

**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, January 31, 2013.

Members Present: F. W. Jenkins, Jr., Chair  
Jason D. Bellows, Vice Chair  
Ernest W. Palin, Jr., Board Member  
William R. Lee, Board Member  
B. Wally Beauchamp, Board Member

Staff Present: Frank A. Pleva, County Administrator  
Don G. Gill, Planning and Land Use Director  
Crystal Whay, Building/Land Use Secretary

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

**PUBLIC INPUT**

Mr. George Bott, a District 1 citizen, referred to an editorial letter in the Rappahannock Record this week, written by a citizen, regarding the county getting a favorable rating from the Virginia Center for Open Government. He stated that the county received an “A-“ for its openness in areas such as the budget process and the county’s website. He stated that he agreed with the letter and wanted to congratulate the county for the designation.

**PRESENTATIONS**

1. Plaque of Appreciation for service as Administrative Assistant/Deputy Clerk – Zina F. Middleton

Mr. Jenkins presented a plaque of appreciation to Mrs. Zina F. Middleton for her service to the county as an Administrative Assistant/Deputy Clerk for twelve years. He asked that everyone join him in thanking Zina for her dedicated service.

2. Robinson, Farmer, Cox Associates-FY 2012 Audit

Mr. Jenkins stated that the audit materials were just received and would be reviewed and continued to the February meeting.

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

Mr. Robert Harper stated that they had gone through three small snows so far and were still fully stocked on chemicals.

Mr. Harper stated that Mr. Jenkins had asked about sign delineation on Route 604 (Ottoman Ferry Road) at the last meeting and he stated that those signs have been received and will be installed as soon as possible.

Mr. Jenkins asked if the signage included the reflectors.

Mr. Harper replied yes.

Mr. Jenkins asked that Mr. Harper not forget the intersection at Morattico Road and Mary Ball Road (Route 3 and Route 622).

Mr. Harper stated that Riverview Drive (Route 777) and Hadlea Drive (Route 789) will be done after the weather gets better.

Mr. Harper stated that they will be having a meeting concerning surface treatment on February 19.

Mr. Bellows thanked Mr. Harper for the snow removal and for getting a school bus sign in his district.

Mr. Beauchamp inquired about Mr. Harper's health.

Mr. Harper stated that he was doing better and thanked the board.

**PUBLIC HEARING**

None

**CONSENSUS DOCKET**

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

A. Minutes for December 20, 2012 and 2013 Organizational Meeting

Recommendation: Approve minutes as submitted

B. Board of Zoning Appeals Activity Report 2012

Recommendation: Approve report as submitted

C. Wetlands Board Activity Report 2012

Recommendation: Approve report as submitted

D. Constitutional Officers Week Recognition

Recommendation: Approve the resolution as submitted

**WHEREAS**, Article VII, Section 1, of the Virginia Constitution provides for the direct election of local officials charged with the critically important duties of maintenance of public records, operation of the circuit courts, prosecution of criminals, protection of public safety, and the administration and collection of local revenues; and,

**WHEREAS**, Lancaster County's Clerk of the Circuit Court, Commissioner of the Revenue, Commonwealth's Attorney, Sheriff and Treasurer continue a tradition of local administration of government functions that predates the American Revolution; and,

**WHEREAS**, these constitutional officers, their deputies and employees who serve in their offices provide the people of Lancaster County with a direct link to their government at the local level, unfiltered by bureaucracy and responsive to citizen's needs; and,

**WHEREAS**, the constitutional officers embody Thomas Jefferson’s ideal form of representative democracy which provides for direct accountability to the people by virtue of the people’s right to vote for their constitutional officers; and,

**WHEREAS**, the constitutional officers in Lancaster County are setting new standards of customer service, innovative service delivery, and responsiveness that fellow officers and other public servants in the Commonwealth would do well to emulate;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Lancaster County, Virginia that the Board hereby designates the week of January 21 through January 25, 2013 as Constitutional Officer Week in Lancaster County to coincide with the Commonwealth’s designation of Constitutional Officer Week in Virginia.

**BE IT FURTHER RESOLVED**, that the Board urges Lancaster County’s citizens to familiarize themselves with the services provided by their constitutional officers.

**BE IT FURTHER RESOLVED**, that the County Administrator as Clerk of the Board of Supervisors transmit copies of this resolution to the Honorable Ronald D. Crockett, the Honorable Diane H. Mumford, the Honorable Robert Cunningham, the Honorable George E. Thomas, Jr., and the Honorable Bonnie J. D. Haynie with the appreciation and respect of the Board of Supervisors for their service to the citizens of Lancaster County.

Done this the 31<sup>st</sup> day of January, 2013.

VOTE:	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye

Ernest W. Palin, Jr.	Aye
William R. Lee	Aye
B. Wally Beauchamp	Aye

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of January 2013 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for January 2013 in the amount of \$231,299.45 and invoice listings for January 2013 in the amount of \$756,929.25\*.

\*Loan Payments - \$301,923.60

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

2. Appropriations Adjustments-Forfeited Assets and K-9 Donations Accounts

Mr. Pleva stated that per Bonnie Haynie, Lancaster County Treasurer, a transfer for the Commonwealth Attorney from the Forfeited Asset account and transfers for the Sheriff from the K-9 donations account have required that adjustments be made to the appropriated amounts. The General Fund revenue and expense account appropriations are affected as follows:

<u>Account</u>	<u>Increase in Appropriation Amount</u>
3100-41050-0214 (revenue)	\$783
4100-22100-5540 (expense)	\$783
3100-41050-216 (revenue)	\$5,832
4100-31200-5850 (expense)	\$5,832

Mr. Beauchamp made a motion to approve the adjusted appropriations.

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

3. Greentown/Gaskins Road Community Improvement Project-USDA Loan Resolution

Mr. Pleva stated that the board had approved getting a loan in June for the wastewater system for this project. He stated that the loan of \$171,000.00 is a low interest loan with two percent interest. He further stated that, since the last meeting, he had signed an agreement that if interest rates go down, the loan's interest rate will go down, but it is capped at two percent.

Mr. Pleva stated that approving the enclosed loan resolution is one of the steps required to close the loan. He stated that there will be other requirements later, such as acquiring easements.

Mr. Lee made a motion to approve the USDA loan resolution.

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

**BOARD REPORTS**

Mr. Jenkins made a motion to reappoint Mr. Robert S. Forrester to the Building Code Board of Appeals.

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

**COUNTY ADMINISTRATOR**

Mr. Pleva stated that he would like to thank the staff for their hard work since Zina Middleton has left her position and noted that Steve Daum is on medical leave.

Mr. Palin asked if anyone was going to the school budget meeting being held at the middle school on February 11.

Mr. Pleva stated that he thought he might attend.

Mr. Jenkins stated that he appreciated the effort for open communications, but did not know what the school board's budget plans were yet and thought it might be premature.

Mr. Beauchamp stated that it was his understanding that the school board did not authorize the meeting.

**CLOSED SESSION**

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 matters to be discussed in the closed meeting are Real Property, § 2.2-3711.A.3, Personnel Matters, § 2.2-3711.A.1 and Legal Consultation, § 2.2-3711.A.7 of the Code of Virginia, 1950, *as amended*. The purposes of the closed meeting are to discuss the acquisition of real property, personnel matters and legal consultation. The subject and purpose falls within the following exemption(s) under § 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), § 2.2-3711.A.1 (candidates for employment OR the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, resignation of employees) and § 2.2-3711.A.7 (consultation with legal counsel employed or

retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.)

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

**RECONVENE**

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

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

**CERTIFICATION**

**WHEREAS**, the Lancaster County Board of Supervisors convened in a closed meeting on January 31, 2013 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Real Property, § 2.2-3711.A.3, Personnel Matters, § 2.2-3711.A.1 and Legal Consultation, § 2.2-3711.A.7 of the Virginia Freedom of Information Act;

**WHEREAS**, § 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. Bellows 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. Jenkins called the question. A roll call vote was taken:

**ROLL CALL**

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

This certification resolution is adopted.

No action taken on the closed meeting matters.

**ADJOURNMENT**

Motion was made by Mr. Bellows to adjourn.

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