs, which would include live streaming the meetings. He stated that two products, iCompass and CivicClerk, have been focused on because they seem to check all of the boxes such as agenda management, minutes management, board management, public access and live streaming. He stated that his recommendation would be to purchase the iCompass system. He stated that, as compared to the CivicClerk system, the iCompass system allows for an unlimited amount of boards and the first-year start-up costs are lower. He referred to the procurement policy and he believed that after looking at these two products, as well as BoardDocs, they have met the standards for the small purchase policy.

Mr. Rowe replied that there will be a requirement for a quantity of laptops for the Board to use to access the meeting materials. He stated that the laptops can be purchased through the existing state contract. He stated that other costs would include renovations to the meeting room, including a camera system.

Mr. Bellows asked about estimates on the items Mr. Rowe had mentioned.

Mr. Rowe replied that the renovations in the front of the room, including the reconfiguration of the dais, was estimated around \$20,000. He stated that the camera system would be approximately \$50,000 and the laptops are estimated to be \$900 to \$1,000 each, but they are not sure of how many will be needed.

Mr. Bellows asked, if this request was approved tonight, what would be a realistic time frame of when everything in the meeting room could be completed.

Mr. Rowe replied that it would be about 60 to 90 days on the agenda management system. He stated that the system could probably be up and running before the room renovations are completed.

Mr. Bellows asked if everything could be done by the Board's January meeting.

Mr. Rowe replied yes.

Mr. Bellows stated that he would like to see it all done by then.

Dr. Westbrook stated that the possibility exists that, since the proposed system can handle multiple boards, they could convince the School Board to use iCompass instead of BoardDocs and that would save them the money that is paid annually to BoardDocs.

Mr. Lee asked Mr. Gill to ask the School Board about considering changing from BoardDocs to iCompass in an effort to save some money.

Mr. Gill replied that he would ask them about making that change.

Mr. Bellows made a motion to Approve the Purchase of iCompass, an electronic agenda management system, as presented by Glenn Rowe.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

5. Options for Tornado Related Tree Debris Removal

Chief Matt Smith stated that he was there to discuss to what extent the Board would want to go as far as disaster recovery for tree debris removal. He stated that they had a contract in place with AshBritt, Inc., but the scope of the affected areas was not enough to mobilize them to this area. He stated that, in his materials to the Board, he had presented several options for the assistance. He stated that any of the public right-of-way assistance is eligible for reimbursement. He stated that any of the costs associated with the temporary debris staging site, if they needed to go that route, is eligible for reimbursement. He stated that anything that is on private property and private roads is not eligible, so if they were to decide to do something there, the entire cost would be on the County with no chance of reimbursement.

Mr. Bellows asked about residents putting debris in the public right-of-way.

Chief Smith replied that, as long as the debris is in the public right-of-way, it is eligible for reimbursement.

Dr. Westbrook stated that the question is will the County do anything to remove the storm debris or depend on the individuals to pay for it themselves. He stated that they would be setting a precedent for the next storm if they chose to do this. He stated that he felt sorry for

those who had been affected by the storm, but the County would always be obligated after every storm.

Mr. Larson agreed and stated that it could be open-ended and endless if they started to do this.

Mr. Lee agreed and stated that he would like to help, but does not see how they can, without obligating the County every time after a storm.

Chief Smith asked how the Board felt about the public right-of-way debris pickup.

Mr. Larson stated, given that there are no County roads, that would be a function of VDOT.

Chief Smith stated that he was exploring that route, but would like to have a back-up plan.

Mr. Lee stated that he thought he had heard earlier, during the VDOT presentation, that they were picking up debris.

Mr. Gill stated that VDOT is going back to one particular property owner who had an issue and they had agreed to fix that issue. He stated that Marcie Parker, the district engineer for the VDOT Fredericksburg District, told him earlier in the day that any further pickup by VDOT was highly unlikely.

Dr. Westbrook stated that there was a low interest loan program that could help citizens financially with removing the debris from their property.

Chief Smith stated that was the SBA loan program and he had been collecting data to submit to see if the area will be eligible. He stated that the County meets the major and destroyed home requirement, but secondary properties are not counted for the threshold. He stated that they have been trying to identify what are the primary and secondary residences, so he can submit the information and hopefully they can get the SBA loans available to help people.

Mr. Bellows asked Chief Smith if he had said that the County was eligible for reimbursement for debris pickup in the public right-of-way.

Chief Smith replied yes.

Mr. Palin stated that there will also be costs associated with the cleanup of the properties where debris is staged.

Chief Smith stated that those costs were reimbursable as well. He stated that they can work out a separate agreement with R. L. Self Timber Company or they may have to do something with a County-owned site. He stated that if they use their own site, it can be controlled and meet all of the requirements. He stated that if they set up something with the

timber company, they should be alright there too, as long as they have the space to take the debris.

Dr. Westbrook stated that these costs are reimbursable, but not dollar for dollar. He stated that it was a percentage of the costs.

Chief Smith stated that was correct.

Mr. Larson stated that there was a limit to what they, as a government, can do in providing services and helping people and this exceeds that limit, in his opinion. He stated that they cannot help everybody out every time something bad happens and there is no history of it being done in this County.

Dr. Westbrook stated that they don't want to start doing it either, in his opinion.

Mr. Palin asked what his fellow Board members wanted to do about the issue.

Mr. Gill asked Mr. Cornwell to confirm if the Board decided to take no action, then the issue would not be approved.

Mr. Cornwell replied that Mr. Gill was correct, in that, if the Board takes no action, then the issue is not approved.

6. Bay Aging CARES Act Funding Request

Mr. Gill stated that this was a continuation of Bay Aging's request for CARES Act funding, mainly for their Helping Neighbors Hot Meals Program. He stated that the Board made a stipulation a couple of months ago that the County would pay for County residents and the incorporated towns should pay for their residents. He stated that he had recently received an invoice from Bay Aging that reflects this. He stated that 78 County residents were served, 12 Kilmarnock residents and 1 resident in White Stone. He stated that, as in prior months, he was asking that the Board approve a "not to exceed" amount of \$8,432, which will cover four weeks of the Helping Neighbors Hot Meals Program and includes the In-Home Personal Care Program as well.

Mr. Bellows suggested that, instead of approving this request on a monthly basis, they approve it to the end of the calendar year.

Mr. Gill stated that they had been doing the approval on a monthly basis because other counties were doing it that way, but he had no issue if the Board wanted to approve the request through December 30th.

Mr. Bellows stated that the request always gets an unanimous vote and, if the rest of the Board is in agreement, he would like to approve the request through December.

Mr. Bellows made a motion to Approve the Bay Aging CARES Act Funding Request through December.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

BOARD REPORTS

Mr. Palin stated that Ronald Davenport had contacted him about not wanting to be reappointed to the Economic Development Authority once his term is finished in November. He stated that he had also been in touch with the Vice Chair of the Economic Development Authority and she had a recommendation for the position.

Mr. Palin made a motion to appoint Michael Laws to the Economic Development Authority as a representative from District 2, once Mr. Davenport's term has expired.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

Mr. Bellows stated that he has not found someone to fill the vacancy on the Historic Resources Commission for District 3. He stated that he would like to advertise for that position.

Mr. Gill stated that he had already advertised vacancies one time and he had one person who had expressed interest in that commission, so he could give that information to Chairman Bellows.

Mr. Bellows thanked him and stated that he would reach out to that person.

Dr. Westbrook stated that he wanted everyone to understand that his suggestion that they advertise vacant board and commission positions was designed to widen the pool of candidates, but the decision would always come down to the individual supervisor to make the determination.

Mr. Larson asked Mr. Gill about the status of the second round of CARES Act funds that the County was supposed to receive.

Mr. Gill replied that the second round of CARES Act funds had been received from the state.

Mr. Bellows asked about the status of the grant funding application.

Mr. Gill replied that the application will be on the website next week.

Mr. Cornwell stated that, with the first disbursement of CARES Act funds, the Board agreed to disburse a portion of those funds to the incorporated towns based on their populations. He stated that they probably need to do another agreement with the towns concerning this second round of funds under the same terms and conditions as the first agreement.

Mr. Bellows made a motion to direct the County Administrator to prepare agreements with the three incorporated towns concerning the second disbursement of CARES Act funds, with the same terms and conditions as the first agreement.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye
	William R. Lee	Aye
	Robert S. Westbrook	Aye

COUNTY ADMINISTRATOR

Mr. Gill stated that he wanted the Board to know that the Revenue Anticipation Note for \$1.5 million dollars closed last Friday and those funds have been received.

ADJOURNMENT

Motion was made by Mr. Palin to adjourn.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	Jack D. Larson	Aye

William R. Lee Aye

Robert S. Westbrook Aye