

A regular meeting of the Westmoreland County Board of Supervisors was held Monday, April 12, 2010, in the auditorium of the A. T. Johnson Museum, located at 18849 Kings Highway, Montross, Virginia. Those members present were W. W. Hynson, Darryl E. Fisher, Russ Culver, and Larry Roberson. Lynn C. Brownley was absent from the meeting. Also present were Norm Risavi, County Administrator, Karen Lewis, Assistant County Administrator, LaToya Ball-Tate, Administrative Assistant, and Tom Bondurant, County Attorney.

CALL TO ORDER

Chairman Hynson called the meeting to order at 3:08 p.m.

1. WORK SESSION: WESTMORELAND COUNTY FISCAL YEAR 2010-2011 BUDGET

The following individuals were also present for this portion of the meeting: Vicki Nash, Finance Director; Karen Foxwell, Assistant Finance Director; James Cooke, Director of Personnel & Student Services; Daniel Wallace, Chairman of the Westmoreland County School Board; and Linda Dillard, Finance Director.

Mr. Risavi presented the following tax rate calculations for the upcoming fiscal year, including the Town of Colonial Beach:

Reassessment Total	\$2,596,449,927
Less New Construction	-11,853,000
Less Land Use Deferred	<u>-148,709,220</u>
 Total	 \$2,435,887,707
 Prior Year Tax Levy	 \$11,089,776.00
	101%
	\$11,200,673.76
	 11,200,674
	2,435,887,707
 Tax Rate	 0.460%

The current real estate tax rate is 50 cents/\$100. The proposed new rate is 46 cents/\$100.

Mr. Risavi then presented the following revenue projections comparing the real estate values using the current rate of 50 cents/\$100 vs. the new rate of 46 cents/\$100:

COUNTYWIDE ASSESSMENT				SCHOOL DISTRICT ASSESSMENT			COLONIAL BEACH ASSESSMENT			
	TAX RATE	ASSESSED VALUE	REVENUE	TAX RATE	ASSESSED VALUE	REVENUE	TAX RATE	ASSESSED VALUE	REVENUE	TOTAL REVENUE
CURRENT REAL ESTATE/.50	0.0031	2,217,955,620	6,875,662	0.0019	1,765,582,720	3,354,607	0.0019	452,372,900	859,509	11,089,778
NEW REAL ESTATE/.46	0.0029	2,447,740,700	7,098,448	0.0017	1,978,443,600	3,363,354	0.0017	469,297,100	797,805	11,259,507
10.36% ASSESSED VALUE INCREASE				12.05% ASSESSED VALUE INCREASE			3.74% ASSESSED VALUE INCREASE			

***COLONIAL BEACH TOWN COUNCIL MUST COMPLETE SEPARATE CALCULATION FOR REASSESSMENT.**

Mr. Risavi informed the Board that this budget reflects \$439,922 in increased revenue sources, and \$1,200,621 in decreased revenue sources, providing for a net decrease of \$760,699 in total revenue sources available for the upcoming fiscal year. Not included in this budget is \$274,000 in grant funds. The County does not place such funds in the budget until they are actually received. The proposed General Fund budget is \$486,649.00 less than the current year budget.

The Commissioner of the Revenue has prepared a list of the anticipated assessed values for the 2010 tax year. A copy of that report was provided in the Board's agenda packet.

Mr. Risavi briefly discussed those factors which affect the overall revenue generating capacity of the County. He noted that since this is a year of reassessment, the County is required by law to adjust the tax rate so that no more than 101% of the previous year's levies will be generated.

For the Board's information, Mr. Risavi estimated the amount of revenue generated per penny on the real estate and personal property tax rates.

Real Estate:	
County-Wide	1¢ = \$244,774

School District	1¢ = \$197,844
Colonial Beach	1¢ = \$ 46,930
Personal Property:	
County-Wide	1¢ = \$ 14,100
School District	1¢ = \$ 12,100
Colonial Beach	1¢ = \$ 2,000

Mr. Risavi then presented following estimates which take into account the school funding formula:

ESTIMATE FROM COMM OF REV 3/23/10

Assessed Values For FY 2010-2011
Countywide, School District & Colonial Beach
ESTIMATED VALUES

	<u>COUNTYWIDE</u>	<u>SCHOOL DISTRICT</u>	<u>COLONIAL BEACH</u>
Personal Property	141,000,000	121,000,000	20,000,000
Mobile Homes	5,150,000	4,900,000	250,000
Farm Machinery	6,000,000	6,000,000	0
Machinery & Tools	6,500,000	6,500,000	0
Merchants Capital	11,000,000	9,000,000	2,000,000
Real Estate	2,447,740,700	1,978,443,600	469,297,100
Public Utilities	47,000,000	43,000,000	4,000,000
TOTALS	2,664,390,700	2,168,843,600	495,547,100

Tax Rates/Revenues

<u>Countywide Tax</u>			<u>School District</u>		
	<u>Rates/\$100</u>	<u>Revenue</u>		<u>Rates/\$100</u>	<u>Revenue</u>
Personal Property	\$1.86	2,622,600	Personal Property	\$1.14	1,379,400
Mobile Homes	\$0.04	2,060	Mobile Homes	\$0.42	20,580
Farm Machinery	\$0.21	12,600	Farm Machinery	\$1.04	62,400
Machinery & Tools	\$0.00	0	Machinery & Tools	\$1.50	97,500
Merchants Capital	\$0.24	26,400	Merchants Capital	\$0.22	19,800
Real Estate	\$0.29	7,098,448	Real Estate	\$0.17	3,363,354
Public Utilities	\$0.04	18,800	Public Utilities	\$0.42	180,600
Totals		9,780,908	Totals		5,123,634
Car Tax Rebate (Subtracted)		716,445	Car Tax Rebate (Subtracted)		423,233
Net Levy Tax Revenues		9,064,463	Net Levy Tax Revenues		4,700,401

Colonial Beach Application of Equivalent County School District Rates (Per \$100):

<u>Tax</u>	<u>Rate</u>	<u>Revenue</u>
Personal Property	\$1.14	228,000
Mobile Homes	\$0.42	1,050
Farm Machinery	\$1.04	0
Machinery & Tools	\$1.50	0
Real Estate	\$0.17	797,805
Public Utilities	\$0.42	16,800
Merchant's Capital	\$0.22	4,400
Totals		1,048,055
Car Tax Rebate (Subtracted)		-79,777
Net Levy Tax Revenues		968,278

Below is the list of proposed funding sources for the Westmoreland County school system:

WESTMORELAND FUNDING SOURCES FOR SCHOOL SYSTEM:

Levy Revenues	4,700,401
Motor Vehicle Licenses	470,000
Local 1% Sales Tax	662,345
Wine Tax	0
ABC Profits	0
PILT	798
Auto Rental Tax	1,000
Mobile Home Titling Tax	15,000
Bank Stock Tax	8,000
Prior Year Taxes	303,366
Gross Receipts Tax	48,000
State Car Tax Reimbursement	423,233
Communications Tax	550,000
Utility Tax (Electric)	304,000
Tax Penalties & Interest	43,023
Interest Earnings	69,520
Late Filing Fee	13,892
TOTALS	7,612,578

Mr. Risavi pointed out that local sales tax revenue projections are down approximately \$53,000 from the current year. After several meetings with the Dr. Fogliani and staff, the following changes have been recommended to the budget submitted by the school system:

PROGRAM	STATE SHARE	COUNTY SHARE
Virginia Preschool Initiative	\$120,000	\$120,000
SOL Algebra Readiness	\$17,021	\$17,158
Teachers Aides	0	\$142,096
Middle School Assistant Principal	0	\$68,702
TOTALS	\$137,021	\$347,956

The current School Fund Balance is \$709,310.92, less \$100,000 appropriated for contingencies and the \$150,000 request to be presented for the Board's approval later today, leaving a balance of \$459,310.92 remaining from prior years.

Dr. Fogliani has indicated that she does not anticipate having a fund balance at the end of the current year; however, Mr. Risavi stated his expectation that the school system will have a balance of \$300,000 or less at the end of this year.

There then followed a brief discussion regarding the budget reductions recommended by the School Board. Dr. Wallace explained that the Assistant Principal position at the Middle School has been given higher priority over the Elementary School positions primarily due to the disciplinary challenges that are faced at the middle school level.

Belinda Johnson, Comprehensive Services Act (CSA) Coordinator, was recognized and stated that the Comprehensive Services Act is currently paying for seven (7) behavioral aide positions within Westmoreland County schools. The Department of Education and CSA have determined that these positions should be classified as school system expenditures instead of CSA expenditures. Both the Community Policy & Management Team and the Westmoreland County School Board have been notified of this decision. This change will become effective immediately for any new CSA cases.

Linda Dillard, Finance Director for Westmoreland County Public Schools, clarified that behavioral aides are classified as special education aides within the school budget. Two such positions have been added to the school budget for the upcoming year. It is not known how many special education aides will be needed next year because the IEP meetings have not taken place.

Discussion ensued regarding the Instructional Aides that were proposed to be cut by the school system. According to Ms. Dillard, there were a total of 12 instructional aides in the school budget, of which 4 are Pre-K aides and 8 are regular instructional aides. Three of the regular instructional aides were temporary positions. That reduces the number of regular aides to five.

Mr. Risavi commented that several students in the CSA program require some very significant services. Given this recent change in the way behavioral aides are funded, it is quite possible that such students around the state will be transferred out of the traditional school setting into day schools, which would shift the expense back to CSA.

Ms. Johnson stated that the IEP meetings are scheduled to take place in May/June of this year. Determinations are made at that time as to whether a behavioral aide will be needed for that child in the upcoming school year.

Chairman Hynson questioned whether or not the County is achieving more by working with these students locally as opposed to sending them out of the area.

Ms. Johnson offered her opinion that more can be achieved by keeping these children in the local area and keeping families together when possible. She noted that Westmoreland County currently has 8 students in day schools, in addition to 6 students from Colonial Beach. The County also has 7 students with behavioral aides in the public school system.

Mr. Risavi resumed his presentation at this time, noting that Westmoreland County ranks 39th among all counties in Virginia in total per pupil expenditures. The County ranks 51st in local per pupil expenditures. This information is taken from Table 15 of the Superintendent's Annual Report dated April 2, 2010.

With regard to the potential misconceptions surrounding Westmoreland County's per pupil expenditures, Mr. Fisher spoke to the benefit of dealing with facts instead of speculation in matters such as this.

Mr. Risavi presented a listing of the County's current vehicle licensing fees and the additional revenue to be generated if the County were to assess the maximum allowed by the Code of Virginia.

[See next page]

Vehicle Licensing Fees

	Units	Rate	Revenue
Automobiles	16,191	\$29.50	\$477,634
Motorcycles	476	\$15.00	\$7,140
Trailers	4,406	\$10.00	\$44,060
Farm Vehicles	88	\$18.50	\$1,628
National Guard/Disabled Vets	7	\$14.75	\$103
			<u>\$530,565</u>
			<u>Delinquencies/Uncollectables</u> <u>-\$83,033</u>
			<u>\$447,532</u>

	Current Rates	Maximum Allowable Rates	Variance
Automobiles	\$29.50	\$38.75	\$9.25
Motorcycles	\$15.00	\$26.75	\$11.75
Trailers	\$10.00	\$18.00	\$8.00
Farm Vehicles	\$18.50	\$19.37	\$0.87
National Guard/Disabled Vets	\$14.75	\$19.37	\$4.62

Maximum Allowable Rates

	Units	Rate	Revenue
Automobiles	16,191	38.75	\$627,401
Motorcycles	476	26.75	\$12,733
Trailers	4,406	18.00	\$79,308
Farm Vehicles	88	19.37	\$1,704
National Guard/Disabled Vets	7	19.37	\$135
			<u>\$721,281</u>
			<u>Delinquencies/Uncollectables</u> <u>-\$112,880</u>
			<u>\$608,401</u>

It was noted that any such increases would require the advertisement of a public hearing to amend the ordinance.

A copy of the draft advertisement for the public hearing on the proposed budget for FY 2010-2011 was included in the agenda packet. If the Board were to conduct the public hearing on April 22nd, they could adopt the budget on April 30th. This would meet the statutory requirement to adopt the budget by May 1st.

The Board acknowledged receipt of correspondence from the Superintendent of Schools dated April 8, 2010, prioritizing the school system's capital improvement needs for the upcoming year.

Mr. Fisher asked if the recommendations made by the County Administrator put the County in a better position as far as education is concerned.

Dr. Wallace agreed that these recommendations mitigate some of the most severe consequences of the State budget cuts. The initial budget cuts proposed by the School Board were based on a best guess estimate of what the County would be able to provide. Dr. Wallace went on to say that the Pre-Kindergarten program has a big impact on a student's ability to learn. The School Board recognizes that teachers need their aides. Without their assistance, the teachers are required to do more classroom management rather than teaching. The additional local support will help immensely.

Speaking to the Board's effort to maintain a positive relationship with the School Board, Mr. Fisher stated his hope that, with the implementation of those changes that have been proposed by the County Administrator, when all parties leave this meeting the impression will be that the critical areas identified by the school system will have been met.

Dr. Wallace acknowledged that there are some things beyond the school system's control, such as an energy crisis or any future State and Federal directives that may require adjustments to the budget.

Mr. Risavi pointed out that the School Board does not have the benefit of the final action of the legislature when they are putting together their budget proposal. There have been some very good meetings in an effort to better understand and address the school system's priorities under what have probably been the most difficult financial circumstances in the last 50 years. Mr. Risavi stated that a lot of people have been financially impacted by this recession. Mr. Risavi indicated that he does not foresee any significant improvement in economic conditions over the next 36 months. He pointed out that the County's recycling numbers are way down, as are trash tonnages. Metal recycling has also declined. This is an indication that people are not buying new appliances such as refrigerators, microwaves, washing machines, etc. Sewer volumes have also decreased, which indicate that secondary home owners are not coming down as often. Rescue call volumes have declined, as well as monthly revenues from the utility taxes. These are all indicators that people are cutting back on expenses. He also mentioned that local sales tax revenues did not meet the projections provided by the State Department of Taxation for the current year. In addition, State revenue sources have been significantly reduced. Mr. Risavi stated that he would find it difficult to recommend a real estate tax increase in this climate.

Mr. Risavi then proceeded to highlight key areas of the proposed budget for FY 2010-2011. A copy of the draft budget was included in the Board's table packet.

Mr. Risavi advised the Board that the proposed transfer to the Reassessment Fund is \$102,750. Based on the savings that have been realized for the current reassessment, the Finance Director has indicated that the County could forego the transfer to that fund for FY 2010-2011 and apply those funds in other areas where they may be needed. The County would still have sufficient funds available for the next reassessment. Mr. Risavi reminded the Board that the \$148,573 figure reported on page 64 of the draft budget (School Operating Fund) needs to be subtracted from the Fund Balance hand out in the agenda packet. Mr. Risavi also informed the Board that the 4-Four-Life and Fire Programs Fund monies need to be added to the revenue side of the budget. On page 47, the amount of \$52,378 should be added to the Contingency Fund.

Mr. Risavi advised the Board that the County has collected 90% of the revenues projected for the current year. He also noted that the department heads traditionally under spend their budgets and return a balance to the General Fund. Those funds are traditionally re-appropriated. There is approximately \$687,582 remaining in the Contingency Fund for the current year. This, along with the adjustment to the Reassessment Fund provides another possible option for restoring the assistant principal positions for the school system. Mr. Risavi informed the Board that he has met with all of the constitutional officers and has spoken with the majority of the outside agencies to which the County provides funding. He noted that the County's liability insurance premiums have increased, as well as its contributions to the Virginia Retirement System. The County has completed a number of capital projects which are no longer in the budget. Mr. Risavi reported that the proposed budget does not involve the use of any fund balance monies. The County has eliminated one full-time maintenance position which was vacant. Part-time monies have also been reduced for the Land Use Administration department. Other areas in which revenues have been reduced include: state recordation taxes, permit fees, and interest earnings. Mr. Risavi advised the Board that State funding for Bridge House has been reduced by approximately 18%. The current Constitutional Officers budgets have been reduced by the State. The Sheriff's Department has 2 positions funded by the Compensation Board which have not been filled. Most positions have been reinstated for the new budget. Mr. Risavi commented that although the news is not good, it could have been worse with regard to this budget.

Chairman Hynson asked if cuts have been made in other areas, as well.

Mr. Risavi stated that cuts have been implemented over the past few years. Staff is constantly looking at ways to save. For example, by switching to a new internet/e-mail service provider, the County will save approximately \$700/month. Mr. Risavi reminded the Board that the Extension

Agent position has not yet been filled by the State. This position has been vacant since Sam Johnson's retirement. This budget includes approximately \$300,000 in voluntary contributions to outside agencies including the Westmoreland County Museum, Bay Transit, Westmoreland Travel Council, 4-H, Bridge House, Rappahannock Legal Services, The Haven, Little League, Revenue Sharing, Northern Neck Free Health Clinic, and Bay Aging. Mr. Risavi noted that a lot of other jurisdictions have either reduced or eliminated such non-mandatory contributions. He has proposed level funding for these agencies in the coming year. Mr. Risavi pointed out that the services provided by Rappahannock Legal Services ultimately save the County money.

Mr. Risavi then called the Board's attention to the Revenue Sharing Program. The Virginia Department of Transportation has informed the County that there have been some significant changes in the storm water management requirements which may impact the Revenue Sharing Program. Northern Neck Residency Administrator Sean Trapani has indicated that he will research this matter and report to the Board within the next month. Mr. Trapani has advised that there will be a limited amount of State funding available for the Revenue Sharing Program in the upcoming fiscal year. It is possible that the money that the County has budgeted to meet the local match for this program might be used in other areas of the General Fund, depending upon what happens with the Revenue Sharing Program.

Mr. Fisher suggested that the Board resume discussions regarding the recommendations that have been made with regard to the School Budget. The County Administrator has identified areas within the budget where funds could be allocated to reinstate certain positions within the School Budget.

Mr. Roberson expressed concern as to how this Board can entertain the School Board's request for \$150,000 to build a concession stand when they are talking about cutting positions. He agreed that the sewer line needs to be installed, whether or not there is a new facility. He suggested that minor improvements can be made to the restrooms in the existing building. Mr. Roberson stated his opinion that the concession stand should be a community project.

Dr. Wallace spoke briefly regarding the evolution of this project, noting that it is more than just a concession stand. The school system is required to bring the sanitary facilities into compliance with the Americans with Disabilities Act. In its present state, this facility represents both a health and fire hazard.

Mr. Roberson replied that he is not saying that the building does not need to be replaced; the timing is off. He went on to say that it was not this Board that cut the School Board, it was the State.

Chairman Hynson stated that he is pleased with the progress that has been made with respect to the School Budget over the last 2 – 3 weeks. The concession stand needs to be replaced. He would like to see the school system come up with other sources of funding for this project through community involvement. He would also like this Board to make a decision to get the job done and put this project behind us. Chairman Hynson reported that several people have approached him to express concerns regarding the condition of the building.

Mr. Risavi stated that in a recent meeting with Dr. Fogliani and others, it was agreed that bids would be solicited for this project, with the option of having the county purchase the materials. Staff will review the bids and make a decision as to whether it will be more cost effective to complete the project utilizing county personnel and prisoner labor. Mr. Risavi stated his belief that the project cost will not be as much as \$150,000. The \$80,000 that was originally requested was a very rough estimate. He is not certain as to how the school system arrived at that figure. Mr. Risavi suggested that the school system proceed with the bid solicitation process, look at the options, and explore possibilities for volunteer support from the community. It has been suggested that the School Board consider a trailer or modular unit in lieu of constructing a new building. That suggestion has been passed on to the Superintendent; however, it has not been met with a lot of enthusiasm. There has also been some discussion about using the old building for storage once the new facility is complete. Consideration must be given to the legal liability of someone being able to pull a trailer off-site.

Bob Quinn was recognized and pointed out that trailers can be installed so that they are non-movable. He also suggested that the project cost could be reduced if the restrooms were moved closer to the sewer line.

Mr. Culver spoke to the need to improve the septic facilities that serve the facility. Connecting to the public sewer system appears to be the proper way to go. The school system and the County have agreed to a process. He suggested that all parties move forward according to that process.

Ms. Nash briefed the Board on a \$97,500 adjustment to be made to the draft budget.

Mr. Fisher opined that the School Board and this Board have reached the best compromise possible regarding this budget. In light of the fact that the other assistant principal positions have been eliminated, the Middle School position was identified as most critical.

Mr. Risavi stated that, should the Board desire to reinstate the Middle School Assistant Principal position as recommended, it would be easiest to make the revenue adjustment under Machinery & Tools. This would not affect the school funding formula.

Mr. Fisher commented that this has probably been the most volatile budgeting era that the County has dealt with. He also spoke to the importance of looking out for the children. Based on the information presented by the County Administrator, it appears that the Board will not have to raise taxes. By moving some monies around, the County will be able to fund the assistant principal position for the Middle School.

After further discussion, Mr. Roberson moved that the Board authorize staff to make the necessary adjustments to the proposed FY 2010-2011 budget to reinstate the following within the School Budget:

PROGRAM	STATE SHARE	COUNTY SHARE
Virginia Preschool Initiative	\$120,000	\$120,000
SOL Algebra Readiness	\$17,021	\$17,158
Teachers Aides	0	\$142,096
Middle School Assistant Principal	0	\$68,702
TOTALS	\$137,021	\$347,956

The motion was seconded by Mr. Fisher and carried unanimously with Mr. Fisher, Mr. Culver, Mr. Roberson, and Chairman Hynson voting “aye”. (Lynn C. Brownley was absent from the meeting.)

Mr. Fisher offered a motion to authorize the advertisement of a public hearing on the proposed Westmoreland County Budget for Fiscal Year 2010-2011, to be held on Thursday, April 22, 2010 beginning at 7:00 p.m., at the A. T. Johnson Alumni Museum. The motion was seconded by Mr. Roberson. Mr. Culver indicated that he would not be able to attend a meeting on April 22nd. His

wife will be undergoing surgery. Mr. Fisher withdrew the motion.

Mr. Roberson moved that the Board authorize the advertisement of a public hearing on the proposed Westmoreland County Budget for Fiscal Year 2010-2011, to be held on Friday, April 23, 2010 beginning at 7:00 p.m., at the A. T. Johnson Alumni Museum, and that the Board meet on Friday, April 30, 2010 to adopt the budget. The motion was seconded by Mr. Fisher.

After further discussion, Mr. Roberson withdrew the above motion and offered a new motion to authorize the advertisement of a public hearing on the proposed Westmoreland County Budget for Fiscal Year 2010-2011, to be held on Friday, April 23, 2010 beginning at 7:00 p.m., at the A. T. Johnson Alumni Museum, and that the Board meet on Saturday, May 1, 2010 at 9:00 a.m. to adopt the budget. The motion was seconded by Mr. Fisher and carried unanimously with Mr. Fisher, Mr. Culver, Mr. Roberson, and Chairman Hynson voting "aye". (Lynn C. Brownley was absent from the meeting.)

RECESS

The Board recessed at 5:15 p.m.

RECONVENE

Chairman Hynson reconvened the meeting at 6:25 p.m. The pledge of allegiance was recited at this time.

2. APPROVAL OF MINUTES

Chairman Hynson stated that all members had received draft minutes of the regular/land use meeting on March 8, 2010, and asked if there were any additions or corrections to these minutes.

Upon motion by Mr. Roberson, second by Mr. Fisher and carried unanimously with Mr. Fisher, Mr. Culver, Mr. Roberson, and Chairman Hynson voting "aye", the Board approved the minutes as presented. (Lynn C. Brownley was absent from the meeting.)

3. APPROVAL OF ACCOUNTS PAYABLE LIST AND PAYROLL REGISTER

Upon motion by Mr. Roberson, second by Mr. Culver, and carried unanimously with Mr. Fisher, Mr. Culver, Mr. Roberson, and Chairman Hynson voting "aye", the Board approved the accounts payable list and payroll register as submitted by the Finance Department for the month of March 2010. (Lynn C. Brownley was absent from the meeting.)

4. APPROVAL OF APPROPRIATION INCREASE/DECREASE REQUESTS

James Cooke, Director of Personnel & Student Services, and Daniel Wallace, School Board Chairman, were present to request the Board's authorization to increase the 2009-2010 School Board budget by \$150,000.00. The monies will be placed in the Facilities Category. The money requested will come from the fund balance remaining at the end of the 2008-2009 school year. These funds will be used to build a new concession stand at Washington & Lee High School.

Mr. Roberson asked if the School Board feels that this is still needed, despite the budget cuts and lay-offs that have been discussed.

Dr. Wallace stated that there are multiple priorities that the School Board must consider – both education and health/safety. This is a health and safety issue. When this request was initially brought forth, the School Board had no idea how dire the current State budget would be.

Mr. Roberson suggested ways to save money and maintained his opinion that this should be a community project.

Dr. Wallace stated that the committee's intent is to look at the bids and itemize those things that will be needed. They can then solicit community involvement for materials, volunteer labor, etc. The purpose of this request is to have a ceiling so that there is an appropriation in place. The School Board will not solicit bids for this project until the money has been appropriated.

Mr. Risavi reminded the Board that two concepts are under consideration: (1) utilizing County personnel and inmate labor; and (2) bidding it out with the materials billed to the County. Mr. Risavi stated that he foresees this being a cooperative effort.

Mr. Roberson stated that he has concerns about erecting a stick-built building, not so much as concrete.

Mr. Risavi stated that the bid specifications call for hardy board.

Mr. Culver explained that School Board and Board of Supervisors representatives have met with staff to discuss these options. Inasmuch as the School Board has presented this as a priority, Mr. Culver suggested that the Board wait and see how the bids come in and proceed accordingly.

Mr. Risavi reminded the Board that the School Board cannot bid the project without a sufficient

appropriation in place.

Upon motion by Mr. Culver, second by Mr. Fisher and carried with a 3 – 1 majority with Mr. Fisher, Mr. Culver, and Chairman Hynson voting “aye” and Mr. Roberson voting “no”, the Board approved the School Board’s request for a supplemental appropriation in the amount of \$150,000 for the purpose of building a new concession stand at Washington & Lee High School. These funds will be added to the Facilities Category within the 2009-2010 School Board budget. The money requested will come from the fund balance remaining at the end of the 2008-2009 school year. (Lynn C. Brownley was absent from the meeting.)

The Board acknowledged receipt of Dr. Fogliani’s April 8, 2010 correspondence informing the Board that the School Board has requested that \$70,000 be transferred from the contingency category to the transportation category for the purchase of a school bus.

Dr. Wallace stated that this is to ensure that the required local effort will be spent for the current fiscal year. He noted that the school system currently has 12 buses that are past their replacement schedule. No action is required, as this is an internal budget transfer. This transaction will leave a remaining balance of \$30,000 in the school system’s contingency fund.

5. TOWN OF COLONIAL BEACH/CORRESPONDENCE

Chief Christopher Hawkins, Colonial Beach Police Department, was present along with Val Foulds, Colonial Beach Town Manager, and Westmoreland County Sheriff C. O. Balderson to recognize Lt. Bill England, Westmoreland County Sheriff’s Department, for his exceptional service in helping the Colonial Beach Police Department through its accreditation process. Chief Hawkins commented on the cooperative relationship that the Town has enjoyed with the Sheriff’s Department, as well as the County’s emergency services personnel. Lt. England stated that there are approximately 400 law enforcement agencies in the state of Virginia. Only 73 of those agencies are accredited.

6. TOWN OF MONTROSS/CORRESPONDENCE

There was no correspondence from the Town of Montross

7. VIRGINIA DEPARTMENT OF TRANSPORTATION

Northern Neck Residency Administrator Sean Trapani was recognized and presented the following comments:

Mr. Chairman and members of the Board.

I would like to address the board tonight regarding several VDOT related matters. This has, indeed, been a challenging time for VDOT on many levels.

To begin, Virginia has just experienced unprecedented winter storms – four major storms to be exact.

Snow Efforts

Between December 18 and February 15, VDOT remained in emergency operations mode for all but 5 days. Crews worked tirelessly around the clock in 12 hour shifts for nearly two months.

I would like to share a few facts about these storms:

- Recorded district snow accumulation total from the 4 storms was 59”.
- The total cost, statewide, for these storms was over \$258 million, far exceeding the statewide snow budget of \$79.6 million.
- The Fredericksburg District snow budget was \$5.2 million and \$15.6 million was expended. \$1.3 million was expended on the Northern Neck since January 1st.

With our winter maintenance budgets already taxed by the back-to-back winter storms, pothole repairs were on the rise; thereby creating the next challenge for the department.

Potholes

In the aftermath, of unprecedented snow fall was an enormous amount of potholes that wreaked havoc on motorists and their vehicles. This prompted the Governor to call for a statewide Pothole Blitz for the month of March; in which he commanded VDOT to dedicate all of its resources to pothole repairs. The goal was to address as many potholes as possible, as quickly as possible. To date, more than 50,000 potholes have been filled statewide with more than 7,500 potholes repaired in the Fredericksburg District. Over 2,300 were filled on the Northern Neck. The Gov. has extended the pothole blitz until April 15, 2010.

In Addition the department has been going through a downsizing and restructuring.

I would like to present these changes in detail with you and you should have a **Reference Guide** that will be useful to you and your constituents as they continue to do business with VDOT. (The Reference Guide was included in the Board's agenda packet.)

Overall Organizational Changes

Over a year ago the Commonwealth Transportation Board approved the new Blueprint for VDOT. It was designed to address the \$4.6 billion overall shortfall in transportation revenue.

In addition to the \$2 billion cut from the construction program, VDOT was forced to reduce services and reduce staff by more than 1,000 positions. Reductions of this level have required us to change the way we do business.

Over the past 12 months, the agency's transition team has spent countless hours on restructuring the organization to address the shortfalls while maintaining the agency's core function.

The transition occurred in three stages:

- Stage I (April 2009) 450 positions were eliminated statewide – 29 were in the Fredericksburg District. These were primarily part-time/hourly employees.
- Stage II (Fall 2009) 640 notices were given to full time employees statewide - 46 notices were given in the Fredericksburg.
- Stage III (Jan. 2010) 635 notices were given statewide to full time employees - 53 of those notices were received by Fredericksburg District employees.

The Fredericksburg district employee and position level has been notably reduced from what it was a little over 5 years ago when there were 700. Today there are only 446.

To address the down sizing, I would like to highlight some of the changes that will begin this spring:

- The Bowling Green Residency which was responsible for maintenance operations in Caroline, Essex and King William counties will be closing on April 23. The general public will not see a reduction in the level of service that has been provided to them in the past. The maintenance needs for those Essex and King William counties will be transferred to Saluda residency And Caroline to Fredericksburg in the district. King George will be transferred to Northern Neck.
- The overall function of the three remaining residencies in the district has been changed as well. The residency staff has been streamlined and will focus on the maintenance of our roadways.
- Citizen calls will be directed to call centers versus AHQ until the statewide call centers are fully operational.
- Other functions of the residency will be consolidated and transferred to the district; such as, land use and permitting, core functions in the preliminary engineering and construction areas and the secondary six year planning functions.

These are just a few of the changes that will impact the way we do business with the public.

I realize that this is a lot to absorb in one meeting and again I will be leaving you with a reference guide that will help you to navigate through the new structure of the organization. But I want to assure you that even with the upcoming changes; we will continue to be an emergency response organization committed to serving the citizens of the district and the Commonwealth alike.

In the interim, I will continue to be your point of contact for all VDOT issues.

I would like to thank you again for this opportunity to present the Blueprint changes to you and I thank you in advance for your cooperation and patience as VDOT transitions to the future.

Mr. Culver asked how many maintenance positions are in the Northern Neck. Mr. Trapani stated that there are currently 52 positions. There were 77 positions when he began working with the Northern Neck Residency.

Mr. Roberson asked when work will start on the Santa Maria Avenue project in Colonial Beach. Mr. Trapani stated that VDOT plans to commence work on this project in July.

Mr. Roberson indicated that there are several potholes that need to be repaired within the Town. Mr. Trapani stated that VDOT has developed a residency-wide crew that will be working throughout the service area, starting in Northumberland County, followed by Richmond and Westmoreland counties.

Mr. Trapani presented copies of the public hearing notice for the FY 2011-2016 Six-Year Improvement Plan for the primary system to be held on May 19, 2010 in the VDOT Central Office Auditorium in Richmond. Mr. Trapani advised the Board that the Commonwealth Transportation Board is looking for small safety related projects. He would recommend asking for an extension of the Mattox Creek Bridge project on Route 205 to include the intersection at Longfield Road. Should the Board decide to pursue this project, Mr. Trapani stated that he would work with the County Administrator on the necessary verbiage for getting this project submitted for consideration by the Commonwealth Transportation Board.

Chairman Hynson stated that as the representative for District 4, he would support getting this project on the Transportation Board's agenda.

For the purpose of carrying the motion, the proceedings were briefly turned over to Vice Chairman Fisher.

On motion by Mr. Hynson, second by Mr. Roberson and carried unanimously, the Board authorized the County Administrator to work with the Northern Neck Residency Administrator to coordinate the submission of the above-referenced road improvement project for consideration by the Commonwealth Transportation Board in its deliberations of the FY 2011-2016 Six-Year Improvement Plan. (Lynn C. Brownley was absent from the meeting.)

The meeting was turned over to Chairman Hynson at this time.

Mr. Trapani informed the Board that the public hearing regarding Westmoreland County's Secondary Six Year Plan (FY 2011 through FY 2016) will be held at the Board's next regular meeting.

Supervisors reported the following:

District 2 – Mr. Culver stated that he has spoken with Mr. Trapani regarding his concerns relating to the Revenue Sharing Program and the potential impact of the new storm water regulations.

District 1 – Mr. Fisher expressed concerns regarding the changes that are being implemented by VDOT. It looks as if VDOT will eventually serve as an administrator and that most of the work will be outsourced to private contractors. If this trend continues, the local residency could potentially be eliminated and calls will be directed to Richmond. Mr. Fisher asked if there is any indication as to what will happen with the transportation budget next year.

Mr. Trapani stated that the residency can only work with the resources that they have available. Until there is a change in the transportation funding stream, Mr. Trapani indicated that he does not see things turning around in the near future.

Chairman Hynson also commented on the need to identify a new source of funding for transportation. He has said for years that by 2010, Virginia would only have enough money to fix the existing roads. He, too, is concerned about the reductions in force and with calls being directed to a call center. All parties – democrats, republicans, and independents – need to come together in an aggressive effort to raise the money to fix the roads in the Commonwealth.

At this time, Chairman Hynson asked if any member of the public had any concerns to bring to VDOT's attention. No one spoke.

8. PUBLIC HEARING – TO RECEIVE COMMENTS ON THE PROPOSED ISSUANCE OF BONDS BY THE COUNTY. THE PURPOSE FOR WHICH THE BONDS ARE TO BE ISSUED IS TO PROVIDE FUNDS, TOGETHER WITH OTHER AVAILABLE FUNDS, TO FINANCE CERTAIN CAPITAL PROJECTS FOR SCHOOL PURPOSES AND TO PAY THE COSTS OF ISSUING THE BONDS, AND THE ESTIMATED MAXIMUM AMOUNT OF SUCH BONDS IS \$1,975,369.

Karen Lewis, Assistant County Administrator, was recognized and stated that the Board and School Board have previously discussed the need to replace the roof and HVAC system at Washington & Lee High School. At that time, there was stimulus money being funded through the Virginia Public Service Authority. The County applied and was successful in securing those funds. These zero percent interest bonds will be used to fund that project. The bonds will be sold in June by the Virginia Public Service Authority. One requirement of the bond issue is a consenting resolution from the School Board. A copy of that resolution adopted on March 22, 2010 is included in the

Board's agenda packet. Webster Day of Spilman Thomas & Battle, PLLC will serve as the County's bond counsel.

Chairman Hynson opened the public hearing and asked if anyone was present with comments or questions regarding this proposed bond issue. The following persons spoke:

Bob Quinn – Mr. Quinn requested clarification regarding the work that is planned for the roof at the high school. He has heard that some of the work will be done by the same contractor that worked on the older sections of the building. He understands that there have been some concerns regarding the quality of that workmanship.

Mr. Risavi stated that Crabtree, Rohrbaugh & Associates, the firm that is preparing the bid documents, has worked on other projects for the school system.

Mr. Quinn asked if the bid documents have been completed.

Dr. Wallace indicated that he did not know the status of those documents.

Ms. Lewis stated that the RFP for the roofing project has been advertised. It is posted on the school system's website.

Mr. Quinn urged the County to be careful not to make the same mistake twice in awarding the project to a contractor whose work has been found to be inferior in the past.

Mr. Culver expressed a desire to see a copy of the bid package, as well.

Bill Alverson – In follow up to Mr. Quinn's comments, Mr. Alverson stated his hope that the County will not solicit a bid from the same contractor that did the inferior work.

Chairman Hynson advised Mr. Alverson that the School Board selects who will do the work at the High School.

Dr. Wallace took this opportunity to respond to concerns expressed regarding the previous work that was done at the High School, stating that the challenges encountered at that time had to do with the flat type of roof that had been installed. He does not believe there was any negligence in

workmanship. He clarified that this was not the same contractor that is working on the current project.

Kennon Morris – Mr. Morris asked if these are stimulus funds. Mr. Risavi indicated that these will be zero percent interest bonds. Mr. Morris then asked if this money has to be paid back and, if so, how long will the County have to do so. Mr. Risavi confirmed that the monies will have to be paid back. He has not seen the actual bond documents yet, but he would expect that debt to be amortized over a period of 16 – 18 years.

There being no further comments, Chairman Hynson closed the public hearing at this time.

Mr. Fisher offered a motion to approve the issuance of the bonds for the stated purpose of providing funds, together with other available funds, to finance certain capital projects for school purposes and to pay the costs of issuing the bonds. The estimated maximum of such bonds is \$1,975,369.

Mr. Culver inquired as to who will sell the bonds.

The bonds will be sold by the Virginia Public Service Authority. Mr. Risavi explained that these funds are only available for existing structures. They cannot be used for new construction projects.

Mr. Culver stated that the Board is basically approving the recommendation to ask for the bonds at zero percent interest.

Mr. Risavi restated that the bond sale will be handled by the Virginia Public Service Authority. The amortization schedule will be provided with the final bond documents.

The motion was seconded by Mr. Roberson and carried unanimously with Mr. Roberson, Mr. Culver, Mr. Fisher, and Chairman Hynson voting “aye”. (Lynn C. Brownley was absent from the meeting.)

9. OLD BUSINESS

There was no old business to be considered at this time.

10. NEW BUSINESS

Authorization to advertise a public hearing: Metrocast Communications – Cable Franchise Renewal
Mr. Risavi advised the Board that this is to consider the renewal of the existing franchise agreement with Metrocast Communications. This is not an extension of additional service or new service. Metrocast representative Bill Newborg will be present at the public hearing. He noted that cable companies do not generally overlay where other cable companies are in a rural area, due to the limited number of houses per mile.

After further discussion, upon motion by Mr. Roberson, second by Mr. Fisher and carried unanimously with Mr. Roberson, Mr. Culver, Mr. Fisher, and Chairman Hynson voting “aye”, the Board authorized the County Administrator to advertise a public hearing on the proposed adoption of an ordinance granting a non-exclusive franchise to GANS Communications, L.P., d/b/a Metrocast Communications and its successors and assigns to operate and maintain a community antenna system; setting forth conditions accompanying the grant of franchise; providing for the county regulation of the community antenna television system; and prescribing penalties for the violation of its provisions. (Lynn C. Brownley was absent from the meeting.)

Proclamation: Westmoreland County Crime Victims’ Rights Week – The Board acknowledged receipt of correspondence from Kathryn J. Cross requesting that the Board adopt this proclamation. Upon motion by Mr. Culver, second by Mr. Roberson and carried unanimously with Mr. Fisher, Mr. Culver, Mr. Roberson, and Chairman Hynson voting “aye”, the Board adopted the following proclamation: (Lynn C. Brownley was absent from the meeting.)

PROCLAMATION National Crime Victims’ Rights Week

WHEREAS, 21 million Americans suffer the indignity of crime each year and may experience emotional, physical, psychological, and financial harm as a result of such crime;

WHEREAS, a just nation acknowledges crime’s impact on individuals, families, and communities and ensures that victims are treated with fairness, dignity, and respect as they interact with the criminal justice system;

WHEREAS, 25 years ago, the President’s Task Force on Victims of Crime drew attention to the poor treatment of victims in the criminal justice system, calling it “indifferent” to victims’ needs;

WHEREAS, a decades-long struggle to balance the scales of justice resulted in victims' rights laws in every state and more than 32 state constitutional victims' rights amendments that enshrine the ideals of fairness, dignity, and respect for victims of crime;

WHEREAS, treating victims with dignity serves the public interest by engaging victims in the justice system, inspiring respect for public authorities and promoting confidence in public safety;

WHEREAS, there is more to be done to advance these ideals as too many victims are denied their right to attend trial, present an impact statement at sentencing, or receive notice of the release of an offender;

WHEREAS, we must work to ensure fair treatment of crime victims by providing protections for child and sexual assault victims, ordering and enforcing victim restitution from offenders, and notifying victims of their right to compensation and services, thereby giving hope to victims that the system and society will work to restore dignity and respect their needs and rights;

WHEREAS, National Crime Victims' Rights Week, April 18 - 24, 2010, provides an opportunity for us to raise awareness of the foundation of victims' rights—fairness, dignity, and respect—and to recommit to honoring those values by ensuring that all victims are afforded their legal rights and provided with assistance as they face the financial, physical, and psychological impact of crime; and

WHEREAS, the Westmoreland County Board of Supervisors is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout the County of Westmoreland and America to raise awareness of victims' rights and observe National Crime Victims' Rights Week;

NOW, THEREFORE, the Westmoreland County Board of Supervisors hereby proclaims the week of April 18 – 24, 2010, as **Westmoreland County Crime Victims' Rights Week** and reaffirms Westmoreland County's commitment to respect and enforce victims' rights and address their needs during *Crime Victims' Rights Week* and throughout the year.

end of proclamation

School Budget – Chairman Hynson stated that, after a great effort, he believes everyone will leave this meeting a lot happier with regard to the School Budget for the upcoming year. It required input from financial and administrative staff to put together a budget that will make everyone feel that the County has made an effort to support the educational system. This was achieved not by throwing stones, but by coming together and looking at the available resources in order to come up with a workable solution.

Dr. Wallace commented that the State budget hammered every school system in Virginia. The cuts that were recommended by the School Board were based on a best estimate of what they had to

work with. Dr. Wallace announced that, although nothing is final until the budget is adopted by the Board of Supervisors on May 1st, funding has been reinstated for the following: Virginia Pre-School Initiative, SOL Algebra Readiness, Paraprofessionals, and the Assistant Principal position at Montross Middle School.

11. REPORTS FROM SUPERVISORS

District 1 – Mr. Fisher stated that a lot of individuals contacted him personally to express their concerns regarding the School Budget. Rather than being accusatory and beating down the supervisors, these individuals were able to talk with him about what needed to be done. They acknowledged that the County could not make up the entire \$1.2 million that was cut by the State, but asked that the Board work with what they had available. Mr. Fisher urged the public not to write the members of this Board off as if they do not care about education. He also spoke regarding the Board's efforts to keep people working. Mr. Fisher pointed out that this budget does not include a tax increase. A lot of work has gone into putting this budget together. He thanked the public for remaining concerned.

District 5 – Mr. Roberson reminded the public that the cuts in educational funding were not initiated by the Board of Supervisors, but by the State. This Board has constantly worked to try to get everything covered. He would expect a similar situation next year. He suggested that the public needs to put pressure on the State. Mr. Roberson stated that he feels the two boards have worked out a good compromise, although maybe not so much with the concession stand.

12. PUBLIC COMMENT PERIOD

The following persons spoke during the Public Comment Period:

Mickey Hawkins – Mr. Hawkins stated that Westmoreland County has a good walking program at the A. T. Johnson building. He suggested that a coded lock (similar to what is used by the Fire Department) be placed at the entrance so that the walking hours might be extended.

Chairman Hynson expressed concerns regarding vandalism of the building. He suggested that Mr. Hawkins work with the Assistant County Administrator and the Sheriff's Department to identify a solution for securing the building.

Mr. Culver spoke briefly on the possibility of installing a coded entry system which would allow staff to monitor the building.

Ms. Lewis indicated that the staff is currently looking into this matter.

Bob Quinn – Mr. Quinn asked for a show of hands among the public as to whether they would support imposing additional fees in support of the school system.

Mr. Risavi asked if Dr. Fogliani has established a fund to receive donations for the concession stand project.

School Board member Rosemary Mahan was recognized and stated that the Education Foundation is able to receive such donations. Anyone is welcome to contribute or join that organization.

John Krainock, President of the Education Foundation, stated that the meetings are open to the public. The next meeting will be held on May 13th at 4:00 p.m., at the School Board office. He noted that the Foundation offers a scholarship (\$1,000 for four years) to graduates of Washington & Lee High School who pursue a teaching degree. Those scholarship recipients are required to return to the county to work for a period of time.

Bill Alverson – Mr. Alverson suggested that the school system should have solicited donations for the concession stand project prior to approaching the Board for supplemental funding. He then suggested that it would be beneficial for VDOT to utilize inmate labor.

Mr. Risavi informed Mr. Alverson that the County utilizes inmate labor according to the guidelines. They can only be used in certain areas. The Northern Neck Regional Jail provides a monthly report at its meetings. Inmates have to meet certain criteria in order to qualify for the work release program. State prisoners are regulated separately from the Regional Jail inmates.

Mr. Alverson then questioned why there are so many lights left on at the Cople Elementary School at night.

Dr. Wallace stated that these lights are on for security purposes.

Margaret Quinn – Ms. Quinn asked if the County has contracted someone to design the concession stand. Mr. Risavi advised Ms. Quinn that the design has been prepared, but the project cannot be bid until the Board appropriates the funds for the project.

Ms. Quinn asked how much was paid for the design. Mr. Risavi estimated that cost to be \$5,000 - \$6,000.

Coralynn Wise – Ms. Wise presented the following temporary proposal to extend the walking hours at the A. T. Johnson building: Monday – Friday (5:00 a.m. to 10:00 p.m.) and Weekends/Holidays (6:00 a.m. to 8:00 p.m.).

Kennon Morris – Mr. Morris questioned why this meeting began at 3:00 p.m. instead of 6:00 p.m., and asked if it was advertised. He also asked why this meeting is being recessed and not adjourned.

Staff confirmed that notice of this meeting was advertised in the Free-Lance Star, on the County's website and government access channel, and as a public service announcement on WRAR radio station.

Mr. Risavi advised Mr. Morris that such meetings are allowed to be recessed, per State Code.

Mr. Morris suggested that the Board needs to be more open with the public.

There being no further comments, Chairman Hynson closed the public comment period.

Chairman Hynson reminded the public of the following meeting dates: **Continued Meeting, Friday, April 23, 2010 at 7:00 p.m.** (Public Hearing regarding proposed FY 2010-2011 budget); **Continued Meeting, Saturday, May 1, 2010 at 9:00 a.m.** (Adoption of FY 2010-2011 budget); and **Regular/Land Use Meeting, Monday, May 10, 2010 at 9:30 a.m.**

RECESS

There being no further business to come before the Board at this time, upon motion by Mr. Culver, second by Mr. Roberson and carried unanimously with Mr. Fisher, Mr. Culver, Mr. Roberson and Chairman Hynson voting "aye", the Board recessed at 8:10 p.m. The next meeting will be held on Friday, May 23, 2010 at 7:00 p.m. (Lynn C. Brownley was absent from the meeting.)

Chairman, _____

