

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the Courthouse of said County on Thursday, April 27, 2000.

Present: B. Wally Beauchamp  
F. W. Jenkins, Jr.  
Donald O. Conaway  
Patrick G. Frere  
Cundiff H. Simmons  
William H. Pennell, Jr.  
James E. Cornwell, Jr.

Others

Present: Joseph Staton and Carter White, Department of  
Transportation Representatives; Jack Larson,  
Planning/Land Use Director; Press

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

**DEPARTMENT OF TRANSPORTATION**

VSH 600 – Mr. Staton reported on the status of the closed section of VSH 600. The adjacent landowner had donated the right of way, but, FEMA has denied funding. If we have to, we can adjust our planned activities and we will worry about funding later. Depending on the amount of time it takes to get the EPA permits, there may be more delays.

No action taken.

VSH 675 – Mr. Staton said it has rained since his last report, so there is not much to report. It will take about 30-45 days to finish this project.

No action taken.

VSH 3 – Mr. Staton said traffic engineers have come up with \$18,000 to improve the left turn at new doctor's office in White Stone. The 20 foot width will be extended down to VSH 637. It will be an unofficial passing lane. VDOT will try to get the work done before the end of this fiscal year.

No action taken.

Preallocation Hearing – Mr. Staton said that since the preallocation hearing has been cancelled, the Northern Neck Planning District Commission has corresponded with VDOT on the primary needs of the counties of the Northern Neck. Some projects discussed were the Route 360 by-pass feasibility and the Route 301 to 205 preliminary engineering.

No action taken.

Maintenance – Mr. Staton said the contractor started mowing about two weeks ago, but because of the rain has only been able to get in about 3 days of actual mowing. Also, the patching contractor will soon start working on the county roads.

No action taken.

VSH 600 – Mr. Conaway asked how far the VSH 600 project has been pushed back. Mr. Staton said it will take 45 days after advertising in June before a contract is awarded, and probably mid-winter before it is finished.

No action taken.

### PUBLIC HEARINGS

1. Audubon Society – Hickory Hollow Nature Trail – Mr. Pennell said the Northern Neck Audubon Society has proposed the purchase of 254 acres of the Hickory Hollow Nature Trail for \$320,000. They have included with the contract an appraisal of \$325,000, which includes timber value. Through a private source, the timber itself is assessed at \$229,000.

Frank Burke, representing the Audubon Society, said once the board approves the contract the Audubon Society will go forward with grant. A draft deed has been sent with the grant application for approval. The contract is contingent on receipt of the grant. The deed contains a clause relating to the property being protected in perpetuity. There is a letter attached to the contract and project agreement spelling out the requirements for land to be continually used as a nature preserve. The Audubon Society will be paying almost half of the purchase price and half will come from the grant. They feel it will be a sensational use.

Mr. Teeple of the Audubon Society said they hope the board will move forward on the sale of the property and they hope to close within the coming months.

With no further public comment, Mr. Beauchamp closed the public hearing.

Mr. Cornwell said he has no problem with this. The Deed of dedication provides that the grantor shall manage the property. His concern is that if the Northern Neck chapter is unable to manage the property; is there a possibility that the county would be interested in taking over management.

Mr. Burke said that is a reverter clause and the Northern Neck Audubon Society would have no problem with that.

Motion was made by Mr. Conaway to proceed with the sale of the 254.017 acres of the Hickory Hollow Nature Trail, according to the contract submitted, with the reverter clause included. Also, to authorize the county administrator to execute the contract. 5 – 0 Aye.

2. Donald Downs – Camp Little Bay, request for a special exception to change ten temporary campsites to ten permanent campsites. The property is zoned R-1. Approval of this application would constitute an expansion of the present nonconforming use.

Mr. Larson said he had received two letters of concern from adjoining property owners regarding traffic and diminishing property values.

Donald Downs said he plans to convert ten sites from 30-day campsites to campsites that will have campers year round in same spot. He feels more permanent campers would mean less traffic. Theoretically, right now, he could put a camper in spot A and move it to spot B after 30 days, and continue that year round.

Mr. Simmons asked how long the campground has been closed.

Mr. Downs said two years.

Mr. Simmons asked if the property loses its status as nonconforming after two years. Does he actually have a permit?

Mr. Frere said that two or three years ago people were staying for short times, and there was one long-term resident. In working with the health department, the county land use office verified the extent of use and number of sites to reestablish use. In doing research, there was one permanent site, a concrete wash house and twenty-two temporary sites.

Mr. Cornwell said this application is for ten sites. If there are 22 sites, does he only plan to change 10 of those to long-term sites?

Mr. Downs said only ten sites will be permanent sites.

Mr. Simmons asked if the owners would live there year round.

Mr. Downs said no. He does not want there to be anything negative for the county. He wants to manage this to a size that fits with the surrounding area.

Rosie George, an adjoining property owner, said when this was a campground they had lots of trouble with property being destroyed. There were drunks coming on to her property, and she has no one to protect her from that. It is a nice place, but with that much going on it should be in a larger place.

Gail Huff said she lives across the road. She is not against the ten campsites; her concern is where the sites are located. Will they be next to Mrs. George, or in the back?

Mr. Downs said the trailers would be near the woods with three or four more near the pier. They will be fifty feet from Mrs. George's property line.

Ms. Huff said she is concerned about Windmill Point Road. The roads down there are not being maintained. Several of the people who live there are elderly and were unable to attend tonight. They have a problem with all the building that is going on along Windmill Point Road. If we continue to build down there they will have more problems.

Mr. Downs said his mother lived there previously and ran the campground. He does not remember any incidents of drunkenness; and she would not have allowed that. They do have regulations that must be adhered to. He would want to be selective because it is a family affair. They want to keep it simple and quiet.

Mr. Jenkins asked if Mr. Downs had a copy of the regulations.

Mr. Downs said no, he did not have a copy of the regulations with him tonight.

With no further public comment, Mr. Beauchamp closed the public hearing.

Mr. Frere said that in hearing the concerns expressed, he would like to ask Mr. Larson if there were any proposed conditions staff would like to recommend.

Mr. Larson said staff has no recommendations other than the regulations Mr. Downs has mentioned.

Mr. Frere asked if this would be limited to travel trailers. He believes that is what has been applied for, and thinks the nonconforming activity is a temporary or seasonal campground. This is not for expansion in the number of sites. What we have before us is a change in use. Perhaps we should amend the zoning ordinance to allow permanent campsites as an allowed use with a special exception.

Mr. Larson said an expansion could include a change of use.

Mr. Cornwell said other localities have run into problems with permanent campers and the owners moving in permanently. It was suggested that there be a condition that no can live in a permanent camper from October to January, except on weekends. Or, that persons can not remain in camper for more than 30 days. Who will keep records of occupancy? You are really adding no additional sites here. The physical location of the sites will remain as they now exist. These suggestions are made to assure that you do not have permanent residents.

Mr. Conaway asked if we are changing the code to fit this situation? We need to be very careful, especially if this is not addressed in our ordinance.

Mr. Frere said he lives in close proximity to this site and will abstain from this vote.

Mr. Cornwell asked if it has been determined that this is a nonconforming use. Presently you have a campground there. It was previously described as a nonconforming use. The code allows for the expansion of a nonconforming use. This fits under the definition of section 12-4.

Mr. Conaway said his main concern is that they will be permanent sites.

Mr. Cornwell said the only reason this campground is in existence is because it is nonconforming. Mr. Cornwell said the concern is the occupancy of the recreational equipment, not how long the equipment sits on the site. That can be addressed in any conditions the board may set.

Motion was made by Mr. Conaway to deny the request as presented. He feels that even though it is expansion it is also changing the language and not addressed in our code.

Mr. Jenkins said that it seems that within the definition the terminology refers to occupancy, not placement. He is not sure that we would be able to stop the applicant from putting travel trailers on the site permanently. He believes the intent is that someone would not live there permanently. He does not see the argument that we are changing the code. We are working within the code.

Mr. Conaway said he disagrees. The way the code addresses it now is seasonal/temporary. Nothing addresses permanent campsites. Language would have to be put in code. He is not against the project, but we need to make sure we treat everyone fairly.

Mr. Jenkins said our code regulates the occupancy, not the placement of the vehicle there. That is where we are not changing the code. Temporary in nature is temporary habitat, not a full time residence. He thinks temporary as stated was solely to prevent full time occupancy of these sites.

Mr. Simmons asked if there was anything in code to prevent anyone from storing campers there.

Mr. Cornwell said there may not be anything in the code, but this is R-1 property and he certainly cannot do anything that will expand that nonconforming use.

Mr. Downs said at least one trailer stays there and has been left on the property. It is not connected to anything. The open season is April 1 to November 30. No one stays there other than during that time.

Motion was made by Mr. Simmons to grant the special exception with the following conditions:

No add-ons

No permanent habitation

No weekday use from October to January; it is to be restricted to weekends only during this period.

The owners will be held responsible for the peace and good behavior of the owners of the travel trailers or campers as defined by our ordinance.

Mr. Cornwell said the board could add a condition that the owner must enforce regulations to restrict noise and public behavior of campground residents to insure the peace, quiet and dignity of the community.

Mr. Conaway said there are two motions on floor. We need to call for vote.

VOTE: (Simmons motion) 3 Aye (Simmons, Jenkins, Beauchamp), 1 Nay (Conaway), 1 Abstain (Frere).

VOTE: (Conaway motion) 1 Aye (Conaway), 3 Nay (Simmons, Jenkins, Beauchamp), 1 Abstain (Frere).

2. James Welch & Pam Creek, request for a special exception to allow for the operation of a Bed and Breakfast with a maximum of 3 bedrooms. Applicant is proposing that this business be placed in a planned four-bedroom residence with the remaining bedroom being used by the owner.

Mr. Larson said the property is zoned R-1. He has received no opposition. There has been one concern expressed about the PURAFLO unit.

Ms. Kelly, an adjoining property owner, asked about additional facilities that may be forthcoming from what may be granted here tonight. She also asked about what Mr. Welch's intentions might be as to the saltwater pond between the two properties.

James Welch said the Property needs quite a bit of work. It has been abandoned for many years. His challenge is to make this property an asset. There is very little room to do anything. With the marshlands and pond, the site plan located the building and septic and PURAFLO locations. The land does not perk and can only be developed with a PURAFLO system. The only way it will work is the way it is on the plat. There will be only one building, which is the residence, which is to be moved back further from water. Everything had to be worked in and there is no room for expansion. He has no intention of doing anything more to the property. The only other thing they will try to do is stabilize the shoreline.

Mr. Cornwell asked what will happen to existing building.

Mr. Welch said it will be torn down.

Mr. Pennell said staff has approved the site plan.

Mr. Frere said there are at least three commercial fishermen who use that site. Will they be given ample time to relocate?

Mr. Welch said he has expressed his concern to the current owner to give ample notice to the commercial fishermen. He does not want that liability.

Mr. Beauchamp asked if there had been any discussion as to what ample notice might be.

Mr. Welch said he does not know anything about whatever agreement or contract there might be.

Mr. Frere said that any consideration Mr. Welch could give would be appreciated.

Mr. Welch said his Plan is to put shrubbery around the PURAFLO system.

Mr. Steele asked if he would keep the pier operating for the present time. Do they plan to tear down or build new piers?

Mr. Welch said his intent is to improve the piers. He does not plan to take them out.

Mr. Kelly asked what Mr. Welch plans to do with the pond. He has invested a lot of money in his property. What will happen to the remainder of the shoreline where riprap stops?

Mr. Welch said his understanding is that he can not do anything. He does not plan to change anything.

Ms. Steele said the county has told them the pond is private and they can do whatever they elect to do themselves without acquiring permits. They have already done some of that; they have put in 800 or more feet of riprap. He hopes that Mr. Welch will do the same thing on his side.

With no further comment, Mr. Beauchamp closed the public hearing.

Mr. Jenkins asked Mr. Welch if it is his plan to market the Bed and Breakfast with use of piers by guests. This application is for a Bed and Breakfast only.

Mr. Beauchamp said the contract on property is through his firm and he will abstain from the vote.

Mr. Beauchamp turned the meeting over to Mr. Jenkins.

Motion was made by Mr. Frere to approve the special exception with the following conditions:

1. The existing structure is removed prior to issuance of the certificate of occupancy.
2. An approved sewage system is to be screened from view.

VOTE: 4 Aye (Frere, Conaway, Jenkins, Simmons), 1 abstain (Beauchamp)

4. FY 2000-2001 School Budget

Mr. Pennell said the Board of Supervisors had previously been given a summary of the proposed school budget.

Kerry Broadway asked if this proposed budget addresses the ROTC program.

Mr. Latimore said the school board has approved the ROTC program, but the projected starting date is in the 2001-2002 school year.

Mr. Broadway asked if that was because of implementation or a budgetary delay.

Mr. Pennell said that in talking to those responsible, they could not do it this year.

Bruce Boston spoke to the board as a representative of Lancaster Education Association. They are concerned about an increase of only \$327,000. That would mean teachers' salary increases, supplies and much needed capital improvements would not be realized. The average salaries now trail those of other counties. The school system has sent recruiters to Maryland to try to get new teachers. They have taken a wait until later approach to capital improvements. We need additional school buses. The Primary School and High School both need roof repairs. The county must make an investment in the future of Lancaster County and invest in the Lancaster County schools.

Lea DeBauche, a student at the middle school, said the teachers are our foundation. Teachers influence every student they teach. They go out of their way to keep us motivated. Teachers use much of their personal time for grading and after school functions. Lancaster Middle School is looking for teachers, but salaries are so low we cannot get them. She hopes this board appreciates all the teachers and what they do for the children, and compensate them for the work they do.

Merle Stables, Primary School principal, encouraged the board to support the school budget as proposed. We would like to attract and keep quality teachers. Students deserve quality educators as well as a quality education. We would appreciate and need board support as we continue to educate the children of Lancaster County.

Janet Clavez said that the condition of the school facilities is a reflection of how people feel about themselves. The students are constantly distracted by leaks in the



ceiling. It is a distraction from their efforts to do the best they can do. Also, teachers do need to have a salary increase. They need affirmation to continue to do the job they do everyday. She urged the board to approve school budget as proposed. Success or failure lay at your feet.

Charles Costello said he does volunteer teaching. He wanted to remind the Board of the previous discussion on Hickory Hollow. We will not get industry to come here if we don't train our people. We have to start with the children. Taxes may have to be increased, and we may have to bite the bullet and give the schools what they are asking for.

John Spiak, teacher and coach, requested that budget stay as proposed. He is teaching biology from the same book he used as a high school senior in 1988. They need more money for new books. We now have grandstands, but only got them because the others were condemned. The only bathrooms we have for school games are portable. He thinks this is a disgrace.

Carol Burke said minds are being opened and taught. Behaviors are being taught. No matter how difficult the situation, children pursue the hope of their future every day. For the last thirty years our country and our county has done little to improve schools. Our schools are suffering from long-term neglect. We are unable to get certain state funds because our county is too affluent. If we fund our schools appropriately we will see results. Lancaster County falls at the bottom of the list when comparing county contributions to education. With the doubling of resources higher standards can be met. The public schools are the only public place where values are taught. Education gets less and less of our available funds. Lancaster County needs to provide abundant encouragement. She asks that the school budget be approved as submitted and, that this board come up with even more ways to improve our schools.

Kathy Cohen, a Middle School teacher said she made more money teaching in private school than in Lancaster County public schools. It is a shame that you ask teachers to work more hours for what little you pay them. It took the first month of school to come up with necessary materials. This year she has spent \$2,000 on materials for her students. The students need updated textbooks. Your teachers are motivated and put in some long hours. What are you going to do to keep them here? She thinks the county is doing teachers a disservice. As a teacher and someone who cares about the kids, what are you going to do?

Rosemary Moody agreed with what Kathy Cohen said.

Don McCann spoke in favor of teachers. He thinks they have done a handsome job and need to be rewarded for their work.

B. J. DeBauche, administrator at the hospital, said the hospital is trying to recruit medical staff. When she is asked to compare the schools, she tells them that she has met some wonderful teachers here and she has high hopes. What's happening here effects

more than just the schools? Medical staff is not coming because of the school system. The hospital is losing doctors because of the educational system. We have to have something to offer them to come here.

Stanley James said he would like to second the opinion that teachers are doing a fine job with what they have to work with. He does think we need to raise the salaries of teachers. He supports the teachers and the administration.

Courtney Williams said she is a teacher at Lancaster Middle School. She came here because she wanted to make it a place where students want to come to school. The implementation of the sports program has had an overwhelming response. She encourages this board to give us the incentive we need to keep these kids interested in learning. The sports program has forced students to look at their studies. Please help us try to reach our goals.

Cindy Swift said she has heard that teachers do an adequate job. It is now time that you give us the money to do more than just an adequate job.

Ronnie Forrester said he came here to support the teachers, kids and school system. Every year the same thing happens. He is a farmer and taxpayer. Farming is tough, but teaching is also tough. If the county would use the tax money, these teachers and students could get what they need. Every year his wife, who is a teacher, takes \$1,000 of her own money to buy materials for her students. It is time for this county to wake up and help them. We are going to spend \$500,000 to build a bridge, but don't have the money for our schools. Lancaster County has a group of great teachers. He is struggling financially, but he is not struggling as hard as the teachers are. He would like to see this county start moving forward. We are way behind. Happy children do better. We really need to start educating the kids.

Sarah Kent said she has dedicated her life to teaching and loves the children of this county. She asked that this board help the teachers to help them to become the kind of people we need in this country.

Alicia Reed said she is a coach. The children have to leave school early to go to games. She wants to be here for them next year, but can not keep up because of the low salary. She has to work two, three, or even four jobs just to keep up. She can not stay here unless she gets a salary increase. You have to realize there are teachers behind the children. You will not keep teachers unless you pay decent salaries.

Kevin Lorman said he is a Spanish teacher. And concurs with the comment about textbooks being outdated. We need more textbooks. We have a guidance counselor who has a degree in Spanish and she was put back in a classroom. He spoke with a teacher who felt discouraged because his voice would not be heard. You have the power to make the difference. This man once talked to a board member and said he did not have enough microscopes. That board member went to the high school and said it would change. That very summer they found the money to put microscopes in that classroom for the kids.

Roscoe Moody said he is an employee of the schools. When he worked for the schools, the superintendent got a raise but he didn't. Think about that.

Ed Blake, a teacher at the high school, said he has some concerns. He asked that the board members be polled as to how many were students in Lancaster County. There were two. He said those two well know the conditions of the schools. He has never been in a public school where he has been so loved. We are doing too much for too many with too little resources. If you can not meet the request, please exceed it.

William Ryan suggested the board give serious thought to developing some sort of program to get parents involved. There is no parental control, or precious little of it. He has heard of the need for books in the schools for the last five or six years. If that is true, why don't we spend the money to get the books? We also need to get the supplies. Not a limitless amount, but what they need. You have X number of dollars, and it may not be enough. But, spend it in the best way possible. If you have leaky roofs, fix them.

There being no further public comment, Mr. Beauchamp closed the public hearing.

Board agreed to schedule meeting on school budget for May 9, 2000 at 6:00 PM.

5. James D. Fischer, request for rezoning property to C-2. This is a continuation of a public hearing held last month.

Frank Burke, representing Mr. Fischer, said this application was originally filed as rezoning to C-1. Mr. Fischer said he has no problem with a C-2 rezoning. When they went before the Planning Commission they informed them that they had no problem with that recommendation. Subsequent to the Planning Commission meeting and before the board meeting some issues were raised. Mr. Fischer has decided to proffer to close at 10:00 p.m. during the week and 11:00 p.m. on weekends. They did this to clarify what Mr. Fischer plans to do. He will have a beauty shop in the front building and a small restaurant and office space in the back building. Mr. Fischer has gone to great effort to make the property more pleasing. The board asked about any additional traffic. Mr. Davis, with VDOT, said these types of businesses "might" cause 50 more vehicles per day.

Dr. Joyce Temple said her concerns are unchanged. She has no problems with the beauty shop. This thing keeps snowballing. To her, it seems that he is now stating that this is all he is asking for at this time. He will go through the right channels, and then will make changes. She does not want to live next door to an establishment like that. In February, this was a Dixie Deli type operation and now we are looking at closing times of 10:00 or 11:00 p.m.

Norman Dobyms said the GlebeField Association voted unanimously to wish Mr. Fischer economic success with his beauty shop. The GlebeField Association is very much

concerned about its economic future. One thing that would affect it would be an establishment like this. They are here because they are deeply concerned about their economic interests. Those interests are tied to the development of Pitman's Corner. He provided the Board with a written statement. The pending application mentions restaurant. From the previous hearing, the applicant referred to it as a quaint café. He gets nervous when he hears café. That implies the consumption of spirituous beverages. The applicant also stated that the ladies would go over and have some wine after having their hair done. He thinks he would be just as troubled by that as he would about other things. We are not opposed to a commercial use of this property. They want the board to be very clear about exactly what will be done there. He does not think this represents a great addition to our workforce. There was mention made of the prospect that a property owner should be able to do what he wants with his property. Your neighbor might want to start a pig farm. We are not opposed to Mr. Fischer; the only thing we don't want is a café in our agricultural and residential area.

Filmore McNeal said he lives in Irvington. He thinks Mr. Fischer has some good ideas. Some people can take exception to almost anything. He lives near the Hope and Glory Inn, which has receptions and music. Just because Mr. Fischer is not a coat and tie person, he should not be denied this.

Dave Cunningham said he lives next door. He has nothing against Mr. Fischer. He has done a lot with the property. He has no problem with the beauty shop. He was told it would be a place where a lady could get her hair done and go have a bite to eat. He was told it would close at 8:00, now it is 11:00. It is his belief that he wants a bar back there and he is opposed to that. If he wants a restaurant, fine, let him do that. He does not want to live next door to a bar.

Mary Louise Bailey said the residents of Glebe field are very spirited on this issue. We are very concerned about the type of commerce that will come. Irvington has town lights; Pitman's Corner does not. Nighttime commerce should be in a different area.

Frank Burke said that Dr. Temple has said the former tenant of the house said it would be a sports bar. That was never the intent. He has explained the reason for the later closing. You can not see Mr. Fischer's property from the property in Glebe field. Other restaurants in the county are open until 10:00 and after. They do not have these limitations. Mr. Fischer has some very strict limitations he must adhere to. There is no more that Mr. Fischer can do. This property was used as a seafood processing plant from the 1970s. It is far enough from the Glebe field owners that it will not impede the use of their properties.

Mr. Burke said he has provided a letter stating the following proffers:

- Fence
- Vegetated Buffer
- Hours of Operation
- Approved Plan of Development

Use as beauty shop, small restaurant and small office with special exception  
Use of property will be limited to those three stated.

Mr. Beauchamp said he has heard all types of descriptive terms. He is concerned that Route 3 between Irvington and Kilmarnock will be another Route 17.

Motion was made by Mr. Beauchamp to deny this request for rezoning.

Motion was made by Mr. Conaway to approve the rezoning with the proffers indicated.

Mr. Jenkins said he supports the substitute motion.

VOTE: (Conaway motion) 4 aye (Conaway, Frere, Simmons, Jenkins), 1 Nay (Beauchamp).

6. James D. Fischer, request for a special exception to allow for the operation of a restaurant, excluding drive-in type, limited to 2000 square feet of floor area.

Mr. Burke said the new employees they spoke of at the previous meeting are employees they intend to add.

Dr. Temple said her concerns are the same as stated before.

With no further public comment, Mr. Beauchamp closed the public hearing.

Motion was made by Mr. Frere to approve the special exception with the following conditions:

1. There will be no outside dining or drinking
2. There is a maximum seating of 34
3. Hours of operation will be as stated in the proffers
4. Lighting will be directed away from other properties
5. All Health Department and VDOT permits must be obtained.

VOTE: 4 Aye (Conaway, Frere, Simmons, Jenkins), 1 Nay (Beauchamp).

7. Bay Specialties, Inc., request to rezone property. Mr. Pennell said the applicant has asked that this request be removed from the docket.

### **CONSENSUS DOCKET**

Motion was made by Mr. Jenkins to adopt the Consensus Docket and recommendations as follows:

1. Minutes of March 30, 2000  
Recommendation: Approve as submitted.

2. Business Appreciation Week

Recommendation: Adopt the following resolution:

WHEREAS, Lancaster County is pleased to have a thriving base of business and industry to support the local economy; and

WHEREAS, these businesses provide essential employment opportunities for the citizens of Lancaster County; and

WHEREAS, these businesses provide local revenues from which the entire local citizenry benefit; and

WHEREAS, these businesses also make significant contributions in our community to promote educational opportunities for our children and promote a variety of activities which increase the quality of life of the area; and

WHEREAS, we recognize and appreciate these businesses.

NOW, THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors hereby recognizes our existing businesses and by virtue of this proclamation give notice to our citizens that we are “Honoring a New Century of Business in Virginia,” and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors hereby designates the week of May 14-20, 2000, as Business Appreciation Week in Lancaster County, Virginia.

VOTE: 5 – 0 Aye.

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of April 2000 Salaries and Invoice Listings

Motion was made by Mr. Jenkins to approve the Salaries and Invoice Listings in the amount of \$523,429.02. VOTE: 5 – 0 Aye.

2. Wood Grinding Proposal

Mr. Rowe said we have received a proposal from J & J to take over the scrap metal recycling and wood grinding services fully. It would no longer be done at the county refuse site. He asked that staff be allowed to continue to work with J & J and come back to this board with more specifics.

Mr. Conaway asked that staff make sure the residents in the area where J. & J. is located are aware of what is going there.

Mr. Pennell said it is not close to the homes.

The Board agreed by consensus that staff continues working on this and come back to the board.

3. Membership in Lancaster County Chamber of Commerce

Mr. Pennell said it would cost \$525 for all Constitutional Officers to join the Chamber of Commerce individually. It will only cost \$75.00 for the county to join as one entity.

Motion was made by Mr. Conaway that the county joins the Chamber of Commerce at a cost of \$75.00. VOTE: 5 – 0 Aye.

4. Multi-Jurisdictional Water/Wastewater Exploratory Committee

Mr. Pennell said that over the past two or three months, representatives of the Towns of Kilmarnock, White Stone and Irvington have met informally with the Chairman of the Board of Supervisors and the County Administrator to discuss future water/wastewater needs of Lancaster County and its Towns. There is an interest in proceeding to explore the need for some public management of this infrastructure to provide for environmental benefit, economic benefit and planning for future shortages or failure of present systems. It was recommended that a board member and county administrator be appointed to a committee to work with Town representatives and bring information back to this board.

Mr. Jenkins said he feels this group will be heavily weighted to the best interests of the incorporated towns.

Mr. Beauchamp said he would be happy to continue working on this as a representative of the Board.

Motion was made by Mr. Frere to appoint Mr. Beauchamp and Mr. Jenkins to serve on the Multi-Jurisdictional Water/Wastewater Exploratory Committee. VOTE: 5 – 0 Aye.

5. 350<sup>th</sup> Anniversary Commission

Mr. Pennell said he has received a request that the 350th Anniversary Commission be designated as a Committee of the Board of Supervisors.

Motion was made by Mr. Conaway to designate the 350th Anniversary Commission as a committee of the Board of Supervisors, and authorize the county administrator to act as the fiscal agent for the work of the committee.

6. Parking at the Courthouse

Mr. Pennell said the board has been aware of occasional difficulties with the parking available at the courthouse. Jimmy Revere has done some research on the

location of underground infrastructure and it appears that none exist in the grassy area immediately north of the east wing of the courthouse. He asked that this board permit county staff to determine the costs for constructing an auxiliary parking area in that location. It was also recommended that the board require employees (excluding the Treasurer and General District Court Judges) of the various county offices to park in this auxiliary lot to maximize the convenience to Lancaster's citizens who must utilize services at the courthouse.

Mr. Conaway said this seems like a very reasonable approach to the problem.

The Board agreed by consensus that staff work on this and bring further information back to the board.

7. Habitat for Humanity – Preliminary and Final Subdivision Plat Approval Churchfield Woods Subdivision.

Mr. Larson said the applicant was granted preliminary subdivision plat approval in October 1997. However, more than six months has elapsed and preliminary approval is therefore null and void. The applicant has addressed all concerns expressed by the board at the time of preliminary approval with the exception of posting of a bond. The plat has been reviewed and found to be totally in order. The bond has recently been provided by a \$20,000 irrevocable line of credit from the Bank of Lancaster.

Dan Arnold said infrastructure work and removal of what was a landfill/dump has begun. The bond of \$20,000 is in excess of the \$15,000 estimate to finish the final grading and surfacing.

Motion was made by Mr. Simmons to approve the preliminary and final subdivision plat for Churchfield Woods Subdivision with the condition that it meets all county code requirements for cul-de-sac turnaround diameter of 110 feet. VOTE: 5 – 0 Aye.

## **BOARD REPORTS**

Planning Commission – Mr. Frere suggested that the Planning Commission be asked to consider an amendment to the zoning ordinance relating to accessory structure setbacks in the W-1 district. In a majority of lots there is less than five feet in W-1.

Mr. Pennell suggested that we also ask the Planning Commission to look at right-of way widths.

Motion was made by Mr. Frere to ask the Planning Commission to look at accessory structure setbacks in the W-1 zone. Good zoning practices preclude the Planning Commission initiate review and possible amending of zoning ordinance.

VOTE: 5 – 0 Aye.



**APPOINTMENTS**

1. Industrial Development Authority

Motion was made by Mr. Jenkins to reappoint Ed Pittman to serve as a representative from District 1 on the Industrial Development Authority. VOTE: 5 – 0 Aye.

2. Building Code Appeals Board

Motion was made by Mr. Simmons to appoint Richard Krolak to serve as a representative of District 4 on the Building Code Appeals Board. VOTE: 5 –0 Aye.

**CLOSED MEETING**

Motion was made by Mr. Beauchamp to enter into a 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 personnel matters, in accordance with provisions of Section 2.1-344A.1, and consultation with legal counsel, in accordance with provisions of Section 2.1-344A.7 of the Code of Virginia. VOTE: 5 - 0 Aye.

**RECONVENE**

Motion was made by Mr. Jenkins to reconvene open session. VOTE: 5 - 0 Aye.

**CERTIFICATION**

WHEREAS, the Lancaster County Board of Supervisors convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss personnel and legal matters in accordance with the Virginia Freedom of Information Act.

WHEREAS, Section 2.1-344.1 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. Beauchamp to certify the closed meeting. A roll call vote was taken:

F. W. Jenkins, Jr.	Aye
Donald O. Conaway	Aye
Patrick G. Frere	Aye

Cundiff H. Simmons Aye  
B. Wally Beauchamp Aye

This certification resolution is adopted.

Action taken following Closed Meeting:

Zoning Officer - Motion was made by Mr. Beauchamp that the Zoning Officer receives a raise of \$250 per month, retroactive to July 1, 1999. VOTE: 5 - 0 Aye.

**ADJOURNMENT**

Motion was made by Mr. Jenkins to adjourn the meeting until May 9, 2000 at 6:00 p.m. for a budget work session. VOTE: 5 - 0 Aye.