

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, July 28, 2011.

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

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

PUBLIC INPUT

None

PRESENTATIONS

1. Lancaster High School Baseball Team – Commendation – Mr. Pennell stated the Lancaster High School Baseball Team played in the 2011 Virginia State semi-final championship game. Although they lost the semi-final game, it is only the second time the baseball team has gotten this far in championship games.

Mr. Pennell read the following resolution:

**RECOGNIZING THE
2011 LANCASTER HIGH SCHOOL BASEBALL TEAM**

WHEREAS, the 2011 Lancaster High School baseball team had a season record of 7 wins and 9 losses in its regular 2011 district play; and, with their backs against the wall, the team had to beat the #1 seed, Rappahannock High School, in the first round of the district tournament, which Lancaster won by a score of 4-2; and

WHEREAS, the Lancaster team then went to the Region A tournament where it beat the #1 seed, Nandua High School, by a score of 5-3 and this win allowed Lancaster to play Middlesex High School, the #2 seed, where Lancaster won by a score of 6-4 to win the Region A title; and

WHEREAS, in the first game of the state quarter finals, Lancaster beat Strasburg High School by a score of 4-1 taking them to the state semi-finals and Lancaster ended its championship games by a loss to J. J. Kelly High School by a score of 5-3, making this the second time only that the Lancaster High School Baseball Team played in the state semi-final championship game.

NOW THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors commends the 2011 Lancaster High School Baseball Team; Tiko Henderson, Tay Betts, Chris Buzzell, Alex Williams, Shaq Harvey, Mike Navetta, Colie Haydon, Ryan Hudson, Joel Hudnall, Sammy Somers, Zach Saunders, Kedrick Lee, Will Perkins, Dalton Moore and Carrington Veney for their hard work and successful year; and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors commends the Lancaster High School Baseball Team coaches; Welby Saunders, Scotty George and Ashley Wilmore for their commitment to and leadership of the baseball team.

Mr. Beauchamp commended the players and coaching staff on an outstanding job.

Dr. Russell thanked the players for an exciting season and thanked the parents for total support. He hopes that all the player plans are to further their education and possibly play sports in college. Again congratulations on a great season.

Mr. Jenkins made a motion to Adopt the Resolution Recognizing the 2011 Lancaster High School Baseball Team on an outstanding season.

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

2. Treasurer's Office Accreditation – Mr. Pennell said recently, the Lancaster County Treasurer's Office received accreditation from the Treasurer's Association of Virginia.

Mrs. Haynie, Lancaster County Treasurer stated she received her Management Governmental Certification and is the first time that Lancaster County has received an accreditation.

The following describes the criteria for obtaining Accreditation for a Treasurer's Office:

- ❖ The treasurer has taken Roles and Responsibilities and has passed exam. The remainders of the required mandated courses have been taken and exams passed by the principal officer or designated employee(s).

- ❖ The minimum number of employees enrolled and participating in the Certified Government Deputy Treasurer program (Level I) administered by the Weldon Cooper Center for Public Service at the University of Virginia has been met.
- ❖ The office has developed and implemented written policies consistent with applicable State and Federal law addressing:
 - A. **Personnel** policies including, but not limited to: leave and attendance, equal opportunity, sexual harassment, recruitment and selection and employee disciplinary.
 - B. **Customer Service** policies
 - C. **Delinquent Collections** policies and procedures
 - D. **Investment** policies
- ❖ The office collection rate for the 12-month period after the tax due date, adjusted by the local unemployment rate, is not less than 95% for those jurisdictions who only collect state taxes and is not less than 95% for real estate and 90% for personal property taxes, for those localities that do.
- ❖ The most recent outside audit of my office reported no finding of material financial weakness under by direction. For those collecting only state taxes, the most recent state audit of my office reported no finding of material financial weakness under my direction.

Mrs. Haynie said her office has a tax collection rate of 99.2779 % as of May 31, 2011 with an excellent staff. The Lancaster County Treasurer's office has met seven of the following eight criteria:

- Has a written policy to mail tax bills at least 30 days before the deadline. Bills are never mailed less than 14 days before the deadline.
- It is the policy to mail delinquency notices to relevant taxpayers within 60 days after each deadline.

- It is the policy to deposit local funds within 48 hours of their arrival, excepting weekends and holidays.
- All bank statements for a month are reconciled within 60 days of the close of that month.
- It is the policy that all written complaints by citizens are responded to within 14 days of their arrival in my office.
- The office has at least one microcomputer per three employees.
- The office does not cash personal convenience checks.
- The office has handout material available for citizens explaining local taxes, applicable tax rates, methods of payments, etc.

By consensus of the Board of Supervisors, they congratulated her on a job well done.

VIRGINIA DEPARTMENT OF TRANSPORTATION

County Road Maintenance

Mr. Beauchamp stated VDOT Representative were unable to attend the meeting but said mowing would be complete within a week to ten days on the primary. They will immediately start on secondary roads.

PUBLIC HEARING

None

CONSENSUS DOCKET

Motion was made by Mr. Jenkins to Approve the Consensus Docket removing docket item E. Automatic Extension – MetroCast Franchise Agreement putting this on the Consideration Docket and recommendations as follows:

A. Minutes for June 30, 2011

Recommendation: Approve minutes as submitted

B. USDA Rural Development Grant Application

Recommendation: Adopt the resolution approving the application for a \$650,000 grant from the U.S. Department of Agriculture, Rural Development to provide funding for the collection system

**U. S. DEPARTMENT OF AGRICULTURE, RURAL
DEVELOPMENT GRANT GREENTOWN/GASKINS ROAD
COLLECTION SYSTEM**

WHEREAS, for several years, Lancaster County has been the recipient of a Community Development Block Grant to improve housing, water supply and wastewater treatment for the community known as Greentown/Gaskins Road; and

WHEREAS, the progress on this project has been hampered by the inability of providing wastewater treatment for the community; and

WHEREAS, CDBG funds are sufficient to provide for water supply, housing rehabilitation and a wastewater treatment plant, but there has been insufficient funding to provide for the wastewater collection system that will deliver the effluent to the wastewater treatment facility; and

WHEREAS, staff from the U. S. Department of Agriculture, Rural Development, has been working with staff from the Virginia Department of Housing and Community Development as well as staff from the County of Lancaster to resolve this dilemma; and

WHEREAS, Lancaster County staff members recommend that the Lancaster County Board of Supervisors approve of the application for a Rural Development grant to provide funding for the aforesaid collection system.

NOW THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors approves of the submission of an application for a U. S. Department of Agriculture, Rural Development grant in the amount \$650,000 to provide for the wastewater collection system for the Greentown/Gaskins Road Community Development Block Grant project.

C. Community Services Board – FY12 Performance Contract

Recommendation: Adopt the Resolution Approving the FY12 MP-NNCSB annual budget and performance contract as submitted

**Middle Peninsula-Northern Neck Community Services Board
FY 2012 Performance Contract and Operating Budget**

WHEREAS, §37.2-508 of the *Code of Virginia* [1950] as amended, requires each Community Services Board to submit, to the governing body of each political subdivision that established it, an annual performance contract for community mental health, mental retardation and substance abuse services for its approval prior to submission of the contract to the Virginia Department of Behavioral Health and Developmental Services, and

WHEREAS, the Middle Peninsula – Northern Neck Community Services Board has put forward its proposed Performance Contract for Fiscal Year 2012, for approval by the Boards of Supervisors of its governing counties of Essex, Gloucester King and Queen, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Lancaster County, Virginia, that the Performance Contract prepared by the Middle Peninsula-Northern Neck Community Services Board for Fiscal Year 2012 and presented to the Board is hereby approved and may be forwarded to the Department of Behavioral Health and Developmental Services as further required.

D. Town of Kilmarnock – Extension of Water/Sewer Lines

Recommendation: Approve the request as submitted

E. Automatic Extension – MetroCast Franchise Agreement

Recommendation: Move to Consideration Docket for further review

F. James C. Schmidt – Resignation from Wetlands Board

Recommendation: Accept the resignation

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

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of June 2011 Salaries and Invoice Listings

Motion was made by Mr. Jenkins to approve the salaries for July 2011 in the amount of \$230,899.25* and Invoice Listings for July 2011 in the amount of \$915,761.01*.

*Judicial Center Expenses \$46,666.60

*Capital Improvements \$68,572.20

*Linx Grant \$62,269.01

*Loan Interest \$14,514.10

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

2. Automatic Extension – MetroCast Franchise Agreement – Mr. Pennell attached a letter from Mr. Newborg, General Manager, Virginia Systems of MetroCast asking for an automatic renewal of their franchise as provided by the 1999 action of the Lancaster County Board of Supervisors. The documentation contained within the letter from Mr. Newborg documents the company’s compliance with the conditions of automatic franchise renewal.

Mr. Jenkins stated there are still a lot of citizens who can not get cable at the upper end of the county and believes that the citizens should have an opportunity to voice their opinion on the services being provided or the lack there of.

Mr. Jenkins made a motion to advertise the MetroCast cable television services for public hearing at the August 25, 2011 regular meeting of the Board of Supervisors.

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

3. Debt Analysis – Mr. Larson stated at the June 30, 2011 regular meeting of the Board of Supervisors he was directed to present an analysis be made of existing

debt and remaining funds from borrowing as background for making a decision with respect to retiring debt.

Mr. Larson said the following represents the existing debt:

<u>Description</u>	<u>Principal Balance (as of 7/15/2011)</u>	<u>Interest Rate</u>
2001 Series	\$ 217,555	4.16%
2003 Series	\$1,602,000	3.41%
Judicial Center	\$5,810,000	4.00%
School Energy Performance	\$2,280,000	3.706%

Source of funding for paying down existing debt are as follows:

<u>Source</u>	<u>Balance as of 7/15/2011</u>
Capital Improvement Fund	\$ 372,867
Poor House Tract Fund	\$ 333,215 (net of transfers)
SNAP – Judicial Center	\$ 954,000 (net of transfers)
SNAP Interest – Judicial Center	\$ 142,388
General Fund Balance	\$4,600,000

Obligations not otherwise accounted for:

FY 2012 Approved Capital Improvement Items	\$525,127
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Mr. Larson made a recommendation to retire 2001 Series debt immediately with a saving of \$4,300.

Mr. Larson stated there are some serious concerns with the HVAC at the Lancaster Department of Social Services. We have been told that one possible both units may need to be replaced. There are a few more renovations to be made

in the administration building (formerly the old courthouse) an electrical panel need to be put in at a cost of approximately \$87,000 which is already allowed for in the capital improvement budget.

Mr. Geilich made a motion to Approve the retirement of the 2001 Series in the amount of \$217, 555 as recommended.

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

BOARD REPORTS

Debt Analysis Report

Mr. Jenkins stated he would like to have a debt analysis periodically to see if there are other cost saving.

Mr. Larson said he could provide the Board of Supervisors with a debt analysis report on a quarterly basis.

By consensus of the board, Mr. Larson will provide a debt analysis report quarterly.

Noise Ordinance at Windmill Point Tiki Bar

Mr. Geilich said the board has seen some drafts and suggestions for a noise ordinance. The request was made in regard to the Tiki Bar at the end of Windmill Point Road. He said the sheriff has talked with the owners and manager at the Tiki Bar.

Mr. Geilich stated he received an email for a resident dated July 23, 2011 which stated the band continued to play after midnight and the stereo music started at 9:00 a.m. on Sunday morning. The resident stated she called the Tiki Bar manager and he was surprised that the music carried so far and stated he would turn it down. The resident goes on to state that their real estate value is worthless and they should not have to endure the loud noise of the band well after the noise ordinance takes affect.

Mr. Geilich stated he is requesting that the county administration continue to work on a noise ordinance. He is hoping that something can be presented the August 25, 2011 regular Board of Supervisors meeting. Also, traveling on VSH 695/Windmill Road has become a hazard because by the end of the night driver may not be in the best of condition to drive, fortunately no accidents have been report yet but a number of mailboxes have been taken down. He does not want to hinder any business but the residents should not have to live in this manner.

Mr. Jenkins said rules should not be made at one establishment that will hinder other businesses. He said there was an active resort/marina there when the residents there purchased the property. There was a band playing almost every weekend outdoors.

Mr. Geilich said he has lived there for 20 years and noise has just become an issue until the Tiki Bar opened.

Mr. Beauchamp stated Virginia Marine Resources Commission, Coast Guard and Virginia Department of Game and Inland Fisheries have stepped up patrols.

COUNTY ADMINISTRATOR

Solid Waste Collection

Mr. Pennell stated that Lancaster County has two successful solid waste collections per year which is very popular with the community. We have not been able to

collect and dispose of computer equipment because the company stopped providing this service. Mr. Sonny Whaley, Waste Management Supervisor has been in contact with a company to dispose or recycle computer equipment but there is a set up fee. The set up fee is approximately \$2,000 and he believes it is appropriate for the homeowner/taxpayer to pay to dispose of the devices. He asked the Board of Supervisors to consider approval of the company to set up for the two solid waste collections dates to dispose/recycle computer equipment.

Mr. Pleva stated the cost to dispose of items will vary with the size and type of televisions and computer equipment.

Mr. Pennell said additional information will be presented at a later date.

William Pennell's final comments

Mr. Pennell stated it has been 18 years and thanks for the opportunity to service the citizen of Lancaster and this board. He said the staff is great and the board has selected an excellent successor.

Mr. Pleva said he wanted to echo the board's comment about Bill's service. He has known Bill many years and worked with him on regional organizations. Working with Bill over the last two weeks during the transit has been a great experience both personal and professionally. Again, he thanked Bill and wished him and Jannine the best in their future. He thanked the board for this opportunity to service Lancaster County.

ADJOURNMENT

Motion was made by Mr. Jenkins to adjourn.

VOTE:	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Aye

Peter N. Geilich

Aye

Jack S. Russell

Aye