

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, June 26, 2003.

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

Others

Present: Jack Larson, Planning/Land Use; Joe Staton and Carter White, Virginia Department of Transportation; Joan Wenner, Northern Neck News; Robert Mason, Rappahannock Record

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

PUBLIC INPUT

None

PRESENTATIONS

None

VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Staton said VDOT placed the new experimental armor stone on Route 354 to see how well it works. Given the financial situation, VDOT may not have any plant mix overlay contracts in Lancaster County next year. Plant mix costs approximately \$6.00 per square yard and the armor stone costs \$2.00 per square yard.

Mr. Staton said Route 779 in Lively there is a five foot pothole on the edge of the pavement and VDOT is currently working with the property owners to get an easement to repair the hole permanently.

Mr. Staton stated the Commonwealth Transportation Board has given final approval of the six year plan on June 19, 2003 and Lancaster County did not get any additions funds for projects.

Mr. Staton said mowing contractors have finished the primary system and almost finished with secondary system. He said the local VDOT crew has been working on drainage and patch work.

Accept Eagles Point Road into Secondary System of Highways - Mr. Pennell stated the Virginia Department of Transportation and residents of Eagle Point subdivision ask the Lancaster County Board of Supervisors to accept Eagles Point Road into the Secondary System of Highways.

Mr. Conaway made a motion to adopt the following Resolution to Accept Eagles Point Road into the Highways Secondary System:

EAGLE LANDING SUBDIVISION

WHEREAS, the Lancaster County Board of Supervisors has this day decided to establish as part of the State Secondary System of Highways the following road in the Eagle Landing Subdivision:

Street Name:	Eagles Point Road
From:	Route 1075
To:	Dead End
Length:	0.10 miles
Right of Way:	60'

WHEREAS, the plats conveying the necessary clear and unencumbered 60' right of way along with the required drainage easements were duly recorded in the Clerk's Office of Lancaster County on July 11, 1991 in Plat Book 2, Pages 46-55, on September 16, 1993 in Plat Book 3, Pages 45-46 and on August 28, 1996 in Plat Book 5, Page 5.

NOW, THEREFORE, BE IT RESOLVED, that the Lancaster County Board of Supervisors hereby guarantees the said clear and unencumbered 60' right of way and drainage easements and requests the Virginia Department of Transportation, pursuant to Section 33.1-229 of the Code of Virginia, as amended, to accept.

Street Name: Eagles Point Road
From: Route 1075
To: Dead End
Length: 0.10 miles
Right of Way: 60'

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

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

PUBLIC HEARINGS

1. Ordinance to Adopt Calendar Year 2003 Tax Levy – Mr. Pennell stated there is no anticipated increase from last year's tax levy, however; the Board of Supervisors must adopt a tax levy for real estate, personal property, merchant's capital and machinery and tools as well as real estate and personal property for Public Service Corporations.

Mr. Beauchamp made a motion to adopt an ordinance establishing the 2003 tax levy for Real Estate at \$.60 per \$100 of assessed value, Personal

Property at \$1.52 per \$100 of assessed value, Merchants Capital at \$1.00 per \$100 of assessed value and Machinery and Tools at \$1.52 per \$100 of assessed value as well as for Public Services Corporations Real Estate at \$.60 per \$100 of assessed value and Personal Property at \$1.52 per \$100 of assessed value.

A roll call vote was taken:

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

2. Ronald L. and Charlotte B. Self – Application for Special Exception – Mr. Larson stated the applicants, Ronald L. and Charlotte B. Self, are requesting a Special Exception to operate a stump, brush, and scrap wood chipping facility on property described as Tax Map #14-122A and 122B. This property is located on Route 3, Mary Ball Road, near Lively, Virginia. This property is in Voting District 2.

Mr. Larson said the subject property is zoned A-2, Agricultural General. As set forth in paragraph 4-1-15A the requested use is permitted with a special exception. Applicants have been operating a “logging transfer” business under a conditional use permit issued January 31, 1991. While the requested use will be more intense than log transfer, with greater accumulations of product, it is similar. Mr. Larson commented that the county has received a copy of a June 9, 2003 letter from the Virginia Department of Environmental Quality (DEQ) setting forth the regulatory requirements for mulch and mulch production. As set forth in the letter, the Selfs will have to maintain documentation showing that at least 75 percent of incoming wood waste is processed and that 75 percent of the resulting mulch is removed from the site annually. Provided this requirement is met, no solid-waste management facility permit is required.

Mr. Larson stated adjoining property owners have been notified and advertising of this hearing has been conducted as required by law. To date, there has been no input concerning this issue from adjoining property owners or other interested members of the general public.

Mr. Conaway said he had concerns about the type of screening that would be used and if there would be any improvements at the entrance because of safety concerns with vehicles entering traffic onto Route 3.

Mr. Self stated they have planted trees and chain link fencing with plastic privacy strips would be put up.

Mr. Conaway asked Mr. Self if he would be selling wood chipping/mulch and if the citizen would be charged for disposal of wood waste.

Mr. Self said he would sell the wood chipping/mulch and the citizens would not be charged to dispose of wood waste.

Mr. Conaway made a motion to approve the Application for Special Exception for Ronald L. and Charlotte B. Self with the condition that no burning would be done at the facility.

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

CONSENSUS DOCKET

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

A. Minutes for May 29, 2003, June 17, 2003 (Capital Improvement Budget) and June 17, 2003 (Budget Public Hearing)

Recommendation: Approve the minutes

B. Abstract of Votes – Republican Primary June 10, 2003

Recommendation: Received

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

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of June 2003 Salaries and Invoice Listings

Motion was made by Mr. Simmons to approve the Salaries for June 2003 in the amount of \$130,599.32 and Invoice Listings for June 2003 in the amount of \$643,430.35.

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

2. Honoring The Reverend Morton Townsend – Mr. Pennell stated the Reverend Morton Townsend will be honored by the Episcopal Diocese of Virginia at a ceremony at Trinity Church on July 26, 2003 for his longevity and service to his congregations.

Mr. Pennell asked the board to adopt a resolution which would be given to Reverend Townsend and made a part of a scrapbook of his life that will be presented at the July 26th ceremony.

Mr. Jenkins made a motion to adopt the following Resolution Honoring The Reverend Morton Townsend:

THE REVEREND MORTON TOWNSEND

WHEREAS, the Reverend Morton Townsend was ordained an Episcopal priest in January 1944; and

WHEREAS, the Reverend Morton Townsend served as a U. S. Army chaplain from 1944 to 1946; and

WHEREAS, the Reverend Morton Townsend served as a Lieutenant Colonel and Chaplain in the Virginia National Guard from 1947; and

WHEREAS, the Reverend Morton Townsend served as Rector of Christ Church Parish in Lancaster County, Virginia, from 1948-1954; and

WHEREAS, the Reverend Morton Townsend served as Associate Rector of Christ Church Parish in Lancaster County, Virginia, from 1970-1973; and

WHEREAS, among other positions, the Reverend Morton Townsend served as Rector of St. Mary's Whitechapel and Trinity Churches from 1970- 1977; and

WHEREAS, the Reverend Morton Townsend retired in 1977 and currently has more than 60 years of ordained ministry; and

WHEREAS, the Reverend Morton Townsend is the oldest canonically resident priest in the Diocese of Virginia.

NOW THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors hereby declares July 26, 2003 as Morton Townsend Day in Lancaster County, Virginia; and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors wishes the Reverend Morton Townsend many more years of devoted service to the religious and secular communities in which he resides.

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

3. 2003 Tax Anticipation Loan – Mr. Pennell said with the approval of the budget at this June 26, 2003 meeting of the Board of Supervisors, there will be insufficient predicted fund balance to permit Lancaster County to pay its salaries and invoices through the late summer and early fall months of 2003. Lancaster County has acquired tax anticipation funding for several years and it would be necessary to do so this year also.

Mr. Pennell stated he would like the Board of Supervisors to authorize him to advertise a request for proposal to acquire a tax anticipation loan for the Fall/Early Winter of 2003.

Mr. Beauchamp made a motion to authorize the county administrator to advertise a request for proposal to acquire a tax anticipation loan for the Fall/Early Winter of 2003.

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

4. RCV Corporation – Change to Sloop Point Master Plan – Mr. Larson said RCV Corporation, developer of Sloop Point, was submitting a change to the approved master plan that he considers to be a major change and therefore must be brought before the Board of Supervisors. This property is in Voting District 1.

Mr. Larson stated he provided the board with a revised master plan which shows the original structures, the footprint approved by the Board of Supervisors on June 27, 2002 and the proposed footprint of nine duplex buildings (18 total dwelling units). The newly proposed impervious cover is less than the previously approved (28% vice 29%). However, closest intrusion to tidal wetlands on the approved master plan was 46’ whereas the proposed closest intrusion is 24’ from tidal wetlands. Closest intrusion for the original structures was approximately 8’ from tidal wetlands. In view of the fact that developer is required to submit an acceptable mitigation for the proposed footprint, and the fact that intrusion would still be some 21’ further back from tidal wetlands that the former impervious cover, approval would be consistent with action taken on similar intrusions requiring Bay Act Waiver.

Mr. Jenkins made a motion to Change to Sloop Point Master Plan for RCV Corporation as submitted.

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

5. Appropriations Resolution Fiscal Year 2003 – Mr. Pennell said the FY04 county budget must be adopted by July 1, 2003. The Board of Supervisors has historically adopted an appropriations resolution at the same time the county budget has been adopted.

Mr. Pennell said the Board of Supervisors would need to adopt the Fiscal Year 2003/2004 Appropriations Resolution which serves to approve the FY04 annual budget and appropriate funds to the various cost centers.

Mr. Simmons made a motion to approve the following Fiscal Year 2003/2004 Appropriations Resolution.

FISCAL YEAR 2003/2004 APPROPRIATIONS RESOLUTION

WHEREAS, the Lancaster County Board of Supervisors has heretofore prepared a budget for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate sufficient funds for the contemplated expenditures as are contained in the budget.

NOW, THEREFORE, BE IT RESOLVED, by the Lancaster County Board of Supervisors that the budget for fiscal year 2003/2004 is approved and appropriations for the aforementioned funds are made as follows, subject to terms and conditions outlined within this appropriation resolution:

Operating Budget

Board of Supervisors	\$ 42,502
County Administration	198,777
County Attorney	20,000
Independent Auditor	30,350
Real Estate Assessor	135,882
Commissioner of the Revenue	198,910

Treasurer	208,639
Information Technology Services	85,803
Electoral Board	22,750
Registrar	72,931
Circuit Court	14,987
General District Court	3,426
Magistrate	600
Juvenile & Domestic Relations Court	1,900
Clerk of the Circuit Court	225,697
Victim/Witness Assistance	24,805
Commonwealth Attorney	179,543
Sheriff (Law Enforcement)	788,017
Dispatchers	75,878
School Resource Officer	32,155
Volunteer Fire Departments	160,000
Rescue Services	105,729
Paid Rescue Services	172,725
Forest Fire Service	\$ 2,602
Local Emergency Services	200
Sheriff (Corrections)	710,882
Juvenile Probation Office	49,016
Electronic Monitoring Program	5,000
Building Inspections	45,153
Animal Control	61,696
Medical Examiner	750
Refuse Disposal	682,702
General Properties	152,803
Health Department	178,612
Free Health Clinic	38,050
Community Services Board	26,880
Area Agency on Aging	45,448
Group Home Commission	17,304
Rappahannock Legal Services	4,800
The Haven Crisis Shelter	1,000
Comprehensive Services Act	400,000
Social Services Board	1,194,329
Virginia Quality Life	10,000
Community College	4,869
YMCA Contribution	75,000
Mary Ball Washington Museum	5,000
Historic Resources Commission	500
Community Library	55,000
No. Neck/Ches. Bay Partnership	6,000
Gateway Travel Center	3,500
Northern Neck Travel Council	7,500
Rappahannock River Basin Commission	1,000

Land Use Administration	133,064
Resource Conservation and Development Area	600
Department of Housing	30,127
Indoor Plumbing/Rehabilitation	946,341
Planning District Commission	29,000
Soil & Water Conservation District	5,000
Wetlands Board	7,736
Litter Control	4,000
Board of Zoning Appeals	3,236
Planning Commission	6,177
Extension Service	34,323
Landfill Closure Management	10,000
Enhanced Emergency Telephone System	410,025
Wireless 911	60,249
Lancaster Public Schools	11,863,458
School Cafeteria Fund	656,155
Law Library Fund	10,000
Short Term Debt Service	\$ 152,513
Long Term Debt Service	238,287
 Total Operating Budget Appropriations	 \$21,187,893

TERMS AND CONDITIONS

1. All appropriations are declared to be maximum, conditional and proportionate appropriations.

This makes the appropriations payable in full in the amounts named herein, if the aggregate revenues collected and other resources available during the year ending June 30, 2004 for which appropriations are made, are sufficient to pay all of the appropriations in full; otherwise, the said appropriations shall be deemed to be payable in such proportion as the sum of all realized revenue is to the total amount of the revenues estimated by the Board of Supervisors to be available for appropriation in the year ending June 30, 2004.

2. No department, agency, or individual receiving appropriations under the provisions of this resolution shall exceed the amount approved for that department, agency, or individual by the Lancaster County Board of Supervisors.

3. The Board of Supervisors reserves the right to change at any time during the fiscal year ending June 30, 2004 compensation provided to any officer or employee and to abolish any office or position, except for such office or position as it may be prohibited by law from abolishing.

4. The County Administrator is authorized to establish purchasing policies and procedures to assure that expenditures are made within the appropriations defined within this Resolution and to initiate emergency spending reductions to decrease expenditures in light of decreased actual revenues.

5. The amount appropriated to fund contemplated expenditures for the Lancaster County School Board is by total appropriation. As permitted by state statute, the School Board is authorized to transfer funds between categories.

6. No expenditures shall exceed the appropriation established by the Lancaster County Board of Supervisors unless a supplemental appropriation is approved in advance of the expenditure.

7. Any request to increase the overall appropriation to any department, agency or organization as appropriated by this resolution must be made to the Board of Supervisors by written request.

8. The County Administrator may increase appropriations for the following items of non-budgeted revenue that may occur during the fiscal year:

a. Insurance recoveries received for damage to County vehicles or other property for which County funds have been expended to make repairs.

- b. Refunds or reimbursements made to the County for which the County has expended funds directly related to that refund or reimbursement.
 - c. Additional, unbudgeted grants received during the fiscal year for which there is sufficient revenues to defray expenditures.
9. All appropriations that are not encumbered or expended prior to June 30, 2004 will lapse and the balance shall become part of the General Operating Fund Balance.
10. The County Administrator may increase or reduce revenue and expenditure appropriations related to programs funded all or in part by the Commonwealth of Virginia and/or the federal government to the level approved by the responsible state or federal agency.
11. The County Administrator may appropriate both revenue and expenditures for donations by citizens or citizen groups in support of County programs. Any remaining unencumbered balance of a restricted donation at the end of the fiscal year will be reappropriated into the subsequent fiscal year.
12. The County Administrator may appropriate revenues and expenditures for funds received by the County from asset forfeitures for operating expenditures directly related to drug enforcement. The outstanding balance of these funds shall not lapse but be carried forward into the next fiscal year.

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

6. Capital Improvements Program – FY03 Budget Appropriations – Mr. Pennell stated at the June 17, 2003 capital improvements program budget work session, the Board of Supervisors asked him to prepare an appropriations memorandum for funds spent from the capital improvement bond proceeds to pay for invoices received in FY03. The following amounts were spent for the associated projects in fiscal year 2002/2003:

Short Term		
	Three Repeater Antenna Units	\$ 14,313
	Sheriff's Cruisers	96,504
	School Buses	148,137
Long Term		
	High School Roof	\$ 149,842
	Primary School Roof	399,899
	Primary School Classrooms	215,732
	Replace Scoreboard	<u>15,000</u>
	Total	<u>\$1,039,427</u>

Mr. Jenkins made a motion to approve the aforementioned additional appropriations for FY03.

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

BOARD REPORTS

Appointments

Mr. Simmons made a motion to reappoint Ms. Carrie Carter to the Wetlands Board as a Representative for District 4.

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

Mr. Jenkins made a motion to reappoint Mrs. Theresa Ransone to the Board of Directors of Bay Aging as the Lancaster County representative.

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

Capital Improvement Program

Mr. Simmons said the Planning Commission has asked that this board consider adding some amount over the next several years to the Capital Improvement Program towards a study for future reservoirs and potential sites. He stated the amount to be added per year over the next several years should be approximately \$10,000.

Mr. Weston F. Conley said the Industrial Development Authority could help fund the study by utilizing funds that are being received from the Rappahannock Westminster-Canterbury refinancing.

By consensus of the board, they agreed to have Mr. Conley and Mr. Pennell research the possible of utilizing the funds of the Industrial Development Authority for the study of future reservoirs and potential sites.

COUNTY ADMINISTRATOR

Mr. Pennell stated the executive committee of the Planning District Commission met to hear a presentation by Dan Siegel of Sands Anderson, Jessie Bosch of McGuire Woods, and Dave Rose and Ted Coles of Davenport about the possibility of the purchase of the Planning District Buildings in the complex and attach that to the second borrowing of the Capital Improvement Program for Lancaster County at a more favorable rate both to the Planning District Commission and Lancaster County. He said the Executive Committee of the Planning District Commission recommended approval of this financing.

The Board of Supervisors agreed by consensus to permit the county administrator and the executive director of the planning district commission to pursue a combined bond financing for Lancaster County capital improvement projects and the planning district commission purchase of their associated buildings.

ADJOURNMENT

Motion was made by Mr. Jenkins to adjourn the meeting.

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