

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, March 30, 2006.

Present: F.W. Jenkins, Jr., Chair
Peter N. Geilich, Vice Chair
B. Wally Beauchamp, Board Member
Jack S. Russell, Board Member
Ernest W. Palin, Jr., Board Member
William H. Pennell, Jr., County Administrator

Others

Present: Clifton Balderson and Robert Harper, Virginia Department of Transportation; Charles Costello, Friends of Lancaster County; Jack Larson, Planning/Land Use; Robb Hoff, Rappahannock Record

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

PUBLIC INPUT

None

PRESENTATION

1. Robinson Farmer Cox Associates 2005 Audit – Mr. Paul Lee commended the staff for a job well done. This is the third year of GASB34 reporting. The net assets are moving up. Fund balance is \$1.7 million or 8% of the budget, however; RFC recommends it to be a little higher. The tax collection for the county is at 99.5%, whereas most localities are at 98%.

Mr. Geilich asked if there were any shortcomings.

Mr. Lee stated that fund balance should be at 15% of the annual budget.

Mr. Jenkins stated that holding funds is poor use of taxpayer funds.

Dr. Russell asked if Lancaster County had a bond rating, what would be the rating be.

Mr. Lee stated probably an “A” or “A+” guaranteed.

2. Foundation for Historic Christ Church – Request for Assistance – Mr. John Hunt, President, Foundation for Historic Christ Church request that the Board of Supervisors draft a resolution of support and act as sponsor for a grant. The foundation would like to protect the view shed of the Church and the historic resources on the site. They would like to also enhance the visitor experience by creating south-side parking, bus parking and related walkway guiding visitors directly to the Carter Reception Center and Gallery, expand the size of the interpretive gallery, update and add new permanent displays, including digital interactive exhibits, provide space for temporary exhibits and add interpretive signage to the brick manufacturing site.

Mr. Pennell asked if this grant would be handled as a previous grant for electrical work where the county was a sponsor. Money was placed in an interest bearing account with the county and the payment was made out of that account. Would this grant be handled in the same?

Mr. Hunt said yes, the county would be the fiscal agent and oversee the financing.

Dr. Russell asked approximately how many visitors tour Historic Christ Church per year.

Mr. Hunt said in the past they have exceeded 10,000 per year, however; visitation has been down recently but so are other historical sites in the state.

Mr. Beauchamp asked if the adoption of the resolution would take care of the financial support request.

Mr. Pennell said yes.

Mr. Beauchamp made a motion to adopt the following resolution as a Project Sponsor for the proposed ISTE A Grant for Historical Christ Church:

CHRIST CHURCH – ISTE A GRANT REQUEST

WHEREAS, Christ Church, a unique and extraordinary example of early colonial church architecture, is a treasure and asset to our community; and

WHEREAS, Christ Church has been designated a Virginia and National Historic Landmark; and

WHEREAS, since 1958 the Foundation for Historic Christ Church, through its corps of volunteers now numbering 270, has provided an enlightening interpretation of the Church and its history to tens of thousands of visitors; and

WHEREAS, in anticipation of its 50th anniversary in 2008 the Foundation is undertaking significant improvements to the interpretive gallery, grounds and support facilities for the purpose of enhancing the visitor experience.

NOW THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors

- praises the Foundation for its faithful preservation of Christ Church,
- takes note of and endorses the carefully conceived plans to attract visitors and enhance their experience through improvements to its facilities and grounds, and,
- commends the Foundation and its plans to those funding sources, public and private, from which it will seek support, and
- agrees to be the Project Sponsor for the proposed ISTE A grant request for funding of the parking, walkways, and related landscaping associated with the 50th anniversary Master Site Plan.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye

3. Lancaster County Chamber of Commerce – Main Street Initiative – Ms. Susan McFadden stated that Jackie Brown would be assisting with the Main Street Initiative presentation on behalf of the Lancaster County Chamber of Commerce. She said the Chamber of Commerce has been exploring the possibility of creating a Main Street Program involving the Towns of Kilmarnock, Irvington and White Stone as well as businesses throughout the county. “Main Street” is a nationally recognized program designed to revitalize languishing business/buildings to restore communities.

Ms. Brown said the Chamber of Commerce feels it is time to discard old patterns that no longer serve the county and believes it is in the interest of the

towns and businesses to set aside long standing political differences to identify mutual interests and pull together resources, set goals and work in concert to obtain them. The Chamber believes it is time to create a plan for promoting economic interest and has spent nearly a year creating a plan. The fact of the matter is that individuals operating a business do not have the time, resources or money to make the efforts needed to grow a local economy. The Chamber would like to adopt a proven model used by Virginia Main Street. They are proposing that an application be made to Virginia Main Street for a tri-town designation for our three incorporated towns, which arguably are the economic center of Lancaster County. The Chamber believes that the model support the county's objective of maintaining commercial growth at the existing town centers and avoids ugly commercial spawn. The Chamber further proposes that a Board of Directors be formed with a representative from all five districts, in order to immediately identify joint economic goals and that a Program Manager be hired. The role of the Program Manager would be to work on agreed joint goals, create and run area-wide events and engage in promotional activities to benefit the entire county. Individual towns would have at their disposal the wealth of resources of Virginia Main Street to pursue their design vision and specific community goals. The Chamber is requesting the support of the Board of Supervisors for leadership.

Mr. Jenkins said for a lot of people in his district would find this to be insulting. He can not support funding of the Main Street Program because there are decent and hard-working people in the county, who do not have a business in one of the incorporated towns. There are some people in the incorporated towns that are not citizens of the county that will benefit from the program, while citizens and county taxpayers will not benefit.

Ms. McFadden said that the Main Street Program is typically a single town project and the Chamber, facing a challenge, is trying to do this project as a multi-town. In the state of Virginia there has never been a multi-town effort, but has been done in other states successfully.

Mr. Jenkins suggested that the project incorporate the established enterprise zone and make that work for the application.

Dr. Russell said that the Main Street Program is worthwhile, but needs to include the entire county.

Ms. McFadden said the Chamber had no intention of not including the whole county, however; they were taking a model that has been proven to work across the country. She asked if the Chamber could overcome the objection, find a way to move forward and view this as a countywide effort, would the Chamber have the support of the Board.

Mr. Jenkins said he would like to see a modified proposal incorporating the recommendations made at this meeting.

Ms. McFadden said the Board is totally separate from the Chamber with representatives from all five districts to craft the framework. The Chamber is just trying to get the Main Street Program started. This is a wonderful opportunity for the county and starting point for the program.

Mr. Beauchamp asked what support has the Chamber received from businesses.

Ms. McFadden said they only have verbal support at this point, because they are in the beginning stages. This is a private/public partnership.

Mr. Jenkins said the Villages of Lively, Weems and other unincorporated areas are missing and need to be included.

VSH825/Black Stump Road & VSH 788/White Pine Road

Mr. Balderson stated that VSH 825/Black Stump Road and VSH 788/White Pine Road projects have been completed.

Land Use Applications

Mr. Balderson said information is being sent out for land use applications. He said changes are being made for land use applications for subdivisions, in order for the county and state to work together better.

1. Town of White Stone – Traffic Impact Study – Wal-Mart – Mr. Balderson stated they will be asking Wal-Mart to supply a traffic study that will include all access routes to Lancaster County.

Mr. Geilich asked that the western end of the county be included in the traffic impact study.

Mr. Beauchamp questioned the timing of the light at Church and Main Streets and how traffic flow would be affected by this light and Wal-Mart.

Mr. Balderson said the new light should change the situation and a study was done for the Town of Kilmarnock on March 29, 2006, but did not include the traffic southbound Route 3.

Mr. Geilich asked is there a timeframe associated with the traffic study.

Mr. Balderson said usually about sixty days.

Dr. Russell asked if they would take into consideration the difference in population between February and July.

Mr. Balderson said yes.

Mayor Hubbard stated he has safety concerns for citizens and the increased traffic will change plans for White Stone's streetscape. He thanked Robert Harper and staff for always being timely and efficient. He thanked the Board of Supervisors for their continuing support.

New Residency Facility

Mr. Beauchamp stated he attended the open house and was very impressed.

Mr. Balderson said the new set up will help serve the area better.

PUBLIC HEARINGS

1. Request to Amend Proffers – Knull Properties, LLC – Mr. Larson presented a request by Knull Properties, LLC to amend proffers offered on Tax Map #26-16 and established as conditions in granting rezoning to M-1, Industrial, Limited. The purpose of the requested amendment is to gain approval to operate a snack bar on the subject property. This property is a part of Yankee Point Sailboat Marina and is at the end of VSH 610, Oak Hill Road, near Ottoman, Virginia. The property is in Voting District 1.

Mr. Larson said as reflected in the draft minutes of the February 16, 2006 regular meeting of the Planning Commission which were provided to the board, this request was well supported. No adjoining property owner or other interested member of the public expressed opposition to the request.

Mr. Larson stated adjoining property owners have been notified and advertising conducted as required by law for this hearing of the issue. To date there has been one letter of support from an adjoining property owner or other interested members of the public.

Chairman Jenkins opened the public hearing.

Mr. Knull stated the snack bar will have outside seating only between the pool and snack bar. The amenity is patrons only and does not believe there will be an impact of any increased traffic.

Mr. Beauchamp asked about the hours of operation.

Mr. Knull said the pool closes at 10:00 p.m.

Mr. Jenkins asked about the pool policy.

Mr. Knull stated that the pool has a locked 6' fence and is lighted.

Chairman Jenkins closed the public hearing.

Mr. Jenkins made a motion to Approve the Request to Amend Proffers for Knull Properties, LLC to operate a snack bar with the agreement over hours of operation and lighting.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye

CONSENSUS DOCKET

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

A. Minutes for February 23, 2006

Recommendation: Approve the minutes with amendments

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of February 2006 Salaries and Invoice Listings

Motion was made by Mr. Beauchamp to approve the Salaries for March 2006 in the amount of \$168,229.09 and Invoice Listings for March 2006 in the amount of \$478,897.18.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye

2. District 1 – Change of Polling Place – Mr. Pennell stated this issue has been resolved earlier with an emergency ordinance. The Lancaster County Elections

Board asked that the Board of Supervisors take the appropriate action to change the designated polling place for District 1 from the Upper Lancaster Volunteer Rescue Squad to the Lancaster Ruritan Recreation Center, 3989 White Chapel Road, Lancaster, Virginia.

The Board of Supervisors agreed by consensus that the county administrator advertise the change in District 1 Polling Place ordinance for the April regular monthly meeting.

3. Lancaster High School Roof Project – Project Manager Fees - Dr. Latimore stated an invoice has been submitted for payment from the project manager on the high school roofing project.

Dr. Latimore said this invoice dates back to 2004 and part of 2005. These funds have been withheld from payment pending schools final resolution of warranty issues, liquidated damages, etc. and payment is now recommended.

Mr. Geilich made a motion to approve the expenditures and appropriate \$12,627.00 from the Capital Improvement Account to the General Fund to cover the expenses.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye

4. Lancaster Middle School – Replacement of Boiler Valves – Dr. Latimore described the failure of boiler valves at the middle school. He asked the Board for a supplemental appropriation of \$4,250.00 to pay for the replacement of these valves.

Dr. Latimore said the two large valves connected to the HVAC system have failed. These two valves are in addition to the other valves that are already scheduled to be replaced at the beginning of April. The two valves are connected to a water circulation pump, which serves the heating and air conditioning needs of the middle school. At this time, pump #2 is inoperable and cannot be repaired because of the two bad valves and the middle school does not have a back up pump.

Mr. Beauchamp said he find it difficult to believe that the schools can not find \$4,250.00 in a 13 million dollar budget.

Dr. Latimore stated the school overspent in heating oil and fuel by \$111,000.

Mr. Jenkins said that the school overspent in operations and maintenance.

Dr. Russell asked if anyplace had been underspent.

Dr. Latimore stated he does not believe so.

Mr. Pennell stated the school board needs to look at its "bottom line" budget.

Mr. Geilich said if under contract then how do you overspend.

Dr. Latimore stated when the budget was done the school board did not have contract amounts.

Dr. Russell made a motion to approve the expenditures and appropriate \$4,250.00 from the Capital Improvement Account to the General Fund to cover the expenses to replace the boiler valves.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Nay
	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye

ROTC Building

Dr. Latimore stated they are requesting funding for the Junior Air Force ROTC Building in the amount of \$13,000 for a modular building, \$4,600 for Virginia Dominion Power and \$1,500 for the Electrician, \$1,000 for Verizon, \$1,000 for internet, \$1,000 for under ground work for computer hung up, \$600 – \$1,100 for the lease of the building, and \$3,804 for a surveillance camera. The total cost of the project that must be in place by July 1, 2006 is approximately \$27, 400. The unit set up is for foundation and ground work with lease for three years.

Mr. Jenkins stated the board requires a more detailed breakdown of the \$13,000.

Dr. Latimore asked do they have permission to proceed.

Mr. Jenkins said yes to planning.

Mr. Pennell said to check with Dilday Builders to compare pricing.

By consensus of the board a budget work session has been set for April 4, 2006 at 5:00 p.m. at the School Board Office.

5. Declaration of Local Emergency – High Fire Hazard – Mr. Pennell said after consultation with Mr. Beauchamp, Lancaster County’s Director of Emergency Services, the county declared a local emergency in order to enact an open burning ban due to the extremely dry conditions leading to a high possibility of uncontrolled fires in the county. This initial declaration needs to be ratified by vote of the Board of Supervisors.

Mr. Geilich asked if there is enforcement and would this create a hardship?

Mr. Pennell stated Westmoreland County, Northumberland County, and Richmond County have adopted a resolution of local emergency in order to enact an open burning ban and he was not aware of any hardship.

Mr. Geilich made a motion to adopt the following resolution in Declaration of a Local Emergency due to extremely dry conditions and high fire probability:

**DECLARATION OF A LOCAL EMERGENCY
EXTREMELY DRY CONDITIONS – HIGH FIRE PROBABILITY**

WHEREAS, the Lancaster County Board of Supervisors hereby finds that:

Due to the extremely dry conditions this spring, Lancaster County is facing a condition in which there is a high probability that persons or property are in danger of fires spreading and becoming uncontrollable which necessitates the

proclamation of the existence of an emergency in order to provide mitigation, preparedness and activities to protect life and property.

NOW THEREFORE BE IT RESOLVED that an emergency now exists throughout Lancaster County and an absolute ban on open burning is in effect for Lancaster County until such time as conditions change and this ban is revoked by the Lancaster County Board of Supervisors; and

BE IT FURTHER RESOLVED that during the existence of said emergency, the powers, functions and duties of the Director of Emergency Services and the Emergency Operations organization of Lancaster County shall be those prescribed by state law and the ordinances, resolutions and approved plans of Lancaster County in order to mitigate the effects of said emergency.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye

BOARD REPORTS

Dr. Russell said that leadership is value added to the county. Leadership is important to growth, infrastructure, comprehensive plan, and anything in the future. Trying to increase energy and knowledge of what is happening in the county. Starting a leadership program in the county will make jobs easier. This will build relationships and is more likely to increase involvement. The training program he would like to start will give insight to issues and how to solve problems as a team. He would like to establish a steering committee to put the program together and to do this without government money. This will work in Lancaster County because of an abundance of human resource to provide training. It can build a farm system to fill government vacancies.

Mr. Beauchamp said that's an outstanding idea, as the Richmond area did the same thing. They normally have over 100 participants per class.

Mr. Jenkins asked how the class would be set up.

Dr. Russell said some will do youth classes as well as adult classes.

Abandoned Vehicles and Houses

Mr. Geilich said he has noticed a number of abandoned cars in yards and abandoned houses. Is there a system in place for request, because there is a chronic problem?

Dr. Russell said there an ordinance that talks to cars and trash, but what about boats.

Mr. Jenkins said a trailer is a vehicle and can be addressed.

Mr. Pennell said it can be dealt with on individual basis.

COUNTY ADMINISTRATOR REPORT

Mr. Pennell stated the board is invited to attend a recognition luncheon at Merrimac Center on April 28, 2006 at noon.

Mr. Pennell said there will be a VACo Region II meeting at Rose's on April 12, 2006.

Mr. Pennell stated Dr. Irungu, Director of Public Health will be in Gloucester on April 6, 2006 at Walter Reed Hospital speaking about Avian Pandemic Flu.

ADJOURNMENT

Motion was made by Mr. Palin to adjourn the meeting to April 4, 2006 at 5:00 p.m. to be held at the School Board Office.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Jack S. Russell	Aye
	Ernest W. Palin, Jr.	Aye