

**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, October 31, 2013.

Members Present: F. W. Jenkins, Jr., Chair

Jason D. Bellows, Vice Chair

Ernest W. Palin, Jr., Board Member

William R. Lee, Board Member

B. Wally Beauchamp, Board Member

Staff Present: Frank A. Pleva, County Administrator

Don G. Gill, Planning and Land Use Director

Crystal Whay, Building/Land Use Secretary

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

**PUBLIC INPUT**

Mr. Charlie Costello, a District 1 citizen, stated that he supported the school nurse request, but thought any new appropriations should wait until mid-year given how far they are into the first six months' budget.

Mr. Costello referred to the Habitat for Humanity's land request and stated that he was a founding member of the organization and it is a very worthwhile thing. He stated that if the request is granted, he would ask that the area be named for the late Reverend John Houghton, who was the first president of Habitat for Humanity.

Mrs. Jane Vogel, a school nurse, stated that she wanted to discuss the need for nurses in the public schools. She stated that each year all school systems in Virginia file a chronic health conditions report with the state. She stated the numbers of children with varying conditions, diseases and disorders in the school system. She stated that these children need medical care now and that the school nurse issue does not need to wait until January 1.

Mr. Costello referred to Mrs. Vogel's comment and stated that he supported the nurse and thought that someone should have been hired earlier. He stated that he thought money could be found in the school budget and that the school should be using it to get a nurse as soon as possible.

## **PRESENTATIONS**

### 1. Honeywell Energy Savings Performance Contract-Wayne Womble

Mr. Wayne Womble from Honeywell stated that he wanted to give the Board of Supervisors an overview of the energy savings performance contract for the school system. He stated that it was a guaranteed approach that allows energy savings as well as capital infusions. He stated that the financing was done through Davenport and Company for 15 years and with a project total of \$2.3 million dollars.

Mr. Womble stated that the first things they look for in savings are lighting and water conservation. He stated that they installed new software on 600 computers to help monitor their energy usage. He stated that in the bus garage, they installed a clean burn furnace and replaced 6 fans with more efficient ones. He stated that in the high school, they made a cooling tower replacement and hot water heater replacement. He stated that in the middle school, they replaced ventilators, which were very old and they replaced 2 chillers and 2 boilers. He stated that in the primary school, there were 12 rooftop unit replacements and they eliminated 9 classroom baseboard heaters and replaced 2 boilers. He further discussed other areas of the schools that have benefited from the performance contract.

Mr. Womble stated that the purpose of a performance contract is to replace equipment, upgrade the facilities, improve the comfort and have the benefit of the capital being extended over a period of time. He stated that it was a very comprehensive program. He stated that the annual savings is \$86,491 from an energy and operational standpoint.

Mr. Jenkins asked if the equipment replacement expense was in the contract price.

Mr. Womble replied yes.

Mr. Womble stated that the fuel oil cost avoidance was close to \$23,000.

Mr. Jenkins asked why the middle school had the most waste in fuel oil when the building is the most modern of the three schools.

Mr. Womble stated that they only have a two-year maintenance history with the schools, so they would have to look at prior years to find out that information.

Mr. Jenkins thanked Mr. Womble for his presentation.

## **VIRGINIA DEPARTMENT OF TRANSPORTATION**

Mr. David Brown, the VDOT Northern Neck Residency Administrator, stated that the primary and secondary mowing had been completed on October 25<sup>th</sup>. He stated that litter pick-up had been completed as well. He stated that some paving operations are underway and

it is part of their 2014 schedule. He stated that the paving operations are due in part to the transportation bill. He stated that the paving on Pinckardsville Road (VSH 605) and Courthouse Road (VSH 600) have been completed. He stated that they are ready for the snow removal season.

Mr. Jenkins stated that VDOT needs to work on Route 354 between Chinns Mill and Litwalton.

Mr. Brown stated that Route 354 is on the schedule.

## **PUBLIC HEARING**

### 1. James William Ashburn and Megan Lynn Chance-Application for Special Exception (Individual Manufactured Home)

Mr. Gill stated that the issue was the Application for Special Exception by James William Ashburn and Megan Lynn Chance to place an individual manufactured home on a 3.0-acre parcel described as Tax Map #22-65A. He stated that the property is zoned R-1, Residential General and is located off Black Stump Road (VSH 675) near its intersection with Nugent Lane (VSH 778) in District 5.

Mr. Gill stated that Article 5-1-3 of the Zoning Ordinance requires a special exception for the placement of individual manufactured homes such as this (14 feet x 60 feet single wide). He stated that previous similar approvals by the Board of Supervisors have been based on whether any legitimate concerns could be raised by adjacent property owners.

Mr. Gill stated that the property has an approved health department permit HDID #151-13-0147 for an on site septic system and well and that all front, rear and side setbacks can be met. He stated that the applicant requested and received permission to store the manufactured home on site as it had already been purchased, pending the outcome of the public hearing. He stated that the issue had been advertised and adjoining property owners notified as required by law. He stated that to date, he had one call from someone seeking additional information.

Mr. Jenkins opened the public hearing.

There was no public comment.

Mr. Jenkins closed the public hearing.

Mr. Beauchamp made a motion to grant the Special Exception request by James William Ashburn and Megan Lynn Chance to place an individual manufactured home on a 3.0-acre parcel described as Tax Map #22-65A.

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

2. Update to the Comprehensive Plan- Chapter Seven

Mr. Gill stated that the issue was the review and update of Chapter Seven of the Comprehensive Plan as required by the Code of Virginia.

Mr. Gill stated that the current Comprehensive Plan was adopted by the Board of Supervisors on September 27, 2007. He stated that the Code of Virginia Section 15.2-2230 requires that the Planning Commission review the Comprehensive Plan at least once every five years. He stated that as in previous reviews, the chapters were tweaked and sent to public hearing individually prior to being forwarded to the Board of Supervisors for approval.

Mr. Gill stated that the Planning Commission reviewed Chapter Seven of the Comprehensive Plan at its April, May, July and August meetings and held a public hearing at its September meeting. He stated that all of the changes requested at the prior Planning Commission meetings have been made and are highlighted on the draft of Chapter Seven.

Mr. Gill stated that the Planning Commission has forwarded the revised Chapter Seven of the Comprehensive Plan to the Board of Supervisors recommending approval. He stated that advertising has been conducted as required by law and that to date, other than the discussion at prior Planning Commission meetings, there has been no response from the public.

Mr. Gill stated that Chapter Seven is the final chapter of the Comprehensive Plan. He stated that this Comprehensive Plan review, mandated by the Code of Virginia, began in November 2011 and will conclude with the Board's adoption of Chapter Seven. He stated that this review was conducted "in house" by staff and the Planning Commission without outside assistance from a hired firm. He stated that this "in house" review amounts to roughly a \$90,000 savings to the County over the prior review, which was conducted with outside assistance from a hired firm.

Mr. Jenkins opened the public hearing.

Mr. Costello stated that the Planning Commission had done a good job, as well as its Board Representative, Mr. Jenkins. He stated that it shows what can be done when people work together. He stated that he recommended it for approval.

There was no more public comment.

Mr. Jenkins closed the public hearing.

Mr. Palin stated that he thought that Mr. Gill had done an excellent job as well on the review.

Mr. Lee made a motion to approve Chapter 7 of the Comprehensive Plan.

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

### **CONSENSUS DOCKET**

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

1. Minutes for September 26, 2013

Recommendation: Approve minutes as submitted

2. Request for Pump and Haul – Windmill Point Seafood Company

Recommendation: Approve with a \$1,000 bond and three-year renewals, as per previous agreements

3. The James Barry Robinson Home for Boys Trust Refunding Revenue Bond Issue

Recommendation: Staff recommends approval

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

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of October 2013 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for October 2013 in the amount of \$261,861.64 and invoice listings for October 2013 in the amount of \$762,497.02\*.

\*Greentown/Gaskins Road Grant - \$285,703.45  
Capital Improvements - \$1,200.00

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

2. FY 14 School Budget – School Nurse Funding

Mr. Palin stated that he had made a motion at last month’s meeting, which he tabled and he would like to untable the motion with the amendment that the Board consider \$50,000 for the nurse’s salary, instead of \$60,000. He stated that he would like to comment that when he first brought the issue to the Board, he did not realize that there would be so much “back and forth” and he suggested that the Board either vote it up or vote it down tonight.

Mr. Jenkins stated that the motion was to untable Mr. Palin’s prior motion.

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

Mr. Palin stated that the motion at the prior time was to pay the salary from the funds that were returned to the County from the school system from last year's budget.

Mr. Lee asked about a specific amount.

Mr. Palin stated that the remaining amount for the first half of the year would be \$6,667.

Mr. Palin withdrew the previous motion and stated that he put forth a new motion, which stated that the Board would fund the nurse's position from the funds that are being returned to the County from the last school year in the amount of \$50,000. He stated that \$6667 would be appropriated for the first part of the current school year.

Mr. Beauchamp stated that out of respect for his colleague, he had been considering the nurse issue. He stated that he had given it considerable thought, but had to be candid and say that this issue should not be in front of the Board of Supervisors at the present time. He stated that the school system is only 4 months into the budget and already requesting more funding. He stated that the school superintendent and the school board received the nurse's retirement notice last spring and had ample time to replace her with their annual funding. He stated that they chose not to fill the position with a registered nurse and instead, created two other positions.

Mr. Beauchamp stated that the school superintendent and school board totally disregarded the health issues of the County's children and he did not appreciate it. He stated that the County has a school system that is 17<sup>th</sup> in the Commonwealth in local per pupil funding, yet we have a reputation for being one of the worst schools in the Commonwealth. He stated that was unacceptable. He stated that it equates to non-existent leadership and poor management from the superintendent down to the school board. He stated that they continue to blame the Board of Supervisors because we will not continue to fund their mistakes. He stated that the nurse issue is identical to what happened last year with the music teacher. He stated that he suggested that the school board and superintendent find the money in their budget. He stated that he could not support the request.

Mr. Palin stated that the school board did not request the funds. He stated that he brought up the issue as an individual and a member of the Board of Supervisors.

Mr. Jenkins stated that the school board voted unanimously to request the funds for a school nurse after Mr. Palin's initial motion.

Mr. Bellows stated that it is important to have the nurse, but the funding issue is clearly on the side of management. He stated that the choice was made, not by the Board of Supervisors, but by the school board. He stated that the money, at this early time, is in the budget and they should hire the nurse now. He stated that they are playing the blame game and he would not support the motion.

Mr. Lee stated that he thought it was an unfair comparison to compare a music teacher to a nurse. He stated that both positions are important, but a nurse is more important and it is a health and safety issue.

Mr. Lee referred to the problems with leadership and stated that there may be problems with leadership in the school system and did not know how some of the issues were going to get resolved when everyone is at an impasse.

Mr. Jenkins stated that he had a great deal of sympathy with Mr. Lee's comments. He stated that the issue last year was whether or not there were funds to hire a music teacher and it has been proven that there were. He stated that this year there is a question about whether or not there are funds to replace a third nurse.

Mr. Beauchamp stated that Mr. Lee was one hundred percent correct and he was not trying to compare the two positions of music teacher and nurse, but rather give an example. He stated that the health of the students is the most important thing.

Mr. Palin stated that he understood that they would be looking at the instructional category for the funds and not from the category funding the other nurses.

Mr. Jenkins stated that the Department of Education's requirement is that a school nurse must be considered part of the administration, even if he or she is assigned to a particular school.

Mr. Jenkins stated that, as he understands it, there is a financial person in each of the schools that is responsible for overseeing the costs of each school and yet at the main office there are three individuals in the finance department overseeing what the three people in the schools do. He stated that the County of Lancaster does that same function, clearing more invoices than the school system does, with one person and part-time help from each of the departments. He stated that if they want money for a nurse and have to take it out of administration, that area would be a good place to start. He further stated that if the school system was not willing to do that, then they need to bring a responsible request to transfer funds out of education to the administration for the specific purpose of a nurse.

Mr. Jenkins stated that last year, the school system turned back almost a quarter of a million dollars of unspent funds and that budget included the third nurse. He stated that the school system has used the maintenance staff and are now using the nurse issue to cause a disruption between the Board of Supervisors and the school system. He stated that he resented it and did not think it was professional. He stated that the decision not to replace the retiring nurse last spring was a short-sighted decision.

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

Motion failed 3-2

Mr. Beauchamp asked the remaining school personnel what was approved at the last school board meeting pertaining to the high school weight room and the junior varsity football coach.

Ms. Salg stated that she did not know.

Mr. Beauchamp stated that he had been advised by three parents that there was to be a for profit endeavor going on and he wanted to know who would be authorizing a business venture on school property. He stated that he would like clarification.

Ms. Salg stated that she would get back to them via e-mail.

Mr. Jenkins stated that he would like all of the Board members to be copied on that e-mail.

3. Request for Donation of Real Property-Lancaster/Northumberland Habitat for Humanity

Mr. Gill stated that the issue was the Lancaster/Northumberland Habitat for Humanity asking the County of Lancaster to donate county-owned property, Tax Map

#13-17, which consists of 9.55-acres to their non-profit organization for the creation of a new Habitat for Humanity community consisting of at least seven new homes. He stated that the property is zoned R-1, Residential General and is located off River Road (VSH 354) near its intersection with Belle Isle Road (VSH 683) in District 1.

Mr. Gill stated that the Lancaster/Northumberland Habitat for Humanity's request is outlined in their proposal that all Board members had received. He stated that the "site facts" portion of their proposal attempts to address the Chairman's question from last month's meeting of how donating the property to their organization would benefit all citizens of Lancaster County.

Mr. Gill stated that the subdivision sketch included in the proposal consisting of 7 lots is conceivable. He stated that the subdivision ordinance would allow up to a maximum of 18 lots if served by central water or sewer, however the soils' septic suitability would determine the actual number of lots attainable. He stated that the majority of the parcel consists of Mattapex Silt Loam which is a fair soil for septic and a small portion consists of Bertie Silt Loam which is a poor soil for septic, so Habitat's projection of 7 lots is realistic. He stated that their illustration utilizes the cluster subdivision option of our subdivision ordinance, which would reduce lot sizes and maximize open space creating a large recreational area and buffers from surrounding properties. He stated that the parcel has sufficient width to allow a single entrance off of River Road (VSH 354). He stated that the interior subdivision road would need to be built to either the AASHTO standards for Rural Road Design if intended to be a private road maintained by a Homeowners Association or to VDOT standards if intended to be included in the State Secondary System of Highways.

Mr. Gill stated that the Lancaster/Northumberland Habitat for Humanity has built a similar community in Lancaster County, the Pond Park subdivision consisting of 6 lots with a VDOT standard subdivision road, located at the intersection of Pond Park Road (VSH 1060) and Devils Bottom Road (VSH 614).

Mr. Gill stated that Ms. Nan Flynn of the Lancaster/Northumberland Habitat for Humanity was present to answer questions.

Ms. Nan Flynn thanked the Board and stated that she wanted to make one correction to the site facts that were included in the Board's packages. She stated that the property had been owned by the County since before 1985 and not 2000.

Mr. Jenkins stated that the land was purchased as an alternative dumpsite for the County.

Ms. Flynn stated that there has not been any revenue from the property and if her organization was able to obtain the property, subdivide it and build 7 homes, there could have been approximately \$100,000 in tax revenue in the time period since 1985. She stated that all of the Habitat for Humanity homeowners are current on their property taxes.

Ms. Flynn asked if the Board would make a decision about the request that evening.

Mr. Jenkins replied that the request would be under consideration after Ms. Flynn's presentation.

Mr. Bellows stated that if the land is not being used for another critical purpose, he thought it would be a great opportunity for qualified residents of the County to be able to afford a home of their own and to support Habitat for Humanity, which is a great organization.

Mr. Lee stated that everyone is aware that affordable housing is greatly needed in the County and this would be a great opportunity for the residents.

Mr. Beauchamp stated that his only concern was that the land was purchased as a backup for a County landfill. He asked if any studies had been done to see if there would be a need for a backup landfill or dumpsite in the future. He stated that his concern is no reflection on the Habitat for Humanity organization, as they do great work.

Mr. Jenkins stated that he had just seen a friend in the audience, Mr. Joe Curry, who would like to speak on the subject.

Mr. Curry stated that the Lancaster/Northumberland Habitat for Humanity is a wonderful organization and he has served on its board. He stated that they are trying to figure out a way to provide low-income housing for the residents of the County. He stated that there are a lot of County residents that need help with housing. He stated that the Habitat for Humanity organization not only builds the homes, they also teach responsible home ownership, like paying bills and home maintenance. He asked that the Board seriously consider the land request.

Mr. Palin stated that he was one hundred percent behind Habitat for Humanity. He stated that he has seen what they can do and they have improved neighborhoods. He stated that his only concern was that if the land had been originally purchased as an alternative dumpsite, would there be an issue in the future if an alternative site was needed. He stated that if they do not need it, then he is in favor of the land being given to Habitat for Humanity.

Mr. Jenkins stated that his concern is that they are being asked to give an asset that is owned by the people of Lancaster County to one particular entity, when there are many worthwhile entities out there. He stated that his concern has nothing against Habitat for Humanity, as it is a fine organization and he is fond of their work.

Mr. Lee stated that 35 years has come and gone and the land has not been needed so far. He stated that he is not sure if it is a good enough reason to delay something if

they are just considering what may or may not happen. He stated that he is also not sure what a study could yield either.

Mr. Pleva asked if they were talking about a landfill, where trash is buried or a convenience center, where trash is dropped off.

Mr. Jenkins replied that at the time the land was purchased, they were still digging holes and burying trash.

Mr. Pleva stated that given today's requirements, a landfill is probably not a possibility.

Mr. Jenkins stated that the land is an asset. He stated that they are blessed with a large number of charitable organizations, all whose goals are worthy. He stated that if the land is up for a give-away, should others get a chance to ask as well.

Mr. Beauchamp stated that he only raised the landfill or waste management center issue because that was the original purpose of the property. He further stated that Habitat for Humanity has a track record in Lancaster and Northumberland and have done an outstanding job. He stated that if there is no concern for future need by the County, then he would support the request.

Mr. Palin stated that the County already has property that could be used for the purpose of expanding the convenience center at the Nuttsville site. He stated that he would have no problem supporting the request from Habitat for Humanity.

Mr. Palin made a motion to approve the request from the Lancaster/Northumberland Habitat for Humanity for the donation of Tax Map #13-17, a parcel consisting of 9.55-acres, to their non-profit organization for the creation of a new Habitat for Humanity community.

Mr. Bellows referred to the site plan provided by Habitat for Humanity and asked if the soil had been studied.

Ms. Flynn replied that a preliminary soils examination had been done and that they found what Mr. Gill had referred to, in that, there were both fair and poor soils on the parcel.

Mr. Gill stated that he would like to address some concerns. He referred to the possibility of needing another convenience center in the future and stated that the Nuttsville site is over thirty acres, which should meet future expansion needs. He stated that the majority of the soils on the parcel that Habitat for Humanity wants is a fair soil, Mattapex Silt Loam. He stated that the subdivision ordinance would allow many more lots, but the septic suitability of the soil would determine the ultimate number. He stated that their presentation of 7 lots is very realistic.

There was no further discussion.

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

4. Request for Master Plan Modification – Dominion Virginia Power (New Ocran Substation)

Mr. Gill stated that the issue is Dominion Virginia Power wishes to modify its Landscaping Plan for the new Ocran substation at their 14.8379-acre parcel, Tax Map #28-202 located near the intersection of VSH 646 (Old Salem Road) and VSH 670 (Ring Farm Road) in District 4.

Mr. Gill stated that the Board of Supervisors granted the Special Exception for the new Ocran substation on October 27, 2011 after its public hearing on September 29, 2011. He stated that the substation has been built and Virginia Power is in the process of planting the buffer areas required in its plan.

Mr. Gill stated that Virginia Power’s arborist, Kathy McDaniel, recently determined that the natural vegetation that has regrown on the property, after it was cleared several years ago, would be better for the site than what is proposed in the landscaping plan. He stated that Virginia Power has requested a modification which would allow them not to plant the proposed plantings along Old Salem Road, but instead donate \$5,000 towards landscaping somewhere else in the County, at the County’s discretion. He stated that Virginia Power will still plant the buffer plantings under the distribution lines, which were the primary concern of those attending the public hearing when the substation was approved.

Mr. Gill stated that staff views this as a reasonable request. He stated that it seems pointless to destroy the 4-5 feet tall Loblolly pines that have emerged and thrived since the clearing, just to plant new vegetation that will take several years to get established, delaying the desired buffering along Old Salem Road. He stated that the existing thick stand of Loblolly pines will ultimately provide a more dense buffer than the 65 proposed plantings. He stated that the \$5,000 donation is comparable to the retail value of the 65 trees that would not be planted along Old Salem Road and the \$5,000 donation could also be earmarked for landscaping at the County’s new public access site.

Mr. Lee stated that he has noticed that the trees are thick in that area and it is a good buffer, but his concern is what will happen in the future. He stated that the trees do not always mature when they are that close together.

Mr. Palin stated that after loblolly pines mature, all of their limbs are located at the top of the tree and may not be as good a buffer then.

Mr. Jenkins stated that he thought the Board had just required a buffer and did not specify what vegetation would be planted.

Mr. Gill stated that was correct.

Mr. Jenkins stated that Dominion Virginia Power is responsible for the buffer and in the future if the buffer is not adequate, they will have to replace it. He stated that the requirement is there and they should consider the pines an adequate buffer at this time.

Mr. Lee stated that he wanted Dominion Virginia Power to know that by the County accepting the \$5000 donation, they would not be out of their obligation to maintain the buffer.

The Board, by consensus, agreed to accept the \$5000 donation from Dominion Virginia Power and keep the buffer as it is at the present time.

##### 5. Post-Issuance Compliance Procedures for EDA Issued Tax Exempt Bonds

Mr. Pleva presented the issue.

Mr. Pleva stated that this procedure is recommended by the Internal Revenue Service and the Economic Development Authority approved the same policy at their last meeting. He stated that it is basically a long form that is completed following the issuance of a tax-exempt governmental bond, such as the one recently approved for the James Barry Robinson Trust. He stated that there is no cost to the County and is an advantage for the audit process.

Mr. Jenkins stated that, for clarification, by the Code of Virginia every jurisdiction is allowed to form an Economic Development Authority (formerly Industrial Development Authority). He stated that those bodies are allowed to seek bonds to help with projects. He stated that the County is under no obligation as a result of those bonds. He stated that an EDA, once established, can stand for the bond for anything within the Commonwealth. He stated that the benefit is the local EDA gets fees out of the transaction and those fees are applied towards local economic development.

Mr. Pleva stated that the localities get 10 million dollars each and there is no rollover to the next year.

Mr. Bellows made a motion to adopt the Post-Issuance Compliance Procedures for the EDA tax-exempt bonds.

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

#### 6. Emergency Services – Emergency Response Plan

Mr. Pleva stated that the Lancaster County Department of Emergency Services has developed an Emergency Response Plan (ERP). He stated that this state-mandated plan is needed for the two (2) volunteer rescue squads to receive full licensing by the Virginia Department of Health’s Office of Emergency Medical Services. He stated that the Emergency Response Plan must be agreed upon by all affected parties and approved by the Board of Supervisors by no later than October 31<sup>st</sup>.

Mr. Pleva stated that the draft Emergency Response Plan was modeled after other state-approved plans. He stated that it had been reviewed and agreed upon by Emergency Services Director Wally Beauchamp, former Emergency Services Chief Christina Hubbard, Operational Medical Director Dr. Paul Sutherland and himself as well as officers of the two volunteer rescue squads during a meeting on August 19<sup>th</sup>.

Mr. Pleva stated that the Sheriff’s Office has also reviewed and commented on the draft plan, particularly the initial dispatching procedures. He stated that 1<sup>st</sup> Sergeant Jeffrey Haywood and Dispatch Supervisor Ashley C. O’Bier requested changes to the original draft version of the dispatch procedures.

Mr. Pleva stated that the plan was postponed from last month as they were waiting on the final Sheriff’s Department comments. He stated that the plan will be sent by e-mail tonight, with a hard copy to follow.

Mr. Beauchamp made a motion to approve the Emergency Response Plan.

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

### **BOARD REPORTS**

None.

### **COUNTY ADMINISTRATOR**

#### Emergency Medical Fees Exemption

Mr. Pleva stated that the emergency medical fees are based on the level of service that has been rendered. He stated that there has been some discussion on when a decrease in the bill could be considered. He stated that the research through the billing committee indicated that Medicare and Medicaid rules only allow a discount based on income. He stated that he had included in the Board's packages a resolution that had been adopted by Westmoreland County concerning this issue. He stated that the issue would be brought up again in the future.

#### Small Purchase Procedures

Mr. Pleva stated that he had included the small purchase procedures policy from 1996 in the Board's package. He stated that, in 1996, if the anticipated amount of a project was not expected to exceed \$30,000, then a formal bid was not needed. He stated that today's code allows for \$100,000 for a small purchase policy. He stated that the County would still get multiple quotes.

Mr. Pleva stated that the County had recently received bids on repair work to the Administrative Building, which all were over \$30,000. He stated that his suggestion was for the Board to consider updating the small purchase procedures policy and increasing the amount. He stated that he would bring back the issue at next month's meeting.

### **CLOSED SESSION**

Motion was made by Mr. Beauchamp 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 Matters, § 2.2-3711.A.1, Legal Consultation, § 2.2-3711.A.7, and Real Property, § 2.2-3711.A.3 of the Code of Virginia, 1950, as amended. The purposes of the closed meeting are to discuss personnel matters, legal consultation and the acquisition of real property. 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.7 (consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel), and § 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 or Town's bargaining or negotiating position.)

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

**RECONVENE**

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

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

**CERTIFICATION**

**WHEREAS**, the Lancaster County Board of Supervisors convened in a closed meeting on October 31, 2013 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Personnel Matters, § 2.2-3711.A.1, Legal Consultation, § 2.2-3711.A.7 and Real Property, § 2.2-3711.A.3 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. Bellows 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. Jenkins called the question. A roll call vote was taken:

**ROLL CALL**

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

This certification resolution is adopted.

No action taken on the closed meeting matters.

**ADJOURNMENT**

Motion was made by Mr. Bellows to adjourn.

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