

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the Courthouse of said County on Thursday, May 25, 2000.

Present: B. Wally Beauchamp, Chairman
F. W. Jenkins, Jr., Vice Chairman
Patrick G. Frere, Board Member
Cundiff H. Simmons, Board Member
William H. Pennell, Jr., County Administrator
Absent: Donald O. Conaway, Board Member
Others
Present: Jack Larson, Planning/Land Use Director; Press

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

PRESENTATION

Mr. Dan Arnold, representing Habitat for Humanity, said approval of Habitat's subdivision application was granted contingent on making the cul-de-sac radius 55'. They have proposed a 50' radius, and would like to present a hardship case before this board. Because of peculiar geometrics, in order to provide the 55' radius they would have to adjust the lot configurations on the southeast and create an arc. It would be 10' wide at its most extreme. It would reduce the size of those three lots and change the layout considerably. Having had preliminary approval, they were hoping the board would consider this a hardship. To delay this further would mean that older citizens would be building in the hottest time of year. The state does not require this amount of land and will not be maintaining the road until they have 3 houses built. They will then apply for state approval and maintenance. Up until that time Habitat for Humanity or the property owners will be maintaining the road. This seems like a superfluous requirement that should be amended. He pleaded for the board to grant this hardship approval.

Mr. Simmons asked about the additional cost and time delay to correct the plat to read 55'.

Mr. Arnold said it would take at least a month because all documents would have to be amended. He does not know what the additional cost would be.

Mr. Simmons said these changes could be made in an hour. The person who prepared this plan did not follow the ordinance. That hardship is self-made.

Mr. Simmons said he does not feel any action is necessary at this time.

No action taken.

DEPARTMENT OF TRANSPORTATION

Mr. Pennell said the Department of Transportation representatives had previous commitments, and could not attend tonight's meeting. Mr. Pennell asked if there were any issues that the board would like him to bring to their attention.

Mr. Frere said he had been contacted about a speed limit reduction on Waverly Avenue and asked that VDOT do a study.

PUBLIC HEARINGS

1. Ruth Rasmussen, request for a special exception in order to allow the placement of an individual manufactured home on property located off Route 600, south of Alfonso, VA. The property is described as tax map parcel 8-29 and is zoned R-1.

Mr. Larson said the applicant has met all requirements, and staff recommends approval. He had received no contacts concerning this request.

There being no public comment, the Public Hearing was closed.

Motion was made by Mr. Jenkins to approve the request of Ruth Rasmussen.
VOTE: 4 – 0 Aye.

2. Thomas R. Reynolds, Sr. (Reynold's Garage), request for a special exception to expand a nonconforming use (sell used cars under an independent dealer's and rebuilder's license) on property described as tax map parcel 25-204. The property is located at 135 Ottoman Ferry Road (Route 604), near Ottoman, VA.

Mr. Larson said he had received sixty calls and ten letters in support of this request. He had also received two calls in opposition and one letter signed by the same two callers in opposition. Those in support of this request note the attractiveness of Mr. Reynolds property, his honesty, the high quality of service, his willingness to help the community and the need for an affordable source of reliable used cars in this area. Those opposed felt he was operating a junkyard and felt it will become more pervasive if this is approved. Mr. Larson said that on Friday he went to the property. There were nine vehicles there that were not part of the daily cycle of repair. One has since been removed and six are the property of others and need owner determination as to whether to repair. Two are behind the shop with some screening. He does not feel this is a junkyard.

Mr. Larson said that as far as the expansion, this business is in Ottoman, 1/10 mile from a traditionally commercial area. There are very few residences, and those property owners have called in with no objections. He therefore recommends approval.

Mr. Frere asked Mr. Larson if he would recommend any conditions on this special exception.

Mr. Larson said he would not recommend any conditions at this time.

Mr. Frere said he does not have a problem with the screening or the appearance, but feels there should be a limit on the number of cars to be located there.

Mr. Larson said Mr. Reynolds is asking for 10 cars.

Mr. Frere suggested that the limit on the number of cars be a condition because the special exception goes with the land.

Mr. Beauchamp asked about the type of screening that will be used.

Mr. Reynolds said it would be a fence or shrubbery, and he has no problem with that.

Mr. Frere asked Mr. Reynolds if a limit of 15 cars would be too limiting.

Mr. Reynolds said he does not anticipate any more than that.

Elizabeth Miller said she does not believe it is an eyesore. The property is well kept and Mr. Reynolds runs a very fine business.

Martha Garner said Mr. Reynolds has been big help to her in repairing her car, and a great help to a number of people in this area.

Lewis Cobb said Mr. Reynolds is a very reliable businessman and he has no objection whatsoever to this request.

Coley Davis said Mr. Reynolds works on his three vehicles and has people come there to remove parts from cars. He doesn't want to have an eyesore near his property, and doesn't feel this would be.

Dan Bashore spoke in opposition to this request.

Elizabeth Bunn said she has no problem with this at all, and the limit suggested would satisfy her.

Mal Garside said this is the kind of thing that could be eyesore if it got out of hand. It is building up. There could be at least a dozen cars to be repaired, half a dozen to be sold and another dozen in back. It is on a road that is part of the Virginia byway. It could become an eyesore. He feels the limit would be a good idea and a permanent fence would also be a good idea.

Mr. Reynolds said there are no cars for sale on the property now. They are all to be repaired. He cannot control the number of cars to be repaired at any one time.

There being no further comments, the public hearing was closed.

Mr. Jenkins said he hopes Mr. Reynolds is successful, but thinks limiting the number of cars to be sold would be limiting to his business.

Motion was made by Mr. Jenkins to approve the special exception with the condition that additional screening be put in place that visually blocks the cars. VOTE: 4 - 0 Aye.

3. W. M Howard Enterprises, Inc., request to amend a previous conditional zoning approval for property described as tax map 20-59 (Corrotoman Plaza).

Mr. Pennell said the applicant has requested a postponement until next month.

Mr. Simmons suggested that the board limit withdrawal or postponement of hearings. A request for withdrawal or postponement of a hearing must be received before the information packets go out to the board.

Mr. Frere suggested that if an applicant requests a continuation that the applicant is required to pay for any additional advertising and notification.

Mr. Beauchamp suggested that staff research this and bring the information back to the board.

CONSENSUS DOCKET

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

1. Minutes of April 27, May 9, 15 & 16, 2000

Recommendation: Approve as amended.

2. Abstract of Votes – Town Elections

Recommendation: Accept the abstracts as part of the minutes of the Board of Supervisors as required by state code.

VOTE: 4 - 0 Aye.

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of May 2000 Salaries and Invoice Listings

Motion was made by Mr. Jenkins to approve the Salaries and Invoice Listings for May 2000, in the amount of \$498,919.95. VOTE: 4 – 0 Aye.

2. Resolution to Increase Local Sales Tax

Mr. Pennell said he had received a letter from the Mecklenburg County Board of Supervisors asking that Lancaster County consider adopting a resolution to increase the local sales tax by one cent. At a recent VACo finance steering committee meeting that Mr. Pennell attended, there was a presentation by Mecklenburg County on this subject. VACo is going to have a single legislative priority next year to ask that the General Assembly allow localities to have more access to tax revenues. It was recommended that no action be taken at this time.

No action taken.

3. Fuel Service Contract

Mr. Pennell said that only one bid had been received in response to a request for proposals on gasoline, diesel fuel and heating oil.

Mr. Jenkins asked if the proposed price includes State and Federal taxes.

Mr. Pennell said he would have to check on the amount of taxes included in the price.

No action taken.

3. School Board – Transfer of Funds between Categories

Mr. Pennell said the School Board has requested board approval to transfer \$9,000 from the operations and maintenance category to the transportation category of the school budget. The board's previous authorization for the county administrator to approve these inter-category transfers expired on January 31, 2000.

Mr. Jenkins asked if Mr. Pennell knew the reasons for this request.

Mr. Pennell said he did not know any more than what was in the Memorandum he received. Mr. Latimore normally attends meetings of the board of supervisors when budget transfers are docketed.

Mr. Beauchamp said he would also like to know the reason for this request.

Mr. Frere said he was inclined to approve this request if bottom line doesn't change.

Motion was made by Mr. Frere to approve the request for transfer of funds.
VOTE: 2 Aye (Frere, Beauchamp), 2 Nay (Simmons, Jenkins).

BOARD REPORTS

Adopt-A-Highway – Mr. Simmons said he received a request from a constituent to ask this board if anything can be done to encourage the citizens of the county to recognize the efforts of those citizens who adopt a highway. It is very discouraging to people who take their Saturday to clean up along our highways and go out on Sunday and see a good amount of trash on the road again. Some citizens and people passing through use our back roads as dumping grounds. It is unsightly. We have a lot of citizens making a real effort to keep our highways clean. He is not sure how to approach Lancaster County citizenry to get their cooperation to reduce the problem, but we could lose the volunteer efforts of those trying to keep our county attractive.

Mr. Jenkins said he agrees with Mr. Simmons.

Mr. Pennell suggested adoption of a resolution commending those who do this work.

Mr. Beauchamp said he has had similar complaints.

The board agreed by consensus to adopt a resolution recognizing citizens participating in the Adopt-a-Highway Program.

Resolution follows and is made part of these minutes:

WHEREAS, Lancaster County is fortunate to have a cadre of citizens who volunteer many hours of their own time to improve the appearance of county highways by picking up trash and litter from the roadside; and

WHEREAS, without this selfless and important assistance, Lancaster's roadways would surely be less attractive to tourists, visitors and fellow citizens; and

WHEREAS, Lancaster County is blessed with a sense of volunteerism from the majority of its citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Lancaster County Board of Supervisors commends its citizens involved in the Virginia Department of Transportation's Adopt-a-Highway Program.

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors urges more of its citizens to participate in this program or be especially conscious of the unnecessary and unlawful practice of disposing of trash on the public streets.

Death of Former Board Member - Mr. Jenkins spoke to the board about the recent death of former Board Member David Campbell.

Motion was made by Mr. Jenkins to adopt a resolution recognizing Mr. Campbell's contribution to Lancaster County. Motion: 4 – 0 Aye.

Resolution follows and is made part of these minutes:

WHEREAS, Mr. David R. Campbell served as a member of the Lancaster County Board of Supervisors from 1988 until 1991; and

WHEREAS, Mr. David R. Campbell served as a Captain in the Lancaster County Sheriff's Office from 1970 until 1981; and

WHEREAS, Mr. David R. Campbell passed from this life on May 23, 2000.

NOW, THEREFORE, BE IT RESOLVED, that the Lancaster County Board of Supervisors acknowledges Mr. Campbell's leadership in the government of Lancaster County for many years; and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors is grateful for Mr. Campbell's devotion to his fellow citizens by providing his excellent leadership to the community for more than twenty years; and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors directs the county administrator to forward a copy of this resolution of gratitude to Mrs. Edna Weber Campbell, Dave's wife of 59 years.

COUNTY ADMINISTRATOR REPORT

Mr. Pennell informed the Board members of the Local Government Official's Conference to be held at the University of Virginia in Charlottesville on August 13-15, 2000. If there are any board members who are interested in attending he will provide the information.

No action taken.

ADJOURNMENT

Motion was made by Mr. Jenkins to adjourn the meeting until June 6, 2000, at 6:00 PM. VOTE: 4 – 0 Aye.