

**VIRGINIA:**

A Meeting of the Lancaster County Board of Supervisors was held via a conference call on Thursday, April 30, 2020.

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

Mr. Bellows stated that he wanted to have a moment of silence to remember the victims of the COVID-19 crisis.

Mr. Bellows stated that he would call a roll call to establish a quorum.

**ROLL CALL**

- Bellows – Present
- Palin – Present
- Larson – Present
- Lee – Present
- Westbrook - Present

**OPENING STATEMENT**

Mr. Bellows asked Jim Cornwell, County Attorney, to read the opening statement.

Mr. Cornwell stated that:

- During the disaster, the Code of Virginia requires and allows governing bodies of localities and other public entities to conduct their meetings in manners which are consistent with providing continuity of government and for the safety, health and welfare of not only the governing body, but all attendees and interested parties consistent with open government.
- The COVID-19 virus makes it impractical and unsafe, even life-threatening, for a quorum of the Board of Supervisors to physically assemble in one location.
- The COVID-19 virus also makes it impractical and unsafe, even life-threatening, for the public and the county staff, to gather in the same location to participate in a meeting.
- Declarations of Emergency have been made at all levels of government, including Lancaster County.
- A “disaster” exists which requires Lancaster County to assure continuity of its government.
- To that end, the Board of Supervisors has adopted a continuity of government ordinance pursuant to Section 15.2-1413 and as a result this meeting of the Lancaster County Board of Supervisors is being held by electronic communication means in accordance with Section 2.2-

3708 (A) (3) of the Code of Virginia, 1950, as amended, through the Zoom platform. The public can join the meeting on their computer, tablet or smartphone. The public can also join the meeting through any telephone.

- Public notice of this meeting and copies of the documents to be considered at this meeting have been posted at the County Administration Building and on the County website in accordance with Section 2.2-3707 of the Code of Virginia, 1950, as amended.

- An audio recording is being made of this meeting.

- All votes will be by roll call and recorded in the minutes. The Chair has called the roll at the beginning of this meeting. Any Board member who desires to make any comment during the meeting is asked to verbally identify themselves. Any Board member leaving the meeting prior to adjournment must verbally note that they were leaving.

Mr. Cornwell asked if any of the Board members had questions about the process.

There were no questions.

## **PRESENTATIONS**

### 1. Broadband Authority Update

Mr. Bellows stated that the Board had received a written report from the Broadband Authority detailing their recent activities.

Mr. Larson stated that the Broadband Authority always has a good report, but, in his opinion, this report was exceptional and will help him to explain to his constituents what is going on with broadband. He referred to an editorial letter in today's local paper and stated that citizen does not understand how far along the County is and what is being done to get county-wide broadband service. He stated that the Board has made a good decision with respect to the USDA grant and it is unfortunate that people don't understand it.

Mr. Lee stated that he wanted to echo what Mr. Larson had said. He stated that he had received two phone calls last week where it was insinuated that the County wasn't doing anything about broadband and he had explained why the Board had made the decision it had made and how far along the County was. He suggested that another article be put in the paper to help citizens understand what is happening with broadband.

Margie Armen, a Broadband Authority member, stated that she would give the monthly report. She stated that the Broadband Authority held its last in-person meeting on March 18<sup>th</sup> and since that time, they had been holding their meetings either on GoToMeeting or on conference calls. She stated that the Broadband Authority had a successful grant submission to the USDA for a \$22 million dollar grant. She stated that the application comprised over 300 pages of information including letters of support from legislators and community representatives, maps of 29 proposed service areas, specifications for the types of equipment to be used, preliminary

identification of vendors and suppliers, plans to site and construct a network operations center, construction schedules, construction and operating cost estimates, as well as business projections for customer sign-ups and for gross and net revenues over the first 5 years of operation.

Ms. Armen stated that the application has been accepted as complete. She stated that they had also been informed that the Rural Utilities Service has posted their proposed service areas on its website, so that existing providers that offer service in the County can see what the Broadband Authority has requested. She stated that they do not know whether they will be selected for the grant or not, but they know that they are in the running. She stated that, if everything stays on schedule, they may know something in August or September.

Ms. Armen stated that, at the same time that the Broadband Authority had approved submitting the grant application, they came to an agreement on the Dominion Energy pilot program proposal. She stated that, in early March, Dominion Energy announced that it had chosen the 5 counties on the Northern Neck to institute a pilot project to expand broadband availability. She stated that Dominion will take advantage of plans to install fiber communications to its substations and add extra fiber that can be used by its selected provider to offer fiber to the home broadband. She stated that the General Assembly authorized pilot projects last year, to subsidize the middle mile fiber cost and thereby reduce the last mile cost as well. She stated that Dominion has chosen All Points Broadband, Inc. to design, install and manage the last mile network.

Ms. Armen stated that Dominion's plan began with Northern Neck Electric Cooperative and 4 of our neighboring counties signing a Memorandum of Understanding or MOU. She stated that the MOU requires the participants to agree not to pursue any broadband activities while Dominion gets approval from the State Corporation Commission to carry out the project and while All Points Broadband surveys needs and costs and funding options. She stated that these activities are expected to continue until at least June of next year. She stated that there is no cost to participate in the MOU, however, when All Points Broadband has completed its survey work, it will advise the participants what service it will provide and how much their continued participation will cost.

Ms. Armen stated that the Broadband Authority was offered the opportunity to participate in the MOU, however, because of the non-competition provision, they would have been required to abandon the RUS grant applications just days before they were ready to submit. She stated that, instead of signing the MOU, they opted to ask Dominion to waive the "non-competition" requirement, so that they could remain in the regional project while moving ahead on the RUS grant. She stated that Dominion declined to do that, but it did extend the deadline for the Broadband Authority to accept their proposal until May 8<sup>th</sup>. She stated that the Broadband Authority will remain in contact with Dominion and take appropriate action when the May 8<sup>th</sup> deadline approaches.

Ms. Armen stated that the Broadband Authority is continuing to work with the Virginia Department of Housing and Community Development to secure the release of the Telecommunications Planning Grant funds that were applied for. She stated that the application

was accepted last year and the required planning work has been completed, however, there is no word yet on when they might see those funds.

Ms. Armen stated that the Broadband Authority has also been discussing the possibility of participating in the Virginia Telecommunication Initiative (VATI) funding pool this year. She stated that they have had preliminary discussions with two potential partners for VATI projects. She stated that the letters of intents are due in July and the applications will be due in August. She stated that the Broadband Authority will keep the Board of Supervisors informed of the progress.

Ms. Armen stated that she wanted to respond to the comments about the public perception that the County is not doing anything about broadband. She stated that she thought it was a good idea to put more publicity out there. She stated that more communication would be a good thing. She stated that the Broadband Authority will take it under advisement and make sure it gets done.

Mr. Lee thanked Ms. Armen and stated that he thought more communication on the subject would be a good thing.

Ms. Armen stated that if the Board members wanted to forward the contact information, the Broadband Authority would contact constituents directly on the subject to make sure their concerns were being addressed.

Mr. Bellows stated that, given the current crisis, he believed that everyone has seen the need for universal broadband. He stated that everyone needs this public utility.

## **VIRGINIA DEPARTMENT OF TRANSPORTATION**

Mr. Bellows stated that VDOT has sent in a written report of what they were currently working on. He stated that some of the highlights included mowing and litter pick-up.

## **PUBLIC HEARINGS**

Mr. Bellows stated that all three public hearings would be held concurrently.

1. Proposed FY 21 Public Schools Budget
2. Proposed FY 21 County Budget
3. Proposed CY 2020 Tax Rates

Mr. Bellows opened the public hearings.

Edna Davenport, Director of Social Services, stated that she had called in to answer any questions that the Board might have regarding her budget.

Mr. Bellows stated that, at the present time, the Board was conducting the public hearings for the budget and that, if the Board had questions of Mrs. Davenport later, they would let her know.

George Bott, a District 1 citizen, stated that he wanted to commend the Broadband Authority for its efforts. He stated that he has a friend that works at the Rural Utilities Service and he has told her that the County had submitted a grant request and asked her if she could keep him posted on the process.

Mr. Bott referred to the school budget and stated that it was a smart budget and had been well thought out. He stated that it expresses the reality of a declining population. He stated that the Board of Supervisors had taken the appropriate action, considering the pandemic, by leveling the budget and tax rates. He stated that the Board has increased its reserves to about 11 percent and he told them to keep up the good work.

Mr. Bott stated that Ms. Why had sent him the entire meeting package via email and it worked well. He stated that he hoped this was the way things could be done in the future.

Charlie Costello, a District 2 citizen, stated that he agreed with what the Board was doing concerning the budget. He referred to BoardDocs and asked if the public would have access to it.

Mr. Bellows replied that BoardDocs was basically a warehouse for agendas and meeting information and it will be discussed later in the meeting.

Mr. Bellows stated that, after seeing no one else raise their hand, he closed the public hearings.

### **PUBLIC INPUT**

Mr. Bellows asked if any member of the public had any comment on a matter that had not been scheduled for public hearing.

There were no comments.

### **CONSENSUS DOCKET**

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

1. Minutes for the February 27<sup>th</sup> Joint Budget Work Session with the School Board and Regular Meeting, March 12<sup>th</sup> Budget Work Session and April 1<sup>st</sup> Special Called Meeting

Recommendation: Approve minutes as submitted

2. Abstract of Votes – 2020 Democratic Presidential Primary Election Held on March 3, 2020

Recommendation: Approve abstract as submitted

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 March 2020 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for March 2020 in the amount of \$297,218.57 and invoice listings for March 2020 in the amount of \$682,936.08.\*

\*Loan Payments - \$28,047.00

Approval of April 2020 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for April 2020 in the amount of \$291,761.38 and invoice listings for April 2020 in the amount of \$693,028.80.\*

\*Capital Improvements - \$29,430.00

Mr. Larson stated that he was requesting that the salaries and invoice listings for the month of March be continued for future consideration because he had some concerns about the invoices and he had discussed those concerns with Mr. Bellows and Mr. Gill.

Mr. Palin amended his motion to continue the March salaries and invoices until the following month and approve the April salaries and invoices.

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

William R. Lee Aye

Robert S. Westbrook Aye

2. Consideration of a FY 20 Supplemental Appropriation for the Childrens' Services Act

Mr. Gill stated that the FY 20 budget appropriation of \$600,000 for the Childrens Services Act will be exceeded with the approval of the April invoices and a supplemental appropriation to the FY 20 budget is needed to cover those expenses.

Mr. Gill stated that, as discussed numerous times before, these expenses are for the day placement or residential placement at various specialized schools for Lancaster County students with learning and/or behavioral problems which prevent them from attending public school and/or for those who have been mandated through the court system for such placement. He stated that there is little the County can do to regulate these expenses, which can vary greatly from year to year. He stated that all counties are seeing increases in this area.

Mr. Gill stated that he had included the detailed spreadsheet of FY 20 expenses, to date, which total \$666,866.88 with the approval of the April invoices. He stated that total will exceed the FY 20 budgeted amount of \$600,000 by \$66,866.88, so a supplemental appropriation is needed in that amount. He stated that, obviously, supplemental appropriations will also be needed in May and June as well. He stated that the Governor has ordered all public schools be closed and a lot of these institutions have developed an online curriculum for their students. He stated that the Community Policy Management Team will meet again on May 7<sup>th</sup> to address some of these issues. He stated that the County is reimbursed by the state for 56.1 percent of these expenses.

Mr. Bellows made a motion to Approve the FY 20 Supplemental Appropriation for the Childrens' Services Act in the Amount of \$66,866.88.

VOTE: Jason D. Bellows Aye

Ernest W. Palin, Jr. Aye

Jack D. Larson Aye

William R. Lee Aye

Robert S. Westbrook Aye

3. Consideration of Using BoardDocs for Meetings

Mr. Bellows stated that, as everyone knows, they are experiencing unprecedented times and the issue of BoardDocs has been brought up for discussion before. He stated that having BoardDocs would be a way for them to distribute all meeting materials electronically. He stated that it would also give them access to historical information of their meetings as well. He stated that there would be a lot of benefits for using this system.

Mr. Bellows stated that, during this crisis, there has been discussion of possible funds coming from stimulus packages and that some of these start-up fees could be expensed, so that disaster funds might cover them. He stated that he thought they should consider this system.

Dr. Westbrook stated that he had used BoardDocs when he was a member of the School Board for four years. He stated that one of the most valuable things that he had found is that they can have access to what every other board that uses the system has done. He stated that the system is very beneficial when researching information. He stated that it could also save staff time.

Mr. Lee asked about the upfront cost and on-going costs of the system.

Mr. Bellows asked Mr. Gill to address that question and also asked if he had a recommendation of what particular system the Board of Supervisors would need.

Mr. Gill replied that the school system uses BoardDocs LT and has used it since 2014. He stated that he thought the County would need the LT Plus edition because that system would give them the ability to use it for more than one board. He stated that cost was \$6,000 annually. He stated that the company is waiving the \$1,000 start-up fee through June 30<sup>th</sup>. He stated that he had been asked to estimate the cost of preparing the board books and he had estimated \$292 per meeting, which includes paper costs, staff time and mileage. He stated that figure comes to approximately \$3,500 a year.

Mr. Gill stated that Jim Cornwell, County Attorney, had pointed out to him that when the Board considered BoardDocs in 2018, we did not go through the procurement process, but it may be handled under the small purchase policy. He stated that he had asked Glenn Rowe, Director of Information Technology if he had any comments about the system.

Mr. Rowe stated that BoardDocs looks like it would do everything that they would want it to do. He stated that it may also be able to replace the system that is currently used for recording meeting minutes. He stated that would be a plus because that particular software is no longer supported.

Dr. Westbrook stated that Mr. Gill had mentioned the cost of preparing the Board's books, but with the plus edition, the Planning Commission and other boards could also use BoardDocs to get their meeting materials together and save some time.

Mr. Bellows stated that the Board members were the leaders of the County and as they were trying to get broadband for the County it was important to get access for the public through these types of platforms.



Dr. Westbrook made a motion to purchase the BoardDocs LT Plus edition.

Mr. Palin asked what was the exact cost of the software.

Mr. Gill stated that the BoardDocs LT Plus is \$6,000 per year.

Mr. Larson stated that, according to Mr. Gill's email, I-pads start at \$850 each, so that would have to be factored into the total. He stated that cost seemed high to him.

Mr. Bellows stated that he thought everyone could use their own devices and possibly pursue getting devices at a later time.

Dr. Westbrook stated that the School Board had bought Chrome Books for its members and those cost between \$159 and \$300 each. He stated that he personally did not like the Chrome Book, so he chose to use his own laptop during that time. He stated that they could purchase Chrome Books and those members who preferred to use their own devices could do so.

Mr. Larson stated that, personally, he supported the idea, but they needed to pin down the total cost as Mr. Palin had asked. He stated that they may also want to have this for the Wetlands Board as well.

Mr. Bellows asked Mr. Gill to reach out to the School Board concerning their use of Chrome Books.

Mr. Larson asked if they were at the point to entertain Dr. Westbrook's motion or do they need to get more information first.

Mr. Palin stated that, in his opinion, if the Chrome Books are not satisfactory maybe they should postpone the decision until they have more information about the hardware.

Dr. Westbrook stated that they could find out how many School Board members use a Chrome Book. He stated that he preferred his laptop, but not everyone will.

Mr. Bellows asked Mr. Gill if these devices could be handled like the cell phone policy with various options.

Mr. Gill replied that he thought it could be. He stated that Mr. Rowe may have a comment on it.

Mr. Rowe stated that BoardDocs can be accessed from any device, so there would be no requirement to have a dedicated device.

Mr. Bellows asked Mr. Rowe if he had a preference on a brand.

Mr. Rowe replied that, currently, the cell phones for County personnel are a mix of Android and I-phones, so the devices for BoardDocs would not matter to him either.

Mr. Bellows stated that, in his opinion, they should move forward with BoardDocs and leave it up to the individual members to decide on the hardware at a later date.

Mr. Cornwell suggested that if the Board is considering the purchase of equipment, they may want to look at the School Board's purchase procedures and they could probably purchase through whatever contract they have to be more economical.

Mr. Bellows stated that, in light of some of these questions, he suggested that they reach a consensus at tonight's meeting and bring the topic back at next month's meeting when they have more details.

Dr. Westbrook rescinded his prior motion concerning the purchase of BoardDocs.

Mr. Bellows asked Mr. Gill to move forward and get whatever training information that they will need for BoardDocs. He asked Mr. Gill to put together a list of 2 to 3 device options with pricing, so they will know total costs.

Mr. Lee asked Mr. Gill to include the Planning Commission and anyone else that would be using the system.

Mr. Gill stated that he would check with the school to see if they can purchase the devices under their contract and he would have Mr. Rowe research device options. He stated that he will try to have the information for the regular May meeting.

## **BOARD REPORTS**

Mr. Palin made a motion to reappoint Edith Pinn to the Social Services Board.

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

Mr. Lee made a motion to appoint Reverend Tom Coye to the Social Services Board.

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

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

Mr. Lee stated that, during this crisis, the County has some organizations that are working together and helping the community. He stated the Boys and Girls Club, the Community Library and Dreamfields have come together to help with the preparation of meals for students who are out of school because of the pandemic. He stated that library personnel are making arts and crafts deliveries to children as well.

Dr. Westbrook asked Mr. Bellows what he had found out about the status of Lancaster County, along with other counties, being able to hold a referendum concerning extra sales tax to be used for the schools.

Mr. Bellows stated that he had not heard specifically from the Governor's staff, but he did not think that the Governor took action on that issue. He stated they had a VACo regional meeting today and that topic will be on the forefront for next year.

### **COUNTY ADMINISTRATOR**

Mr. Gill stated that the Board of Supervisors will need to adopt the school budget by May 15<sup>th</sup> and it had been discussed having the next meeting on May 7<sup>th</sup>. He stated that the Board also has to wait 7 days after the public hearing on the County budget. He stated that, when the Board adjourns tonight, they will have to pick a date for those adoptions, as well as the tax rates.

Mr. Bellows suggested that all of the adoptions be considered next Thursday, May 7<sup>th</sup>.

Mr. Gill stated that they could hold the meeting at 7:00 p.m. with the same format.

Mr. Bellows asked if any member objected to having the meeting on May 7<sup>th</sup>.

The consensus was that was a good date for all of the members.

Mr. Bellows thanked everyone for participating and stated that he thought the meeting went well.

Mr. Gill stated that he wanted to give our Information Technology Director, Glenn Rowe, credit for organizing these electronic meetings. He stated that Mr. Rowe had done a tremendous amount of work and research to come up with a good platform for these electronic meetings.

The Board members thanked Mr. Rowe.

### **ADJOURNMENT**

Motion was made by Mr. Bellows to adjourn the meeting to Thursday, May 7<sup>th</sup> at 7:00 p.m.

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