

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Monday, November 30, 2009.

- Members Present: Jack S. Russell, Chair
Ernest W. Palin, Jr., Vice Chair
Peter N. Geilich, Board Member
B. Wally Beauchamp, Board Member
F.W. Jenkins, Jr., Board Member
- Staff Present: William H. Pennell, Jr., County Administrator
Jack D. Larson, Assistant County Administrator
Don G. Gill, Planning and Land Use Director

Dr. Russell called the meeting to order at 7:00 p.m.

PUBLIC INPUT

None

PRESENTATIONS

None

VIRGINIA DEPARTMENT OF TRANSPORTATION

Shoreline Repair Projects

Mr. Trapani stated they were working on a couple of shoreline repair projects. There has been damage down in the Windmill Point area near the bridge and at the end of VSH 354. The work should begin the second week of December, depending upon permitting requirements.

Public Hearing – Six Year Plan Reduction

Mr. Trapani said there will be a public hearing in Richmond on the reductions on the Six Year Plan on December 1, 2009. The Board of Supervisors can submit their comments in writing prior to December 11th, however; Lancaster County does not have any projects on the plan. He suggested that Lancaster County considered requesting a small project be added to the plan (i.e. a turn lane).

Cox's Farm Road Speed Study

Mr. Trapani stated the results of the speed study request for Cox's Farm Road returned suggesting a 25 mph speed limit on portions of the road. The signs will be erected within the next couple of days.

Greentown/Gaskins Road Sewer Project

Mr. Trapani said they will be working with the engineer next week on the Greentown/Gaskins Road sewer project. They will be working on preliminary plans and right-of-way.

Ferry Update

Mr. Trapani stated the ferry is in the water, there have been some delays because of the weather. The final stability test with the Coast Guard is scheduled for December 14, 2009.

Mr. Jenkins asked if any more consideration had been given about the hours of operation. The suggestion from this board was rather than cut back the hours just cut back one day. Have the ferry operate Tuesday – Saturday and closed Sunday and Monday.

Mr. Trapani stated he can make the changes along as they do not exceed the number of hours of operation.

By consensus of the board, have the ferry operate Tuesday – Sunday.

PUBLIC HEARING

1. Application for Special Exception – Irene L. Walker – Mr. Gill presented an Application for Special Exception by Irene L. Walker to place an 80 foot data antenna/pole for wireless Internet access on a 0.69-acre parcel described as Tax Map #16-27E. This property is zoned R-1, Residential General and is located to the rear of 9014 Mary Ball Road near the Lancaster Post Office in District 2.

Mr. Gill said Article 5-1-23 of the Lancaster County Land Development Code allows the placement of data antennas with a special exception. This is a continuation of requests for special exception consideration to locate data antenna at various locations within the county to provide wireless broadband Internet access in areas lacking that capability.

Mr. Gill stated there are no zoning issues with the location of this antenna/pole. It has the potential to serve many homes in this area.

Mr. Gill said this request has been advertised and adjoining property owners notified as required by law. To date, staff has received one call from the public in support.

Chairman Russell opened the public hearing.

Hearing none, Chairman Russell closed the public hearing.

Mr. Palin made a motion to approve the Application for Special Exception by Irene L. Walker to place an 80 foot data antenna/pole for wireless Internet access on a 0.69-acre parcel described as Tax Map #16-27E located to the rear of 9014 Mary Ball Road near the Lancaster Post Office in District 2.

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Aye

CONSENSUS DOCKET

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

A. Minutes for September 24, 2009 and October 29, 2009

Recommendation: Approve minutes as submitted

B. Abstract of Votes – General Election – November 3, 2009

Recommendation: Accept Abstract of Votes as submitted

C. Amend Northern Neck Enterprise Zone

Recommendation: Approve the following resolution:

NECK REGIONAL ENTERPRISE ZONE AMENDMENT

WHEREAS, the Counties of Lancaster, Northumberland, Richmond and Westmoreland, and the Towns of Kilmarnock and Warsaw (known as the localities) comprise the Northern Neck Regional Enterprise Zone; and

WHEREAS, the localities have designated and authorized the Northern Neck Planning District Commission to serve as Enterprise Zone Program Administrator and to carry out all program administration and reporting requirements on their behalf; and

WHEREAS, Westmoreland County and the Town of Warsaw propose to amend their enterprise zone areas to include additional property as outlined on Attachment 1 & 2 to this resolution; and,

WHEREAS, Westmoreland County and the Town of Warsaw have conducted the required public hearings and adopted resolutions endorsing and authorizing the proposed amendment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Lancaster County hereby endorses and approves the proposed amendment to the Northern Neck Regional Enterprise Zone and authorizes the County Administrator to execute FORM EZ-2-JA.

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Aye

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of November 2009 Salaries and Invoice Listings
Motion was made by Mr. Beauchamp to approve the salaries for November 2009 in the amount of \$215,286.29 and Invoice Listings for November 2009 in the amount of \$584,136.00.

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Aye

2. Change Order Contingencies – Judicial Center – Mr. Pennell said recently there have been change orders submitted by David Nice Builders for issues that have arisen during the construction of the new judicial center. He stated he has no authority to approve any change orders and this lack of quick response can negatively affect the timeliness of the construction.

Mr. Pennell provided the Board of Supervisors with the four change order requests that he has received thus far. None have been approved to date, but he has informed Wiley and Wilson and David Nice Builders that this request is being made.

Mr. Pennell stated he is not convinced that change order #1 is a responsibility for the Board of Supervisors' payment. The change orders for the construction delays because of weather and the guy wire issue with the utility pole seem appropriate.

Mr. Pennell said with the board's permission, he will approve future, reasonable change orders under the approved limit, bring questionable change orders to the board's attention for approval/denial, orders that may be responsibility of other entities.

Mr. Pennell said he has discussed this matter with all concerned and have found that the request is one that is regularly approved by other public entities during large construction projects.

Mr. Beauchamp made a motion to Authorize the County Administrator to approve construction change orders that: 1) are reasonable and have no additional costs associated; and 2) are reasonable and are under a combined total of \$40,000 (1% of the construction contract award).

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Aye

3. FY 2010 “Out of Cycle” Capital Improvement Request – Mr. Larson presented a request by the Lancaster County Sheriff’s Office for an addition to the previously approved FY 2010 Capital Improvement Budget.

Mr. Larson said the Lancaster County Sheriff’s Department is requesting the Board of Supervisors consideration of a request for a Security System Upgrade for the Lancaster Correctional Center as an addition to the FY 2010 Capital Improvement Budget. They do not wish to wait until it can be submitted for consideration as part of the FY 2011 update because to do so would delay implementation beyond the time that is optimal given other approved upgrades. He provided the board with a memorandum which indicates, the estimated amount of this request is \$185,000. A representative from the Sheriff’s Department is available to provide further justification for the request and to address questions.

Sgt. Jeffrey Haywood stated they come to the Board of Supervisors at an odd time with an out of cycle request to resolve a problem that has existed for some time. This is the proper time to make this request because of existing circumstances. This request to upgrade the security system at the jail is greatly needed. The security system is ten years old and was refurbished in 1999 and as one could well imagine there have been many technological advancements since 1999. The current jail controls are obsolete and parts take about 4 to 6 weeks to be manufactured. He said there was a malfunction with some of the controls and it took 3 weeks for repair. This is an officer safety issue because a corrections officer is unable to communicate with the control room. The upgrade will include

cameras in the female housing unit and evidence areas. Other cameras would be located in recreation area and change out room.

Mr. Beauchamp asked about the cost of the cameras is the total amount requested is \$185,000; however in your information there is an additional \$9,486 needed.

Sgt. Haywood stated they have received two bids with a bit of variation on the pricing. With the upgrade that would allow them to monitor the holding cells in the new Judicial Center. This new security system will be integrated with the system in the new judicial center. They have looked at every possible measure and the life expectancy of the old equipment is about to expire.

The first company was Simplex Grinnell was contacted at a vendor show and they came out and spent a day looking at the current system and, at no cost, repaired some items. The proposal from this company is \$89,429 to integrate the system and adding the camera would be an additional \$9,486 for the upgrade. Simplex Grinnell is out of Richmond and the down time would only be between 3 to 4 hours. The second company Cornerstone Detention Products, Inc. out of Alabama did work at Prince William County and Rappahannock Regional Jail. The representatives did not come out and everything was done via email which is probable why the cost is higher at \$185,000.

Mr. Geilich stated that Sgt. Haywood gave an excellent presentation and said they should work up a Request for Proposal.

By consensus of the Board of Supervisors, they directed the Sheriff's office to put together a Request for Proposal of the Lancaster County Correctional Center Security System Upgrade.

BOARD REPORTS

Historic Resources Commission

Dr. Russell made a motion to reappoint Sandra Smyre to the Historic Resources Commission as a District 4 Representative for a three year term which ending June 30, 2012.

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Aye

COUNTY ADMINISTRATOR

Old Pierce Building

Mr. Pennell informed the Board of Supervisors that Carl Failmezger rescinded his offer on the Old Pierce House. As construction continues to move along on the new judicial center, that structure needs to be removed. After talking with the county attorney the county can remove/demolish the building. If there is an interest in saving anything in the building a not for profit organization could see what could be recovered.

2010 Essex County Legislative Reception

Mr. Pennell reminded the board of the 2010 Essex County Legislative Reception to be held Thursday, January 7, 2009 at 6:00 p.m. at Lowery's Seafood Restaurant. He stated he would be leaving from the courthouse at 5:30 p.m. if any board member wished to carpool with him.

Northern Neck Planning District Commission quarterly meeting

Mr. Pennell reminded the Board of Supervisors of the Northern Neck Planning District Commission quarterly meeting will be held January ---, 2010 at 5:30 p.m. Board members agreed by consensus to inform the Planning District Commission to contact the management of Rappahannock Westminster-Canterbury to provide space and catering services for this meeting.

ADJOURNMENT

Motion was made by Mr. Geilich to adjourn the meeting to Wednesday, December 2, 2009 at 3:00 p.m. to the Northside Branch of the Bank of Lancaster to continue discussions on the Luke's Landing lease in closed session with the county attorney and representatives of the owner.

VOTE:	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Aye