

A regular meeting of the Westmoreland County Board of Supervisors was held Monday, February 11, 2008, in the Circuit Courtroom of the George D. English, Sr. Memorial Building, Montross, Virginia. Those members present were Darryl E. Fisher, W. W. Hynson, Lynn C. Brownley, Russ Culver, and Larry Roberson. 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 Fisher called the meeting to order at 9:35 a.m.

1. APPROVAL OF MINUTES

Mr. Fisher stated that all members had received draft minutes of the regular/land use meeting on January 14, 2008 as well as the continued meeting on January 29, 2008 and asked if there were any additions or corrections to these minutes.

Mr. Brownley requested that page 4 of the January 14, 2008 minutes be amended as follows :

The following Rules of Procedure are adopted by the Westmoreland County Board of Supervisors to enable the Board to discharge its duties and responsibilities effectively and efficiently and to facilitate the exercise of its authority and powers **as provided by** in the Code of Virginia.

Mr. Brownley also requested that page 18 of the January 14, 2008 minutes be amended as follows:

Chairman Fisher read aloud the results of the December 11, 2007 Special Election as presented by the Westmoreland County Electoral Board. Upon motion by Mr. Roberson, second by Mr. Hynson, and carried unanimously, the Board approved the Abstract of Votes for the December 11, 2007 Special Election as presented. **Robert J. Wittman, former member of the Board of Supervisors, was elected to the U. S. House of Representatives.**

Per Mr. Brownley's request, Mr. Risavi provided further explanation of the proposed subscription plan for emergency ambulance transport services discussed at the January 14, 2008 meeting. Such plan would benefit persons who do not have health insurance as well as those who may have limited insurance coverage.

Mr. Hynson moved that the minutes be approved with those amendments requested by Mr. Brownley. Mr. Culver seconded, and the motion carried unanimously.

2. APPROVAL OF ACCOUNTS PAYABLE LIST AND PAYROLL REGISTER

Upon motion by Mr. Hynson, second by Mr. Culver, and carried unanimously, the Board approved the accounts payable list and payroll register as submitted by the Finance Director for the month of January 2008.

3. APPROVAL OF APPROPRIATION INCREASE/DECREASE REQUESTS

There were no appropriation requests presented for the Board's consideration at this time.

6. THE NEWSMAKERS JUNIOR COMMUNITY PROBLEM SOLVERS

The Junior Community Problems Solvers comprised of students from Cople Elementary School and Montross Middle School were present to request the Board's consideration of a resolution declaring the week of February 24 - March 1 as "Read a Newspaper Week". The resolution is requested as part of the team's goal to increase the number of students who read the newspaper. A survey of 264 students revealed that only 22% of students age 5 to 14 read the newspaper. Following a brief presentation by the students, upon motion by Mr. Roberson, second by Mr. Brownley, and carried unanimously, the Board adopted the following Resolution:

Read A Newspaper Week Resolution

WHEREAS, efforts to include child related articles and issues in the newspaper are worthy of our attention and;

WHEREAS, Westmoreland County is the home of about 2,278 children between the ages of five and fourteen and;

WHEREAS, expanding children's knowledge is critical in the development of well rounded children and;

WHEREAS, about eighty percent of the children in Westmoreland County between the ages of five and fourteen don't read the newspaper and;

WHEREAS, aiding the effort to create a newspaper for readers of all ages encourages the children to read the newspaper and;

WHEREAS, increasing the number of children who read a variety of printed materials helps promote research skills and;

WHEREAS, assisting with providing students with educational sources helps create critical readers and;

WHEREAS, promoting Westmoreland County children as informed readers will establish life long readers and;

WHEREAS, enhancing the utilization of our local newspaper will help our citizens be involved in their community and;

WHEREAS, restoring newspaper readers of all ages is necessary to have an informed community;

THEREFORE; BE IT RESOLVED, that on behalf of the NEWS MAKERS, the Junior Community Problem Solvers, the Westmoreland County Board of Supervisors declare the week of February 24-March 1 as "Read A Newspaper Week", because creating resourceful, lifelong readers is essential for a growing community.

end of resolution

The Board thanked the students, the principals, the sponsoring teachers, the superintendent and the entire staff of the Westmoreland County school system for their efforts in support of this project. Dr. Elaine Fogliani, Superintendent, was present for this portion of the meeting.

14. NEW BUSINESS

Susan Albertsen was recognized and announced that she and her husband will be locating a new business adjacent to the County's industrial park. The name of the business is A & A Machine Company. Ms. Albertsen reported that the business started in their basement about 48 years ago and has been growing ever since. Specializing in small precision parts in support of the aerospace industry, they expect to open the Westmoreland location in April. Ms. Albertsen commented that she looks forward to a long business relationship here in Westmoreland County.

4. TOWN OF COLONIAL BEACH/CORRESPONDENCE

There was no correspondence from the Town of Colonial Beach.

5. TOWN OF MONTROSS/CORRESPONDENCE

There was no correspondence from the Town of Montross.

Mr. Brownley noted that the Town of Montross has recently updated its Comprehensive Plan, with assistance from the Northern Neck Planning District Commission. He commented the document was very well presented.

Mr. Risavi advised the Board that he and Montross Town Manager Brenda Reamy recently met with Rural Development regarding the proposed transfer of the Montross-Westmoreland sewer facilities to the County. They are in the process of making final revisions to the transfer documents. Upon receipt of those documents, the three entities (the County, the Town, and the Sewer Authority) will need to schedule a meeting to approve the transfer to the County.

7. SUSAN MCFADDEN, OPEN DOOR COMMUNICATIONS

Susan McFadden and Jenni Brockman of Open Door Communications were present to apprise the Board of proposed upgrades to the Westmoreland County website. A copy of their presentation entitled "A Highly Functional Website for Westmoreland County" is shown on ATTACHMENT A to these minutes. The goals for the site are as follows: (1) simplify navigation for users; (2) update and condense content; (3) help citizens answer "first-level" questions; (4) support economic development; (5) position county as attractive place to live, visit; and (6) create a site that staff can maintain.

Mr. Roberson suggested the site include links to the Colonial Beach school system as well as the Towns of Colonial Beach and Montross.

Mr. Risavi commented that various restaurants, bed & breakfast facilities and other private businesses within the county have requested a listing on the site. Ms. Lewis noted that issue has been discussed with the local tourism council. The County site will link to the Northern Neck Tourism Council's website for that information.

Betsy Ficklin was recognized and asked if the site will include links to the local newspapers.

It was suggested that links to outside entities be opened in a target window so that when individuals have finished viewing the information on those sites, they can close that window and return to the Westmoreland site.

John Krainock expressed concern regarding the impact that graphics will have on download times, noting that many residents are still on dial-up internet service.

Mr. Brownley noted that the vast majority of these upgrades will be paid for with grant funds.

Bette Williams insisted that Robert E. Lee's name be included on the site, as well as other distinguished individuals in Westmoreland County's history.

Ms. McFadden briefly explained the Google Analytics software that will be used to analyze visits to the Westmoreland site. This software will provide a vast array of useful data for the County's use.

RECESS

The Board recessed briefly at 10:30 a.m.

RECONVENE

Chairman Fisher reconvened the meeting at 10:40 a.m.

8. KATHRYN KNOELLER, WESTMORELAND COMMUNITY POLICY & MANAGEMENT TEAM
RE: REQUEST FOR ADDITIONAL FUNDING – COMPREHENSIVE SERVICES

Kathryn Knoeller and Belinda Johnson were present on behalf of the Comprehensive Policy & Management Team (CPMT) to request the Board's consideration of a \$498,000.00 appropriation increase/decrease request for Comprehensive Services. The local share of this request is \$150,645.00. The state share is \$347,355.00. Ms. Knoeller noted that the initial budget allocation for Comprehensive Services was \$700,000, with a local match of \$211,000. This request will bring the total budget to \$1.2 million for the year, with \$395,000 funded locally. They have served 81 children, ranging from age 4 to 18, with the exception of special education children. Federal law requires that those individuals be served until they reach age 21. Ms. Knoeller advised this is not traditional foster care. Five disciplines, including the Department of Social Services, the local school system(s), the Department of Juvenile Justice, the Community Services Board, and the Health Department, come together in an effort to resolve these problems before they become bigger problems. Of the 81 served, 48 children receive funded services. The remaining 31 children receive in-home and community-based services. Ms. Knoeller provided the following summary of funded services:

- Foster Care (Residential Facilities) – 5 children (3 out of 5 are federally funded)
- Therapeutic Foster Care – 3 children
- Regular Foster Care – 4 children
- Private Day Schools – 14 children (These are specialized school settings that cannot be provided in regular school settings.)
- In-School Behavioral Aids – 14 children
- Community-Based Services – 8 children

The Family Assessment & Planning Team (FAPT) which makes referrals to the CPMT is working very hard not to spend public funds.

Mr. Brownley asked how much money is being spent on the 48 children that are receiving funded services. Ms. Knoeller advised that, pending Board approval of this appropriation request, the total for the current budget year will be \$1.2 million.

Mr. Hynson stated that this is a mandated service. He also commented that the problem is growing in that more and more children come to the CPMT every year.

Mr. Brownley reminded the public of the Governor's proposal regarding Comprehensive Services Act funding. Ms. Knoeller commented on this proposal, which involves shifting costs back to the localities based on their ability to use community-based services.

Mr. Risavi commented that the Governor's proposal is somewhat misleading when it says the locality will only be responsible for 20-25% of the costs because the definition of "at-risk" has been expanded. It is critical that the citizenry contact Senator Stuart to tell him that this is not in the County's best interest.

After further discussion, upon motion by Mr. Hynson, second by Mr. Culver and carried with a unanimous roll call vote, with Mr. Roberson, Mr. Culver, Mr. Brownley, Mr. Hynson, and Mr. Fisher voting "aye", the Board approved the following appropriation increase/decrease: Fund #100 – Comprehensive Services -- \$498,000.00 (\$347,355 state share; \$150,645.00 county share). The local share will come from the Fund Balance.

9. HELEN WILKINS, DIRECTOR OF SOCIAL SERVICES

Helen Wilkins, Director of Social Services, was recognized and presented a \$16,151.77 appropriation increase/decrease request for her agency. These monies are currently held in a Certificate of Deposit and represent unexpended funds from a Bay Consortium Workforce Investment Board grant. The agency proposes to use the funds for housing related repairs for senior citizen and/or disabled residents of Westmoreland County. The Bay Consortium Workforce Investment Board and the County's auditors, Robinson, Farmer, Cox Associates have concurred that this would be an appropriate use for those funds. Upon motion by Mr. Hynson, second by Mr. Culver, and carried with a unanimous roll call vote, with Mr. Brownley, Mr. Hynson, Mr. Roberson, Mr. Culver, and Mr. Fisher voting "aye", the Board approved the following appropriation increase/decrease request: Fund #4-105 (Utilization from agency Certificate of Deposit for housing

related repairs for seniors/disabled.)

Ms. Wilkins then summarized the monthly report for January 2008. She noted that the agency has partnered with Dominion Virginia Power for the Energy Assistance program. The Salvation Army is also providing some supplemental funding for Energy Assistance. Ms. Wilkins also advised the Board that the agency has hired a full-time Fraud Investigator.

10. EDDIE WESTON, WESTMORELAND VOLUNTEER FIRE DEPARTMENT

RE: PROPOSED STRATFORD HALL FIRE SUBSTATION

Eddie Weston, Chief of the Westmoreland Volunteer Fire Department, was recognized and advised the Board that the fire department held a public forum regarding the proposed fire substation to serve the Stratford Hall community on February 7, 2008. Approximately 75 – 100 people were in attendance. Westmoreland Volunteer Fire Department recommends the Board defer approval of this request until such time as the Department of Emergency Services has completed a county-wide fire and rescue needs assessment. Mr. Weston read the following statement into the record:

(SEE NEXT PAGE)

WESTMORELAND VOLUNTEER FIRE DEPARTMENT INC.
52 RECTORY RD.
P.O. BOX 222
MONTROSS VA 22520

February 11, 2008

Dear Supervisors;

With all due respect to the citizens of the Stratford Harbor/Hall area; the following is the request of the Westmoreland Volunteer Fire Department Inc.

At this time the Westmoreland Volunteer Fire Department would like to defer the approval or support of the construction of a sub-station in the Stratford Harbor/Hall area to a later time.

We are requesting this because the Westmoreland County Department of Emergency Services is in the process of having the Virginia Department of Fire Programs do a fire and EMS assessment needs of the whole county.

This study should indicate if any new fire or EMS stations are needed, and if so, where they should be located. They should also look at equipment and volunteer needs. This will give Westmoreland County a guild line for long range planning.

After the results of the study are in, we will meet with the Westmoreland County Department of Emergency Services to see what course of action needs to be taken. If the study indicates a need for a substation in the Stratford Harbor area, and the community commits to the needed volunteers, I'm sure we will step up and support this substation.

We would also like to continue to encourage potential volunteers from this area to come forward and show their support for the community by joining our department now.

Respectfully,


Eddie Weston Chief WVFD


Billy Taylor President WVFD

Mr. Risavi clarified that the needs assessment would be conducted by the Department of Fire Programs and explained the workings of the Insurance Services Organization (ISO) rating system. He noted there are only two states that do not subscribe to the ISO ratings.

Mr. Balderson added that the only costs associated with the study would be travel and lodging for the consultants conducting the review. There is no cost to the locality for the study.

Chairman Fisher thanked Chief Weston and the Westmoreland Volunteer Fire Department for their efforts and recommendation regarding this request.

Mr. Brownley asked if the fire department requested the needs assessment. It was noted that Westmoreland Volunteer Fire Department has not specifically requested the study; however, it has come up during discussions among the Fire & Rescue Association. Mr. Brownley commented that he is concerned that this looks like a delaying tactic to making a decision. Mr. Brownley also remarked that he does not know what else the study will tell us regarding this particular request. He noted two primary citizen concerns that have been expressed to him: (1) whether this will involve any tax dollars; and (2) whether the project will bring new volunteers to the community.

Mr. Weston explained that the average number of fire calls in that area has been three per year. If there was an urgent need, the fire department would support it. The fire department wants to make sure it is the right location, that the substation is needed, and that sufficient volunteers are available. The fire department is hoping that the study will serve as a guideline for making that determination.

Chairman Fisher noted there are two key issues to be considered with regard to this request: money and manpower.

Mr. Culver disclosed for the record that he currently serves as secretary of the Westmoreland Volunteer Fire Department and would be abstaining from the vote on this matter.

After further discussion, upon motion by Larry Roberson, second by Lynn Brownley and carried with a four to one majority vote with Mr. Brownley, Mr. Hynson, Mr. Roberson, and Mr. Fisher voting "aye" and Mr. Culver "abstaining", the Board: (1) authorized the Westmoreland County Department of Emergency Services to proceed with a county-wide fire and rescue needs assessment to be conducted in conjunction with the Virginia Department of Fire Programs; and (2) authorized The

Committee for the Stratford Hall Fire Station to commence fundraising efforts to secure the necessary funds for the proposed construction and/or operation of said fire substation, with the understanding that: (a) all donations are to be held in trust by the Westmoreland County Treasurer; (b) at the time of construction, the Committee shall demonstrate to the Board that a sufficient number of volunteers are in place and properly trained for the operation of the facility; (c) final Board approval of this proposed project will be contingent upon the results of the needs assessment to be completed by the Department of Fire Programs; and (d) in the event that the project does not materialize, any and all donations held by the Westmoreland County Treasurer shall be refunded accordingly.

11. VIRGINIA DEPARTMENT OF TRANSPORTATION

Sean Trapani, Clifton Balderson, Steve Rouse, and Michael Parker were present on behalf of VDOT. Mr. Trapani and Mr. Balderson briefed the Board on the following:

Route 628 (Blackbeard Pond Road) – VDOT has completed a speed study on this road. It has been approved for a 25 mph speed limit in the residential area and a 35 mph speed limit coming out to the end of the road.

Revenue Sharing/Subdivision Road Committee – Mr. Trapani is still working on preparing estimates for the list of candidate roads prepared by the Subdivision Road Committee. He hopes to have those estimates completed by Friday, February 15th. The subcommittee will meet on February 14th at 3:00 p.m. to review the proposed transportation service district ordinance. Clyde Hathaway will submit VDOT's comments regarding the proposed ordinance to the County Administrator prior to the meeting.

Silverleaf Drive – VDOT has begun work on this project.

Supervisors reported the following:

District 2 – Mr. Culver stated that he has signatures from the residents along Taylor Town Road who are concerned about the condition of this road. Mr. Culver also presented photographs of the road conditions after a recent rain. The residents have also expressed concerns about having to wait for repairs. In addition, there is no posted speed limit. The residents would like to see a speed study conducted. Mr. Culver suggested that this road be placed on a monthly check list for maintenance so that it gets repairs as necessary.

Mr. Trapani stated the issue is the schedule to get to the roads in order to maintain them. VDOT tries to schedule the grader to do several jobs at one time. They are down to nine staff members, including managers. The local office currently has nine positions to be advertised, but there is a hiring freeze at the state level, so those positions can not be filled.

Chairman Fisher stated it is important that the appropriate outcry is made to the County's representatives in the state legislature.

Mr. Trapani added that VDOT has utilization thresholds on equipment. The numbers are down, so they are talking about taking equipment away from the local office.

Mr. Brownley commented on the success of the highway cleanup program administered by Angela Goode at the Northern Neck Planning District Commission office. He hopes the state will continue to allow VDOT's assistance in picking up the orange bags once those cleanups have been completed.

District 5 – Mr. Roberson had no concerns to be brought to VDOT's attention other than the ongoing problems at Riverside Meadows.

District 2 – Mr. Culver had no additional concerns at this time.

District 4 – Mr. Hynson advised VDOT of a safety issue along Route 3 in the vicinity of the Mexican restaurant at Oak Grove. There is a sharp turn that presents a safety hazard for vehicles making the left turn to visit the restaurant and oncoming traffic along Route 3.

District 1 – Chairman Fisher had no concerns at this time.

Mr. Risavi requested VDOT's assistance in addressing a safety issue for vehicles making the left turn coming out of the County's transfer station onto Route 622. There is a slight hill which inhibits sight distance. Mr. Risavi asked if there were any other options to resolve the problem without having to cut down the hill. It has been suggested that the installation of rumble strips or some type of concave mirror would be a potential solution.

12. APPOINTMENTS

Wetlands Board – District 5 – The Board expressed its appreciation for Thomas B. Rogers for his service as District 5 representative on the Wetlands Board. Mr. Roberson advised the Board that

he has been contacted by Jane B. Gaynor who is interested in serving on the Wetlands Board. Upon motion by Mr. Roberson, second by Mr. Brownley and carried unanimously, the Board appointed Jane B. Gaynor as the representative for District 5 on the Westmoreland County Wetlands Board through February 11, 2013. Chairman Fisher will send a letter of thanks to Thomas B. Rogers on behalf of the Board.

Planning Commission – District 3 – Mr. Brownley advised the Board that John Felt has agreed to serve in this capacity. Upon motion by Mr. Brownley, second by Mr. Culver and carried unanimously, the Board appointed John Felt as the District 3 representative on the Westmoreland County Planning Commission through February 11, 2012. Chairman Fisher will send a letter of thanks to Sherman Davis on behalf of the Board.

Middle Peninsula-Juvenile Detention Commission – The Board acknowledged receipt of Dr. W. Ralph Gardiner's resignation as Westmoreland County's representative on the Middle Peninsula-Northern Neck Juvenile Detention Commission. The Board will need to appoint someone to fill this vacancy through June 30, 2010. This appointment was deferred to the Board's March meeting.

The Board recognized Sherman L. Davis who was present and publicly thanked him for his service on the Planning Commission. The Board also applauded the local fire and rescue workers for their efforts in arresting the brush fires that occurred on yesterday.

15. PUBLIC COMMENT PERIOD

The following persons spoke during the public comment period:

John Krainock (Kinsale) – Mr. Krainock inquired regarding the status of upgrades to the local cable system. He has heard rumors that Comcast is planning to sell out. Mr. Risavi advised Mr. Krainock that he has spoken with Comcast representative Ken Dye and asked him to prepare a letter explaining the timetable for the upgrades. If there is no timetable, he has asked Mr. Dye to inquire within his organization as to when that will take place. Mr. Risavi stated he is not in a position to address whether or not Comcast will be bought out by another company. Mr. Culver added that it was his understanding that the survey work was to commence in March and that improvements would begin in September 2008. Mr. Risavi stated that he understood that Comcast would conduct a walk-thru to determine what options are available to upgrade the system. In reviewing the cable franchise fees remitted to the County, the number of customers has decreased. It has to be economically feasible for Comcast to run service to an area. Mr. Risavi suggested if Comcast offered a bundled deal, then customers might be inclined to stay. Mr. Culver asked if staff has

heard anything from Verizon regarding the expansion of DSL services to this area. Mr. Risavi stated Verizon has indicated that they have no plans to expand DSL services beyond those limited areas where they currently offer such service.

Butch Foutz (Ebb Tide Beach) – Mr. Foutz commented on a recent experience with the cable company wherein he complained to them about a particular problem on a daily basis. It ultimately resulted in the company reducing his rate and providing additional HBO channels at no charge. Mr. Foutz then commented on the need for better security for this building, in light of recent events in other areas. Mr. Foutz noted that he would also address the matter with the Citizen's Association and with the Sheriff's office. Chairman Fisher advised Mr. Foutz that these issues are being looked into as part of the Space Needs Analysis that is currently being conducted for county buildings. The County hopes to put some things in place that will address these concerns.

Bill Alverson (Montross) – Mr. Alverson commended the Board for their use of the microphones. Mr. Alverson expressed concern regarding those entities that continually come before the Board to request additional funding. He is not sure that those entities are spending allocated funds as best they can. Mr. Alverson also commented that everyone is going to satellite service because of the poor quality of cable service in the area. Mr. Alverson then remarked that Personal Property inventory forms have not been mailed out for the year. Chairman Fisher advised Mr. Alverson that this should be directed to the Commissioner of the Revenue. Staff will follow up with that office to determine the schedule for that mailing. Mr. Hynson commented regarding expenditures by the Community Policy & Management Team, noting that what has bothered him is not the handling of funds, but the increased case load. The staff really has done a good job of cutting down the cost per unit, but what has burdened the County is the increased case load.

Butch Foutz (Ebb Tide Beach) – Mr. Foutz suggested the County also take a look at expenditures for court-appointed legal counsel. Based on his observations, the caseload suggests there are a lot of adults that do not work and are therefore unable to pay for legal counsel.

Bill Alverson (Montross) – Mr. Alverson commented on the need for volunteers and noted that if all people present at this meeting would come out and volunteer, then the fire department would have sufficient manpower.

There being no further comments, Chairman Fisher closed the public comment period at this time.

Chairman Fisher stated for the record that land use Case #0801-RZ-01 has been withdrawn by written request from the applicant dated January 15, 2008. Mr. Culver urged all to be prepared for something in the future, as the applicants were recently seen visiting the site.

Mr. Brownley reported on his attendance at the VACo/VML (Virginia Association of Counties/Virginia Municipal League) Legislative Day held on February 7, 2008 in Richmond. He called the Board's attention to legislation proposed by Senator Watkins (Senate Bill 768) to do away with the cash proffer program and replace it with an impact fee. VACo is opposed to this proposal inasmuch as it would have terrible consequences for rural localities. Mr. Brownley also noted for information purposes that the Loudon County Board of Supervisors votes on all proposed legislation before the General Assembly.

Chairman Fisher reminded the public that the Board's next regular meeting will be held on Monday, March 10, 2008, at 6:00 p.m. The land use portion will begin at 7:30 p.m.

There being no further business to come before the Board at this time, upon motion by Mr. Roberson, second by Mr. Brownley and carried unanimously, the Board adjourned at 12:49 p.m.

Chairman, _____