

## **VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, February 28, 2002.

Present:        B. Wally Beauchamp, Chair  
                  Donald O. Conaway, Vice Chair  
                  F. W. Jenkins, Board Member  
                  Cundiff H. Simmons, Board Member  
                  Patrick G. Frere, Board Member  
                  William H. Pennell, Jr., County Administrator

### Others

Present:        Jack Larson, Joseph Staton and Robert Harper, Department of  
                  Transportation; Annett Jewell and Paul Chapman, Extension  
                  Office; Weston Conley; Joan Wenner, Northern Neck News;  
                  Robert Mason, Rappahannock Record

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

Mr. Beauchamp expressed his appreciation to Mr. Conaway and the youth of his church for picking up the litter on their adopted highway.

## **PUBLIC INPUT**

### Litter and Recycling

Julia Perkins of White Stone stated the litter in Lancaster County has been increasingly worst over the years. Also, recycling of plastic has become an issue of concern.

## **PRESENTATIONS**

1. New 4-H Agent – Annette Jewell, Cooperative Extension Agent introduced Paul Chapman the new 4-H Agent.

Mr. Chapman gave his educational background and stated he work at Belle Isle State Park last summer. He plans to go into the schools with new programs, new summer programs and was very excited about his position as the new 4-H Agent.

Mr. Beauchamp welcomed Mr. Chapman on behalf of the Board of Supervisors.

## **VDOT**

### **Financial and Project Status**

Mr. Staton stated that VDOT currently had problems with their financial situation and there is no further information.

Mr. Staton stated that Route 630 Taylors Creek Road was the top priority on VDOT secondary plan, which was scheduled to be advertised in August 2002. He said he has been notified that this project would be delayed and unfortunately he does not know how long. He stated that he has provided the history and development of the project to the commissioner, governor and district administrator as they had requested. There has been over a half of a million spent on designs, “right of way” acquisition, and utility adjustments and VDOT would be continuing with surveys. They have been instructed to continue working on this project, so that when the financial situation was resolved they would be ready to proceed with this project.

Mr. Staton stated the Route 3 project was scheduled for June 2003 which was the primary system. He said that the primary system project has federal funds attached and has a higher priority then the secondary system. VDOT was continuing to buy the “right of way” and preparing to have this project ready for June 2003.

Mr. Staton said there would be a pre-allocation hearing the first or second of April, by May 1<sup>st</sup> the tentative Six Year Plan, June 1<sup>st</sup> there would be a public hearing on the Six Year Plan and by the end of June the Six Year Plan would be approved.

Mr. Staton stated there was a cash flow problem in maintenance. VDOT has been promised a 4% increase in maintenance funds, however; with the current financial outlook this may not happen.

### Speed Limit Reduce Request

Mr. Staton said he had a request for speed reduction study on James Wharf Road.

Mr. Simmons said he believe that the citizens on James Wharf Road would appreciate the study and the citizens on Ring Farm Road appreciated VDOT's assistance with the speed reduce.

Mr. Frere stated that White Stone citizens are requesting that the speed limit be reduced from 35 to 25 mph on Route 3 near the White Stone Family Practice.

By consensus of the Board of Supervisors, to have VDOT do both speed limit reduction studies.

### Local Report

Mr. Harper stated the ferry would be out of service for approximately 3 – 5 weeks for an overhaul. The last overhaul was done over five years ago. He said there have been more people and groups getting bags and vest and stated as soon as weather break they would pick up litter. VDOT was having problems with signs being stolen and they are currently trying to replace the signs.

**PUBLIC HEARINGS**

1. Wayne Reynolds – Application for Change of Zoning District Classification – Mr. Larson stated a request was made by Wayne Reynolds, Callis and Reynolds, Inc., to rezone property described as tax map 25-23/231/232/233/234/235/236/237/238 from R-1, Residential, General, to A-2, Agricultural, General. This property is located off Route 604, Ottoman Ferry Road, near Ottoman, VA and is in Voting District 1.

Mr. Larson stated the Board of Supervisors members may recall this as some of the same property that a contract buyer, Richard Supchak, recently attempted to get rezoned fro R-1 to C-1. That request was denied because it was felt that commercial used would be incompatible with permitted uses on surrounding property that was zoned A-2 to R-1. Such rezoning was viewed as “spot rezoning”. If approved, this property owned by Mr. Reynolds and other property owners in the immediate area.

Mr. Larson said the Planning Commission is forwarding this request recommending approval by a vote of 5 – 0. This matter has been advertised and adjoining property owners notified by certified mail. Staff has received no input on this matter from adjoining property owners or interested members of the general public relative to this public hearing. There was a concern expressed by two adjoining property owners prior to and during the public hearing held by the Planning Commission as to this request also changing the zoning of their property. When they were assured that it would not, they indicated no objection to this request.

Mr. Jenkins made a motion to approve the application for change of zoning district classification requested by Wayne Reynolds.

VOTE:    B. Wally Beauchamp    Aye  
             Donald O. Conaway    Aye

Patrick G. Frere	Aye
F. W. Jenkins	Aye
Cundiff Simmons	Aye

**CONSENSUS DOCKET**

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

A. Minutes for January 31, 2002 and February 14, 2002

Recommendation: Approved

B. Board of Zoning Appeals Report of Activity

Recommendation: Approve as presented

C. Pump and Haul Permit Request – William R. Ancarrow

Recommendation: No Action Taken

VOTE: B. Wally Beauchamp Aye  
Donald O. Conaway Aye  
Patrick G. Frere Aye  
F. W. Jenkins Aye  
Cundiff Simmons Aye

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of February 2002 Salaries and Invoice Listings

Motion was made by Mr. Simmons to approve the Salaries for February 2002 in the amount of \$128,619.97 and Invoice Listings for February 2002 in the amount of \$335,988.85.

VOTE: B. Wally Beauchamp Aye  
Donald O. Conaway Aye  
Patrick G. Frere Aye  
F. W. Jenkins Aye  
Cundiff Simmons Aye

2. Rappahannock Westminster-Canterbury 2002 Industrial Development Authority Bonds – Mr. Pennell stated the Lancaster County Industrial Development Authority met on February 14, 2002 to consider the issuance of revenue bonds in the amount \$26,555,000 to refund previously issued bonds and to facilitate new projects planned for Rappahannock Westminster-Canterbury. The IDA approved the issuance of these bonds. The approval of the Lancaster County Board of Supervisors is required before these bonds can be issued.

Mr. Bunting stated the bond would be used for the renovation of Rappahannock Westminster-Canterbury by expanding the dining facility, kitchen and more living facilities.

Mr. Jenkins made a motion to adopt Rappahannock Westminster-Canterbury 2002 Industrial Development Authority Bonds issuance request with the amendment of 1/8 of one percent service charge.

VOTE: B. Wally Beauchamp Aye  
Donald O. Conaway Aye  
Patrick G. Frere Aye  
F. W. Jenkins Aye  
Cundiff Simmons Aye

**RAPPAHANNOCK WESTMINSTER-CANTERBURY**

**ISSUANCE OF 2002 INDUSTRIAL DEVELOPMENT AUTHORITY**

## **BONDS**

**WHEREAS**, the Industrial Development Authority of Lancaster County, Virginia (the “Authority”), has considered the application of Rappahannock Westminster-Canterbury, Inc. (the “Corporation”), requesting the issuance of the Authority’s revenue bonds in an amount estimated not to exceed \$26,550,000 (the “2002 Bonds”), the proceeds of which are to be used to (1) finance or refinance the costs of certain improvements (the “Project”) to the residential and health care facility for the aged located at 132 Lancaster Road, Irvington, Virginia (the “Facility”), owned and operated by the Corporation, and (2) refund all or a portion of the Authority’s outstanding Residential Care Facility Mortgage Revenue Refunding Bonds (Rappahannock Westminster-Canterbury), Series 1996 (the “1996 Bonds”), issued in the original principal amount of \$19,385,000; and

**WHEREAS**, the Project consists of the following additions and improvements to the Facility: (1) dining room and kitchen renovations and expansions, including storage space, replacement of kitchen equipment and renovation of approximately 9,500 square feet, (2) construction of six free-standing residential cottages, each of approximately 2,300 square feet, (3) renovations and improvements to existing residential units, including cottages, apartment units, assisted living units and the healthcare center, (4) constructing and installing a sewer connection with the Town of Kilmarnock, including costs of closing an existing wastewater treatment plant, and (5) acquisition of routine equipment additions and other capital improvements for the next 36 months; and

**WHEREAS**, the Authority on February 14, 2002, has held a public hearing on the issuance of the 2002 Bonds and the financing of the Project as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and Section 15.2-4906 of the Virginia Industrial Development and Revenue Bond Act, as amended (the “Act”); and

**WHEREAS**, the Authority has requested the Board of Supervisors (the “Board”) of Lancaster County, Virginia (the “County”), to approve the issuance of the 2002 Bonds to comply with Section 147(f) of the Code, and Section 15.2-4906 of the Act; and

**WHEREAS**, a copy of the Authority’s resolution of February 14, 2002, approving the issuance of the 2002 Bonds, a record of the public hearing and a fiscal impact statement with respect to the issuance of the 2002 Bonds have been filed with the Board;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LANCASTER COUNTY, VIRGINIA:**

1. The Board hereby approves the issuance of the 2002 Bonds by the Authority for the benefit of the Corporation, to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Act, to permit the Authority to issue the 2002 Bonds for the purposes set forth above.
2. The approval of the issuance of the 2002 Bonds does not constitute an endorsement of the 2002 Bonds or the creditworthiness of the Corporation. As required by Section 15.2-4909 of the Act, the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the 2002 Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefore, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the County or the Authority shall be pledged thereto. The purchaser of the 2002 Bonds must acknowledge (which may be made in a bond purchase agreement or other document) that any purchase of the 2002 Bonds will be made solely based on representations of the Corporation and no representations of any kind as to the Project or the ability of the Corporation to repay the 2002 Bonds has been made by the Authority or the County.
3. The approval of the issuance of the 2002 Bonds is contingent upon an agreement between Rappahannock Westminster-Canterbury and the Lancaster County Industrial



Development Authority prior to the issuance of the 2002 Bonds as to the payment of an annual fee to the Lancaster County Industrial Development Authority of 1/8<sup>th</sup> of 1% of the unpaid principal amount of the 2002 Bonds.

4. This Resolution shall take effect immediately upon its adoption.

### **CERTIFICATE**

The undersigned Clerk of the Board of Supervisors of Lancaster County, Virginia (the "Board"), hereby certifies as follows:

1. A regular meeting of the Board was held on February 28, 2002, at which meeting the following duly elected members were present or absent:

PRESENT: F. W. Jenkins, Jr.  
Donald O. Conaway  
Patrick G. Frere  
Cundiff H. Simmons  
B. Wally Beauchamp

ABSENT: None

2. Attached hereto is a true, correct and complete copy of a resolution adopted by a majority of the members of the Board present and voting at such.

3. The resolution has not been repealed, revoked, rescinded or amended, and is in full force and effect on this date and constitutes the only resolution adopted by the Board relating to the issuance by the Industrial Development Authority of Lancaster County, Virginia, of its revenue bonds for the benefit of Rappahannock Westminster-Canterbury, Inc.

**WITNESS** the following signature this 28th day of February, 2002.

3. Request by the Corrottoman Civic Center for Exemption from Real Estate and Personal Property Taxes – Mr. Pennell stated he received a letter from John R.

McCarty, President of the Corrottoman Civic Center, asking the Board of Supervisors to consider exempting that organization from Real Estate and Personal Property taxes.

Mr. Conrad, representative for Corrottoman Civic Center stated they are a non-profit corporation and has been since 1970. The Corrottoman Civic Center has been used for a number of different functions such as church gatherings, wedding receptions, family reunions and Volunteer Fire Department dinners, etc. They also raise money for needy families in the area.

Mr. Jenkins made a motion to go to public hearing for the Corrottoman Civic Center for Exemption from Real Estate and Personal Property Taxes.

VOTE:	B. Wally Beauchamp	Aye
	Donald O. Conaway	Aye
	Patrick G. Frere	Aye
	F. W. Jenkins	Aye
	Cundiff Simmons	Aye

4. Resolution – In Memory of Michael W. Grigsby – Mr. Pennell stated that former Lancaster County Building Official passed away on February 24, 2002.

**IN MEMORY OF MICHAEL WAYNE GRIGSBY**

**WHEREAS**, Michael Wayne Grigsby was employed as Lancaster County's Building Official from December 12, 1986 until June 11, 1999; and

**WHEREAS**, Michael Wayne Grigsby was recognized by the National Academy of Code Administration as a Certified Professional Code Administrator; and

**WHEREAS,** Michael Wayne Grigsby was designated a Virginia Building Official by the Virginia Department of Housing and Community Development; and

**WHEREAS,** Michael Wayne Grigsby received many favorable comments from the citizens and contractors of Lancaster County; and

**WHEREAS,** Michael Wayne Grigsby was a well-liked, friendly co-worker of county employees; and

**WHEREAS,** Michael Wayne Grigsby's employment was appreciated by the members of the Lancaster County Board of Supervisors for whom he worked; and

**WHEREAS,** Michael Wayne Grigsby died on Sunday, February 24, 2002.

**NOW THEREFORE BE IT RESOLVED,** that the Lancaster County Board of Supervisors mourns the loss of a good friend and former employee, Michael Wayne Grigsby; and wishes his family its heartfelt sympathy.

VOTE:	B. Wally Beauchamp	Aye
	Donald O. Conaway	Aye
	Patrick G. Frere	Aye
	F. W. Jenkins	Aye
	Cundiff Simmons	Aye

## **BOARD REPORTS**

County Resident Identification for Disposal of Solid Waste

Mr. Simmons stated that contractors are coming from as far as Westmoreland to dump construction debris and/or old appliances. He said non-residents should not be allowed to use the refuse sites.

Mr. Conaway stated the county tried using decals on county resident vehicles, however; the problem was that out of town land owners don't always drive the same vehicle.

Mr. Simmons said issue cards to the out of town land owners and decals for residents of the county.

Mr. Jenkins stated he realize this was a problem, however; decals would not work because of care givers and others that work for elderly citizens of Lancaster County.

By consensus of the Board of Supervisors, to have Glen Rowe research other methods for identifying county resident for disposal of solid waste.

#### Cable Service

Mr. Conaway stated a former board member Charles Kenner would be moving to Nuttsville onto Route 624. There was currently no cable service in that area and wanted to know the schedule for cable in that area.

Mr. Pennell stated he would check on the status of cable installed in that area.

#### Appointment

Mr. Frere stated Donald McCann was appointed to the Historic Resource Commission and not on the list.

Mr. Pennell said he has been notified and he needed to be sworn in.

## **COUNTY ADMINISTRATOR**

### **School Census**

Mr. Pennell asked the Board of Supervisors would they like to have someone from the Lancaster County Schools to attend the next board meeting to give a report.

By consensus of the Board of Supervisors, to let the schools continue with school census and no report was needed at this time.

### **Street Sign RFP**

Mr. Pennell stated he has samples of RFP to put out for the E911 street signs and asked the Board of Supervisors would they like to have a representative come in and give a presentation? The signs are the same as the Northumberland and Richmond County signs.

By consensus of the Board of Supervisors, to have Mr. Pennell proceed with the street sign RFP.

### **Budget Work Session**

Mr. Pennell stated he needed to schedule a date and time for the budget work session for county and non county agencies.

By consensus of the board the budget work session was scheduled for March 26, 2002 at 6:00 p.m. in the General District Courtroom for county and non county agencies.

## **ADJOURNMENT**

Motion was made by Mr. Conaway to adjourn the meeting to March 26, 2002 at 7:00 p.m. in the General District Courtroom to meet with the county and non-county agencies to discuss their budget request.

VOTE:	B. Wally Beauchamp	Aye
	Donald O. Conaway	Aye
	Patrick G. Frere	Aye
	F. W. Jenkins	Aye
	Cundiff Simmons	Aye