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, November 20, 2014.

Members Present: B. Wally Beauchamp, Chair

Jason D. Bellows, Vice Chair

F. W. Jenkins, Jr., Board Member

Ernest W. Palin, Jr., Board Member

William R. Lee, Board Member

Staff Present: Frank A. Pleva, County Administrator

Don G. Gill, Planning and Land Use Director

Crystal Whay, Building/Land Use Secretary

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

PUBLIC INPUT

None.

PRESENTATIONS

Mr. Beauchamp stated that Mr. Bellows had just completed the Virginia County Supervisor Certification Program. He stated that only 50 supervisors in Virginia had completed the program and he wanted to congratulate Mr. Bellows on his work.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Robert Harper stated that VDOT had been working on the Taylors Creek project for about three weeks and will have to resume that work in the spring because of the colder weather.

Mr. Harper stated that there was a mandatory pre-bid meeting conducted on November 7th concerning the renovations on both the Merry Point and Sunnybank ferries. He stated that the bids are due back around December 1st, but to his knowledge, no work will begin until after the first of the year.

Mr. Beauchamp mentioned the drainage issue around the historic old clerk's office building.

Mr. Jenkins stated that water is being funneled from the public road towards the building when it rains and there will be some restoration work beginning on the building in the future.

Mr. Harper stated that he would run some elevations of the area and report back to the board.

Mr. Jenkins thanked him.

PUBLIC HEARING

1. <u>Application for Special Exception-Individual Manufactured Home-G. C.</u> <u>Dawson Estate, owner and Teresa L. Haynie, contract purchaser</u>

Mr. Gill stated that the issue was an Application for Special Exception by G. C. Dawson, owner, and Teresa L. Haynie, contract purchaser, to place an individual manufactured home on a 0.405-acre parcel described as Tax Map #34-222. He stated that the property is zoned R-1, Residential General and is located at 20521 Mary Ball Road in District 4.

Mr. Gill stated that Article 5-1-3 of the Zoning Ordinance requires a special exception for the placement of individual manufactured homes such as this, which has the dimensions of 14 feet by 70 feet and is a single-wide. He stated that previous similar approvals by the Board of Supervisors have been based on whether any legitimate concerns could be raised by adjacent property owners.

Mr. Gill stated that the property has an existing septic and well permit with the Virginia Department of Health under HDID# 151-01-400. He stated that all front, rear and side setbacks can be met. He stated that similar types of manufactured homes exist in the neighborhood and the applicant intends to use the existing structure on site as a temporary storage building.

Mr. Gill stated that in March 2014, a different contract purchaser applied to rezone this R-1, Residential parcel to C-1 Commercial, Conditional for use as a seasonal garden center and the Board ultimately denied that rezoning request. He stated that several neighboring residents attended that meeting and stated that they wanted this parcel and their neighborhood to remain residential and this special exception adheres to that desire.

Mr. Gill stated that the issue has been advertised and adjoining property owners notified as required by law and that to date, there has been one response from a neighbor

requesting more information. He stated that Ms. Haynie intends to eventually remove the existing structure and per the County's ordinance, she has three years to do so.

Mr. Beauchamp opened the public hearing.

Ms. Haynie introduced herself and stated that she was a long time resident and her son was a member of both the fire department and rescue squad. She stated that her proposed structure was for residential purposes only.

Ms. Geneva Dawson, the co-executor of the G. C. Dawson Estate, stated that Ms. Haynie is interested in purchasing the parcel and there are other mobile and manufactured homes in the area.

Mr. Lloyd Hill, a District 4 citizen, asked for clarification about the existing structure on the parcel.

Mr. Gill replied that the zoning ordinance article 13-15 states that a manufactured home can be placed on the same lot as an abandoned home for a period of time, not to exceed three years. He stated that if the applicant were to renovate the structure, it could remain, because it would become an accessory structure to the main structure. He further stated that Ms. Haynie informed him before the meeting, that she would be removing the existing structure.

Mr. Hill asked what would happen if the structure is not removed in the three year time period.

Mr. Gill replied that a letter would be sent requiring that the building be removed.

Mr. Beauchamp closed the public hearing.

Mr. Lee made a motion to Approve the Special Exception by G. C. Dawson Estate, owner and Teresa L. Haynie, contract purchaser to place an individual manufactured home on a 0.405-acre parcel described as Tax Map #34-222 in District 4.

VOTE:	B. Wally Beauchamp	Aye
	Jason D. Bellows	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye
	William R. Lee	Aye

2. <u>Application for Special Exception-Individual Manufactured Home-Diversified Ventures, Inc.</u>

Mr. Gill stated that the issue was an Application for Special Exception by Diversified Ventures, Inc. to place an individual manufactured home on a 0.489-acre parcel described as Tax Map #34-231. He stated that the property is zoned R-1, Residential General and is located at 20296 Mary Ball Road in District 3.

Mr. Gill stated that the applicant's individual manufactured home, which is a 26.33 feet by 48 feet double-wide, meets all of the requirements of the Zoning Ordinance Article 5-1-3 for "by right" placement, except having a roof pitch of 3.25:12 or greater and therefore requires a special exception. He stated that the roof pitch, as stated by the applicant and verified by the manufacturer's specifications, is only 2.28:12. He stated that previous similar approvals by the Board of Supervisors have been based on whether any legitimate concerns could be raised by adjacent property owners.

Mr. Gill stated that the property has an approved Virginia Department of Health Permit #151-11-0140 for a remote septic site and it will be connected to the White Stone town water system. He stated that all front, rear and side setbacks can be met. He stated that similar individual manufactured homes exist in this neighborhood and the proposed manufactured home will replace an existing abandoned home of similar size.

Mr. Gill stated that the issue has been advertised and adjoining property owners notified as required by law and that to date, there has been no input from the public.

Mr. Beauchamp opened the public hearing.

Mr. Richard Davis, the applicant, stated that the existing house was in bad condition and was going to cost more to repair it than it was worth. He stated that the proposed home will be for a family member.

Mr. Beauchamp closed the public hearing.

Mr. Bellows made a motion to Approve the Special Exception by Diversified Ventures, Inc. to place an individual manufactured home on a 0.489-acre parcel described as Tax Map #34-231 in District 3.

VOTE:	B. Wally Beauchamp	Aye
	Jason D. Bellows	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

Aye

3. <u>Proposed Amendment and Appropriation to the FY 2014-15 Lancaster County Budget of \$7.2 million of Lease Revenue Bond Proceeds for Capital Projects</u>

Mr. Pleva stated that following a request for proposals from financial institutions, during its regular monthly meeting on August 28th, the Lancaster County Board of Supervisors awarded a joint proposal to Chesapeake Bank and the Bank of Lancaster for over \$8.1 million of lease revenue bonds. He stated that the bond issue includes the funding of approximately \$2.8 million of new public schools capital projects, the funding of approximately \$4.3 million of new general government capital projects, the refinancing of almost \$1 million of existing capital debt service to take advantage of a lower interest rate and the funding of approximately \$100,000 of bond issuance costs.

Mr. Pleva stated that during its regular monthly meeting on September 8th, the Lancaster County School Board unanimously voted to adopt the resolution authorizing a ground lease of the primary school with the Economic Development Authority. He stated that the primary school will be used as collateral for the lease revenue bonds.

Mr. Pleva stated that during its special meeting on September 24th, the EDA voted to approve the lease revenue bonds and bond-related documents, such as a lease agreement between the EDA and the county for the primary school and the assignment of the leases and rents to the bondholders, which are Chesapeake Bank and the Bank of Lancaster. He stated that the rents paid by the county under the lease agreement would be equal to and pay for the debt service for the lease revenue bonds.

Mr. Pleva stated that the staff recommendation is to amend the FY 15 budget to include the capital projects appropriations as well as the bond issuance costs. He stated that he had received no comment from the public.

Mr. Beauchamp opened the public hearing.

There was no public input.

Mr. Beauchamp closed the public hearing.

Mr. Jenkins made a motion to Approve the Appropriation to the general treasury, which includes \$2.8 million for the public schools' capital improvements, \$4.3 million for county capital improvements and \$100,000 for the bond issuance costs.

VOTE: B. Wally Beauchamp Aye

Jason D. Bellows Aye

F. W. Jenkins, Jr. Aye

Ernest W. Palin, Jr. Aye

William R. Lee Aye

4. Update to the Lancaster County Capital Improvement Budget – FY 2015-19

Mr. Gill stated that this year, unlike prior years, the Board removed the Capital Improvement Budget from its General Budget when it approved the General Budget at its June 26, 2014 meeting. He stated that the preceeding public hearing rectified that omission by amending and appropriating the \$7.2 million in bond proceeds for general Capital Improvement projects. He stated that bond counsel recommended this public hearing to update the Capital Improvement Budget with more specificity over the next three years, instead of five years. As a result, he stated that he left FY 15 the same and the items that were requested in FY 16 and FY 17, were put in FY 16 and the items that were requested in FY 18 and FY 19, were put in FY 17.

Mr. Gill stated that Section 15.2-2239 of the Code of Virginia directs the local planning commission to prepare and submit annual capital improvement budgets to the Board of Supervisors and as usual, the Planning Commission forwarded their recommendations in April. He stated that those recommendations were revised in July after the School Board and the new Superintendent reprioritized their requests and the Board of Supervisors added funding requests for additional public access sites and replacement of the emergency services radios and transmitting equipment.

Mr. Gill stated that Superintendent Steven Parker is requesting that the FY 16 request for \$250,000 for the 40' by 150' athletic building be moved up to FY 15 to be ready by August 1. He stated that the recent appraisal of the community library building is complete, so the Board may wish to revise the figure in FY 15 with the current appraisal figure for the purchase of that building. He also stated that he understood Mr. Parker to say that the library renovations would be approximately \$300,000. He stated that John Mann was present if the Board had any questions of him concerning the school projects.

Mr. Gill stated that advertising had been conducted as required by law and other than the discussion at prior Planning Commission and Board of Supervisors meetings, there had been no input from the public.

Mr. Lee asked about the amount of the appraisal of the library building.

Mr. Gill replied the amount was \$735,000.

Mr. Beauchamp opened the public hearing.

There was discussion concerning what was included in the appraisal.

- Mr. Mann stated that the library building itself was appraised at \$735,000 and the other small building on the adjacent county-owned property was appraised at \$95,000.
- Mr. Bellows asked about any additional information concerning the proposed athletic building at the high school.
- Mr. Mann replied that their goal is to have the athletic building completed by July 1, 2015. He stated that it would be approximately a 40' by 170' building, which would have an activity room, which would house the wrestlers, a weight room, showers and a changing area for various sports teams.
 - Mr. Bellows asked about the placement of the building.
- Mr. Mann replied that the building would start at the weight room and go towards the JROTC building.
 - Mr. Bellows asked if it was their intention to get rid of the JROTC building.
 - Mr. Mann replied yes.
- Mr. Beauchamp asked if the proposed building would benefit more than just the football team.
- Mr. Mann replied yes. He stated that one of the biggest purposes of the building is to get high school wrestling back to the high school. He stated that it would be designed to house all of the sports teams and could be used in bad weather for conditioning.
- Mr. Bellows asked if there had been any discussion on strategic planning for the future of the school buildings and renovations.
- Mr. Mann replied that there was a strategic meeting conducted shortly after Mr. Parker was hired. He stated that no decisions were made and it was decided to reconvene at a later date.
- Mr. Bellows stated that his only issue was spending more money on buildings at the high school if there are plans to renovate or move to another location.
- Mr. Mann stated that the proposed building is metal and not a hard structure so its life cycle would probably be around 15 years.
- Mr. Beauchamp asked Mr. Mann if he was comfortable that the proposed structure would fit within long range planning.

- Mr. Mann replied that, at the present time, the athletes are cramped and have undesirable conditions. He stated that they need something, but have not figured out a way to accommodate them in the current facility.
- Mr. Lee stated that he understood about the concern for long range plans, but he had been to the high school on many occasions and the conditions that the athletes are placed under are inadequate.
 - Mr. Bellows asked if the plans were in place for the project.
- Mr. Mann replied that he had a rough sketch and a request for proposals drawn up.
 - Mr. Bellows asked when the project would be started.
- Mr. Mann replied that the request for proposals would probably go out in December with construction starting in late February or the first of March.
- Mr. Bellows asked if waiting one month so the Board could review complete plans would affect the timeline for the building's completion.
- Mr. Mann replied that it would push the project back a month, but it could be done if the Board chooses. He stated that the building's plans would be more complete after they received the proposals because they would include engineered drawings.
 - Mr. Lee stated that he did not think they should wait another month.
- Mr. Costello stated that he thought the School Board would do the right thing in relation to the proposed athletic building. He stated that they have the right people in place there and they can always keep the board apprised of the progress of the building.
- Mr. Jenkins referred to the school buses and asked if five years of purchasing buses had been compacted into three years.
- Mr. Gill replied yes. He stated that FY 15 stayed the same with the purchase of 2 buses. He stated that FY 16 has 3 buses, but that was originally a bus in FY 16 and 2 busses in FY 17.
- Mr. Jenkins stated that to continue with the bus replacement cycle, 2 buses needed to be taken out of the new three-year plan.
- Mr. Bellows agreed and stated that they should stay on the 1 then 2 bus rotation cycle.
 - Mr. Bellows asked about the turn around time for getting a bus.

Mr. Mann replied approximately 90 days.

Mr. Beauchamp closed the public hearing.

Mr. Beauchamp stated that the new figures for the Capital Improvement Plan included \$2,704,260 for FY 15, \$1,889,000 for FY 16 and \$1,881,369 for FY 17.

Mr. Bellows made a motion to Approve the Update to the Capital Improvement Budget for FY 2015 - 2019, which included a revision of the bus replacements in FY 16 and FY 17, moving the athletic building at the high school to FY 15 and replacement of the purchase price of the library building to reflect the appraisal with the new annual totals just stated by the chairman.

VOTE:	B. Wally Beauchamp	Aye
	Jason D. Bellows	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye
	William R. Lee	Aye

CONSENSUS DOCKET

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

1) Minutes for October 30, 2014

Recommendation: Approve minutes as submitted

2) <u>Abstract of Votes – General Election for U.S. Senate and House of Representatives and Special Election for Proposed Constitutional Amendment held on November 4, 2014</u>

Recommendation: Approve abstract of votes as submitted

3) DGIF Public Boating Access Facility Grant Application Resolution of Support

Supporting the Windmill Point Public Boating Access Facility

Whereas, Lancaster County has approximately 300 miles of tidal shoreline along the Rappahannock River and Chesapeake Bay and its tributaries; and

Whereas, over 97% of that tidal shoreline is privately owned, severely limiting the public access opportunities throughout the County; and

Whereas, Lancaster County has only 2 public power boat ramps (both on the western side of the county), one public non-power canoe/kayak launch site and one public beach, ranking Lancaster County last in the total number of public access sites among the counties of the Northern Neck, Middle Peninsula and Eastern Shore; and

Whereas, the need for additional public access sites in Lancaster County has been well documented in every update of our Comprehensive Plan since 2000; and

Whereas, the current Comprehensive Plan cites a clear objective to create a public boat ramp site on the eastern side of the County that can provide direct access to the Chesapeake Bay; and

Whereas, the current Comprehensive Plan cites a clear objective to develop convenient public access facilities in areas of high pier densities in order to give boat owners options for taking their boats out of the water when not in use; and

Whereas, the current Comprehensive Plan cites a clear objective to create public access sites in locations where they can act to generate traffic to nearby businesses;

Now therefore be it resolved, that subject to all applicable Federal, State and Local permits required, the Lancaster County Board of Supervisors will develop and maintain the public boating access facility to be located on Tax Map #41-4 according to the provisions of the Cooperative Grant Agreement between Lancaster County and the Department of Game and Inland Fisheries.

Recommendation: Approve resolution as submitted

VOTE:	B. Wally Beauchamp	Aye
	Jason D. Bellows	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1) Approval of November 2014 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for November 2014 in the amount of \$249,274.65 and invoice listings for November 2014 in the amount of \$366,813.93*.

*Greentown/Gaskins Project - \$6,511.50

*Capital Improvements - \$5,837.75

VOTE: B. Wally Beauchamp Aye

Jason D. Bellows Aye

F. W. Jenkins, Jr. Aye

Ernest W. Palin, Jr. Aye

William R. Lee Aye

2) Request for Contribution from the Mary Ball Washington Museum and Library for Repairs to Historic Buildings

Mr. Gill stated that there is a request from the Mary Ball Washington Museum and Library for repairs to the historic buildings across from the Courthouse Complex in the village of Lancaster Courthouse in District 2. He stated that a letter from Karen Hart, the Executive Director of the Mary Ball Washington Museum and Library had been added today to explain the request.

Mr. Gill stated that a request for funding to repair the historic old jail and clerk's office has been included in every update to the Capital Improvement Budget since the mid 2000's and is currently listed in FY 2015 at \$73,500 based on a recent estimate. He stated that the work has not been accomplished to date since the repairs to be performed on these extremely old buildings is delicate and there are a very limited number of qualified contractors with the expertise for that type of work. He stated that the museum has recently found a qualified contractor and they are confident about his ability to perform the work. He stated that the

museum is requesting a contribution from the County for \$73,500 to have this work completed as soon as possible.

Mr. Gill stated that while the \$73,500 estimate is for repairs known to be needed, there may be additional repairs needed that will not be known until the repair work has begun. He stated that, in addition, the HVAC system may need to be replaced and a drainage issue around the old clerk's office needs to be addressed. He stated that if additional money is needed, the museum will present an additional request at that time.

Mr. Jenkins stated that he would recuse himself from the vote as he is a member of the museum board as well as a member of the facilities committee. He stated that a concern is that until they dig down into the foundation, they will not know its condition and whether or not more money will be needed. He also stated that the heat pump for the clerk's office is quite old and may need to be replaced as well.

Mr. Palin asked if the contractor is the same one as last time.

Mr. Jenkins replied no and stated that this contractor, whose name is Chuck Rackley, is highly qualified and has worked on structures in Colonial Williamsburg, Stratford Hall and the Wilton House, just to name a few. He stated that Mr. Rackley would be available in March or April.

Mr. Jenkins stated that Steve Daum, the Lancaster County Building Official, has also toured the historical buildings.

Mr. Lee made a motion to Approve the Contribution of \$73,500 to the Mary Ball Washington Museum and Library for the Repair and Restoration of the old jail and clerk's office.

Mr. Jenkins suggested that the motion be contingent on the museum agreeing to appoint Steve Daum as a member of the museum's facilities committee.

Mr. Pleva stated that his only concern is if Mr. Daum can be on the committee and also inspect the buildings.

Mr. Lee suggested naming Mr. Daum as an advisor to the facilities committee.

Mr. Pleva stated that another inspector could be used for the buildings' inspections such as Keith Cornwell or David Selph.

Mr. Lee amended his motion to include the contingency that Steve Daum be appointed as an advisor to the museum's facilities committee.

VOTE: B. Wally Beauchamp Aye

Jason D. Bellows Aye

F. W. Jenkins, Jr. Abstain

Ernest W. Palin, Jr. Aye

William R. Lee Aye

VOTE: 4-0-1

BOARD REPORTS

Appointments

Mr. Beauchamp made a motion to reappoint Jeffrey M. Szyperski to the Lancaster County Economic Development Authority as an at-large member for a four-year term ending November 11, 2018.

VOTE: B. Wally Beauchamp Aye

Jason D. Bellows Aye

F. W. Jenkins, Jr. Aye

Ernest W. Palin, Jr. Aye

William R. Lee Aye

Mr. Beauchamp made a motion to reappoint Alexander Fleet to the Lancaster County Economic Development Authority as a representative from District 5 for a four-year term ending November 11, 2018.

VOTE: B. Wally Beauchamp Aye

Jason D. Bellows Aye

F. W. Jenkins, Jr. Aye

Ernest W. Palin, Jr. Aye

William R. Lee Aye

COUNTY ADMINISTRATOR

Mr. Pleva stated that a board retreat was discussed at last month's meeting. He stated that he had been in contact with Mike Chandler, who has been doing board retreats for many years. He stated that he has held public offices as well as taught classes and his fee, including travel, would not exceed \$4000.

Mr. Pleva stated that he had assumed the retreat would be a one-day event, held on a Saturday. He stated that Mr. Chandler suggested three dates, which were January 17th, January 31st or February 28th. He stated that the other consideration is where to hold the retreat. He stated that three suggestions that had been made were the Westmoreland State Park, Stratford Hall or the George Washington Birthplace. He suggested that the Board come up with first and second choices for the date and the place.

The consensus was to have the retreat at Stratford Hall on February 28th, with the second choice of January 31st.

Mr. Pleva stated that he would check the availability of Stratford Hall and report back to the board.

CLOSED MEETING

Motion was made by Mr. Beauchamp to enter into closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act. The subject matter to be discussed in the closed meeting is Real Property, δ 2.2-3711.A.3 of the Code of Virginia, *1950, as amended.* The purpose of the closed meeting is to discuss real property. The subject and purpose falls within the following exemption under δ 2.2-3711.A.3 (acquisition of real property for public purpose OR the disposition of government owned property where public discussion would jeopardize the County's or Town's bargaining or negotiating position.)

VOTE:	B. Wally Beauchamp	Aye
	Jason D. Bellows	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye
	William R. Lee	Aye

RECONVENE

Motion was made by Mr. Beauchamp to reconvene the open meeting.

VOTE: B. Wally Beauchamp Aye

Jason D. Bellows Aye

F. W. Jenkins, Jr. Aye

Ernest W. Palin, Jr. Aye

William R. Lee Aye

CERTIFICATION

WHEREAS, the Lancaster County Board of Supervisors convened in a closed meeting on November 20, 2014 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Real Property, δ 2.2-3711.A.3 of the Virginia Freedom of Information Act;

WHEREAS, δ 2.2-3712 of the Code of Virginia requires a certification by the board of supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE BE IT RESOLVED that the Lancaster County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Motion was made by Mr. Palin to certify the closed meeting.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number 1 and number 2 above? If so, identify yourself and state the substance of the matter and why in your judgment it was a departure. There was no comment.

Hearing no further comment, Mr. Beauchamp called the question. A roll call vote was taken:

ROLL CALL

VOTE: B. Wally Beauchamp Aye

Jason D. Bellows Aye

F. W. Jenkins, Jr. Aye

Ernest W. Palin, Jr. Aye

William R. Lee Aye

This certification resolution is adopted.

After the meeting reconvened, action was taken in open session concerning Section δ 2.2-3711.A.3.

Mr. Jenkins made a motion to authorize the County Administrator to enter into a long term lease agreement of 25 years, not to exceed a lease amount of \$2000 per year, with an option to purchase, approximately 1.4 acres of Tax Map #41-4, with marina basin access, for a public boat ramp and parking area.

VOTE: B. Wally Beauchamp Aye

Jason D. Bellows Aye

F. W. Jenkins, Jr. Aye

Ernest W. Palin, Jr. Aye

William R. Lee Aye

ADJOURNMENT

Motion was made by Mr. Lee to adjourn.

VOTE: B. Wally Beauchamp Aye

Jason D. Bellows Aye

F. W. Jenkins, Jr. Aye

Ernest W. Palin, Jr. Aye

William R. Lee Aye