

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, June 26, 2008.

Members Present: Peter N. Geilich, Chair
Jack S. Russell, Vice Chair
B. Wally Beauchamp, Board Member
F.W. Jenkins, Jr., Board Member
Ernest W. Palin, Jr., Board Member

Staff Present: William H. Pennell, Jr., County Administrator
Jack D. Larson, Assistant County Administrator
Don G. Gill, Planning and Land Use Director

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

PUBLIC INPUT

Cash Proffers

Joe Urban stated he lives in District 2 and his comments and concerns are about cash proffers. He said that Lancaster County has been authorized by Virginia statutes to accept cash proffers from developers or property owners since FY07. He stated that our sister county Middlesex has implemented a cash proffer policy and started collection of payments. Cash proffers are a form of conditional zoning in Virginia. The developer can voluntarily offer the proffers that limit or qualify how the property can be used or developed. He said the law in Virginia provides localities with very limited means of raising the necessary revenues to support public facilities, infrastructure and services required by new growth. In these extraordinary times of financial stress on our citizens and in light of tax increases, to ignore or forego the revenue from cash proffers is unreasonable. He provided the Board of Supervisors with a copy of the Middlesex County policy and believes that may be a starting point for Lancaster County. He urged

prompt action by the Board of Supervisors on this issue. Until the Board has a cash proffer policy in place, action on any significant rezoning in the County should be deferred. By law the Board of Supervisors has up to twelve months to act on any rezoning requests. He believes that Lancaster County should implement a similar cash proffer policy.

Mr. Geilich asked if this would be applied to any and all developers or on case by case bases.

Mr. Urban stated it is technical voluntarily, the amount can vary and depending on the area or location of the property. There is quite a bit of flexibility.

Mr. Jenkins asked if this can be tied to the value of the homes being built.

Mr. Urban said unfortunately he does not have the answer.

Dr. Russell said in some areas it does depend on the value of the homes being built in the development.

Mr. Jenkins concerns were a policy such of this could get in the way of work force housing as an additional cost.

Mr. Pennell stated this has come up before and that is the reason he has suggested that the Board of Supervisors not adopt such a policy, because it does create an additional cost for housing. Because the county has just starting to establish work-force housing opportunities, this would be an additional cost.

Mr. Urban stated it only applies under rezoning.

Mr. Pennell said Richmond and Northumberland Counties does not have a cash proffer policy because it is difficult to manage.

PRESENTATIONS

None

VIRGINIA DEPARTMENT OF TRANSPORTATION

VDOT Six-Year Plan

Mr. Trapani stated that both a work session and public hearing for the Six-Year Plan was held at the regular Board of Supervisors meeting on May 29, 2008. The Code of Virginia requires that the Board of Supervisors in conjunction with the Virginia Department of Transportation (VDOT) formula a Six Year Secondary Improvement Plan and priority list for the Secondary Improvement Budget - Projected Fiscal Year Allocation for 2008-09 through 2013-14 and for the FY08-09 Budget.

The first priority is VSH 604/Merry Point Road, at the VSH 611 intersection, to improve alignment. Second priority is Rte 614/Devils Bottom Road that runs past the primary school to a quarter of a mile east of Rte 669 to improve the alignment and replace the bridge. Third priority VSH 1026/School Street and intersection of VSH 3 in the Town of Kilmarnock to install a right turn lane from VSH 3. Unpaved priority #1 is Route 789/Hadlea Drive to reconstruction and surface treat a non-hard surface road. Unpaved priority #2 is Route 777/Riverview Road for surface treatment and to construct a turnaround.

Mr. Trapani said there is \$30,000 budgeted for incidental items to include \$12,000 for rural additions. The Six Year Plan fund is for improvements and new constructions and does not include maintenance work.

Mr. Pennell said he has discussed the issue with Mr. Costello, Mr. Palin and Mr. Trapani to learn that each believes some work is required to repair/replace the bridge over

Brown's Creek on Devil's Bottom Road. The differences of opinion seem to be based on what, if any, additional work is required/desired on the approaches to the bridge.

Mr. Pennell stated Mr. Trapani advises that without the necessary engineering funding, he will not be able to advise the Board of Supervisors of what the appropriate work to the bridge may be. For this reason, he advises that the Board of Supervisors keeps the Devil's Bottom Road project in the six-year plan as submitted until such time as sufficient engineering money has been amassed to advise the Board further.

Mr. Palin made a motion to Adopt the Resolution for the Virginia Department of Transportation Six Year Plan Secondary System on Highways for FY 2008/09 – 2013/14 as submitted.

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

County-wide Maintenance

Mr. Trapani stated secondary mowing will start again the week on July 8, 2008 and continuing with county-wide maintenance.

VSH 673/Riverwood Drive

Mr. Palin stated he received a call from a citizen with concerns about the speed on VSH 673/Riverwood Drive close to Windsor Lane in front of the Lancaster Primary School. There was a serious accident in the curve where a car hit a tree. He requested that VDOT take a look at the curve as there are no road markings and signage warning of the curve.

Mr. Trapani stated they would review the issue and report back to the board.

VSH 3/Bridge Work

Mr. Jenkins asked when the work will begin on VSH 3 Bridge between Lancaster and Lively.

Mr. Trapani stated it is on this year's paving schedule and stated the work should begin in July, however; he does not have an exact date from the contractor to report.

Mr. Jenkins asked if some of the cracks could be repaired with a temporary fix should the contractor not start in July.

Mr. Trapani said anything that they do at the bridge would put a bigger bump in the pavement, which would make it worst.

PUBLIC HEARINGS

1. Application for Change of Zoning District Classification – Leidy Clark, Sr. – Mr. Gill presented an application for Change of Zoning District Classification from R-1, Residential, General to C-1, Commercial by Leidy Clark, Sr. for a 1.0 acre parcel described as Tax Map #34-71. This property is located at 89 Chesapeake Drive (VSH 200) near White Stone, Virginia and is in Voting District 4.

Mr. Gill said the applicant wishes to use this location for office space that will have more than one unit and/or four workers, which is not allowed in the R-1, Residential General District. As a result, the applicant has concluded that a one-time rezoning to C-1, Commercial would be the best approach to alleviating his problem. To help his request, he has also taken the list of permitted uses in C-1 and lined through the unwanted uses and a copy was provided for the Board of

Supervisors review. He has indicated that he will present a signed and notarized “Conditional Rezoning Proffer” to the Board of Supervisors prior to the public hearing, outlining the remaining permitted uses he seeks as a condition of approval of this rezoning.

Mr. Gill stated this request is considered reasonable and appropriate given the property’s location. It is surrounded by C-1 properties and is in very close proximity to the Town of White Stone corporate limits.

Mr. Gill said the Planning Commission has forwarded this request to the Board of Supervisors recommending approval as a conditional rezoning with a Vote 4-0.

Mr. Gill stated adjoining property owners have been notified and advertising conducted as required by law. To date, he received one call from an adjoining property owner with no objection to the rezoning.

Chairman Geilich opened the public hearing.

Hearing no comments, Chairman Geilich closed the public hearing.

Dr. Russell made a motion to Approve the Application for Change of Zoning District Classification from R-1, Residential, General to C-1, Commercial by Leidy Clark, Sr. for a 1.0 acre parcel described as Tax Map #34-71. This property is located at 89 Chesapeake Drive (VSH 200) near White Stone, Virginia and is in Voting District 4. Also, accept the notarized “Conditional Rezoning Proffers” submit by Mr. Clark.

VOTE:	Peter N. Geilich	Aye
	Jack S. Russell	Aye
	B. Wally Beauchamp	Aye

F. W. Jenkins, Jr. Aye
Ernest W. Palin, Jr. Aye

2. Application for Special Exception – Brian and Amanda Carter – Mr. Gill presented an application for Special Exception by Brian and Amanda Carter to place an 80 foot data antenna/pole for wireless Internet access on 1.578 acres described as Tax Map #22-18C. This property is located at 121 Daniel Drive off VSH 614 (Devil’s Bottom Road) and is in Voting District 2.

Mr. Gill said Article 4-1-21 of the Lancaster County Land Development Code allows the placement of data antennas with a special exception. This is a continuation of requests for special exception consideration to locate data antenna at various locations within the county to provide wireless broadband Internet access in areas lacking that capability.

Mr. Gill stated there are no zoning issues with the location of this pole. This request has been advertised and adjoining property owners notified as required by law. To date, staff has received no input from the public.

Chairman Geilich opened the public hearing.

Hearing no comments, Chairman Geilich closed the public hearing.

Mr. Palin made a motion to Approve the Application for Special Exception by Brian and Amanda Carter to place an 80 feet data antenna/pole for wireless Internet access on 1.578 acres described as Tax Map #22-18C. This property is located at 121 Daniel Drive off VSH 614 (Devil’s Bottom Road).

VOTE: Peter N. Geilich Aye
 Jack S. Russell Aye
 B. Wally Beauchamp Aye

F. W. Jenkins, Jr. Aye
Ernest W. Palin, Jr. Aye

3. Expansion of Existing Chesapeake Boat Basin Commercial Marina – Mr. Gill presented an application for Special Exception by Joseph A. Moss, Jr., property owner and Clay Holcomb, contract buyer to expand the existing Chesapeake Boat Basin commercial marina to a .841 acre parcel described as Tax Map #29-3L. This property is located at 1598 Waverly Avenue (VSH 608) and is in Voting District 3.

Mr. Gill said Article 9-1-14 of the Lancaster County Land Development Code allows a commercial marina as a permitted use with a Special Exception within the M-1, Industrial, Limited District. As evidenced by the preliminary site plan provide to the Board of Supervisors, Chesapeake Boat Basin wishes to expand its commercial marina to TM #29-3L to include boat and accessory sales, boat storage and a small maintenance equipment and materials storage building.

Mr. Gill said this request is considered reasonable and appropriate. The parcel is already zoned M-1 and is bounded on the east by other M-1 properties containing petroleum storage. It is bounded to the west by another M-1 property, also contracted for purchase by Mr. Holcomb that is, and will remain as, an existing authorized non-conforming residential use. Directly across Waverly Avenue are two parcels owned by Mr. Holcomb, that are currently used for boat storage, parking and septic fields for the Chesapeake Boat Basin Marina. Also, the parcel is in close proximity to the existing marina (within 250 feet) and is a logical extension of it.

Mr. Gill said a marina is defined as a water dependent facility and therefore encroachment within the 100 feet RPA is allowed. He does question the need for the proposed gravel area within the 100 feet RPA, particularly since the existing similar parking and storage area across the road is not graveled to the

extent that this parcel would be. The final Bay Act Site Plan to be submitted, if the Special Exception is granted, will address any BMP's required for buffer encroachment mitigation.

Mr. Gill also stated that Article 9-2-1 of the Lancaster County Land Development Code stipulates that plans for proposed activities within the M-1, Industrial, Limited District that require a building permit and involve a land disturbance greater than 2,500 square feet be referred to the Planning Commission for a recommendation. This issue was considered by the Planning Commission at its June 19 meeting (last week), and has been forwarded to the Board of Supervisors recommending approval by a vote of 6-0. Draft minutes from last week's Planning Commission meeting not available at this time.

Mr. Gill stated this request has been advertised and adjoining property owners notified as required by law. To date, staff has received no input from the public.

Chairman Geilich opened the public hearing.

Mr. Geilich asked if the issue of gravel was a serious matter because of the impervious cover.

Mr. Gill stated it is considered impervious cover, the amount within the 100' but because water dependent facilities are allowed to encroach within the 100' RPA. The only concern was that the similar storage yard across the road was not graveled to that extent. He does not believe this is an issue as it will be addressed with BMPs that will come forward in the Bay Act site plan.

James Young stated he owns property directly across the road and there are two parcels that appear to be involved and one is already zoned commercial and the other residential.

Mr. Gill stated that was incorrect and both parcels are zoned M-1 and the only parcel being considered is the parcel described as Tax Map #29-3L without a structure.

Mr. Young asked what type of activities would be going on at that location other than storing, sanding, and painting boats.

Mr. Gill stated the uses will include boat and accessories sales, boat storage, small maintenance equipment and materials storage building.

Mr. Holcomb stated he purchased the marina ten years ago and the marina was in extremely bad shape. He has spent the last ten years rebuilding the marina. They are very fortunate that the business has grown so rapidly. He said he is the only branded service facility in Lancaster County for boat sales and outboard motors. The only downside is that they are so busy and having a hard time keeping up with the repair because of growth and their current location is busting at the seams, which is the reason for this request to expand. The gravel base is needed to work. The location was an industrial point long before his time.

Mr. Young asked about the environmental impact of the material to be used.

Mr. Holcomb stated they are enrolled and in the process of becoming a Virginia Clean Marina which meets the entire environment impacts requirements. They are currently enrolled to become a certified dealership.

Mr. Young asked if they would be painting on the inside or outside.

Mr. Holcomb stated painting will be done outside and over the years paint used on boats has changed. They use rollers not a spray.

Mr. Young asked about privacy screening.

Mr. Holcomb said he could certainly provide some type of privacy fence or screening and informed the Mr. Young and the board that the house will be used as his residence.

Richard Moss stated he lives adjacent to the property purchased approximately thirty-seven years ago by his father. Mr. Holcomb has always been user friendly to the neighborhood.

Fred Ajootan stated that Chesapeake Boat Basin has been an important business in Lancaster County and has served a lot of people in this area and should not be a problem. His facility increases public access to the water and he is putting his own money up to improve the facility.

Stuart Klee stated he owns a house adjacent to the house and again asked about the uses.

Mr. Gill stated Mr. Holcomb has purchase both properties and both are zoned M-1.

Chairman Geilich closed the public hearing.

Mr. Geilich made a motion to Approve the Application for Special Exception by Joseph A. Moss, Jr., property owner and Clay Holcomb, contract buyer to expand the existing Chesapeake Boat Basin commercial marina to a .841 acre parcel described as Tax Map #29-3L. This property is located at 1598 Waverly Avenue (VSH 608).

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

4. Adoption of Tax Levy for Calendar Year 2008 – Mr. Larson stated 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. The purpose of this public hearing is to hear public input on proposed tax rates for Calendar Year (CY) 2008 and adopt an ordinance establishing rates that will comprise the CY 2008 tax levy.

Mr. Larson said recent changes in Virginia law require that changes to the tax rate be presented in a particular way and that they be advertised at least one month prior to the meeting at which public comment is heard. The draft tax levy for calendar year 2008 has been advertised in accordance with law.

Mr. Larson stated comments heard at the public hearing for the FY 2009 Operating and Capital Improvement Budgets on June 16, 2008 focused as much on the impact of the proposed increase in taxes as the budgets themselves. Otherwise, no other comment has been forthcoming at least to this office.

Chairman Geilich opened the public hearing.

Ken Julian, District 1 stated he moved here ten years ago and his property taxes have gone up by 300% and the personal property tax is taking a jump by 35% this year. He believes this board needs to learn to live within a budget like everyone has too.

Mr. Jenkins stated Mr. Julian rate increases are due to a number of improvements he has made to the property.

George Bott, District 1 stated he understands that the tax rate increase will be 17%. As an individual citizen and property owner he opposes the tax increase. According to Mr. Thomas, the Commissioner of the Revenue, tax in this county has increased an average of 11% each year for the last nine years and this year the tax rate will be capped off at 17%. Why can't the board live within a budget, people can not continue to afford the significant increase. He again stated he strongly opposes the increase and asked the board not approve this tax increase.

Mr. Geilich stated the board does not like the fact that the taxes need to be increased any more than the citizens of this county as they too are affected. The biggest item for the increase is that State funding for the school is down \$800,000 and there is nothing the board can do about that other than make up the differences. He explained there were a number of items which cause an increase in the tax rate. The overall increase on the budget is 2.5% which is not that bad.

Dana Gilmore an Ocran Road resident stated again that we have a school system that continues to decline and they are asking for more money when the business has dropped 7% since the end of last year. He stated the cost of \$12,635 per student is more than \$1,500 per student than any other surrounding school system. It was reported by the Rappahannock Record that there were 25 vacancies at the end of the school year. The board could take \$700,000 out of the school budget and they could still hire and fill 60% of the vacancies. He asked the board not to fund the two deputies and the sheriff can reallocate his resources.

Charles Costello, District 2 stated he has attended most of the budget meeting and the board has taken a look at everything. His tax rate has gone up over the last twenty years like everyone else rates. This year the board has set up a better approach to school funding as Superintendent Sciabbarrasi has cut

approximately 16.5 FTEs. The board will have to continue to look closely at this year's budget because next year an additional 2¢ will be added for the new courthouse. The Sheriff asked for four deputies and a clerk and the board did a good job in compromising by funding two deputies. The board needs to take a good look at administration, raises, funding, etc. and look at surrounding counties and compare.

Chairman Geilich closed the public hearing.

Dr. Russell stated this budget affects the board members the same way it affects everyone in the county and as board members they have to make some tough decisions. He hopes that everyone will contact his/her State Senator and Delegate and give them the same opinion. This board and the Superintendent have worked well this year and he supports the budget.

Mr. Geilich said Ms. Sciabbarrasi has made an excellent start at the school administration and is confident that she will continue.

Mr. Jenkins stated that Ms. Sciabbarrasi has done an excellent job with turning around the school system, however; it will take time. He stated our citizens have taken a hit and he does not believe the tax increase should go up to 42¢ after a reassessment. He believes that the county should be able to find funding in the almost \$27 million budget, while people have time to adjust to the reassessment prior to a tax increase of 42¢.

Mr. Palin stated he believes that the board has done an excellent job on this year's budget. He believes that the school system and the other departments have tightened their belt. It is a hard decision to raise taxes, but how long should the board hold off. A large part of our budget increase is due to state cuts and mandates.

Mr. Beauchamp stated he does not want to see a tax increase and he agreed with Mr. Palin as the board has cut every corner possible, he has confidence in the school superintendent and with all the State reductions the board does not have a choice.

Mr. Jenkins stated that an increase of 39¢ rate that would cover the loss from the state.

Mr. Geilich said that would mean that the Rescue Squad and Sheriff's Office would be unable to expand its services.

Mr. Jenkins stated that because the county uses the soft billing system for paid rescue squad we are unsure of the return revenue at this point. It is possible that those positions could be filled without going to the taxpayers. He believes that the Sheriff Office could rework schedules and find acquire coverage.

Mr. Jenkins made a motion to Adopt the Ordinance for the Calendar Year 2008 Tax Levy to reflect the following:

Beginning January 1, 2008 until December 31, 2008 the following tax rates shall apply in Lancaster County, Virginia:

- Real Estate - \$0.39 per \$100 of assessed value
- Personal Property Motor Vehicles - \$2.04 per \$100 of assessed value
- All Other Personal Property - \$1.52 per \$100 of assessed value
- Machinery and Tools - \$1.52 per \$100 of assessed value
- Merchant's Capital - \$1.00 per \$100 of assessed value discounted 50%

PUBLIC SERVICE CORPORATIONS

- Real Estate - \$0.39 per \$100 of assessed value

Personal Property Motor Vehicles - \$2.04 per \$100 of assessed value
All Other Personal Property - \$1.52 per \$100 of assessed value

ROLL CALL

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

Motion failed 1 – 4.

Mr. Geilich made a motion to Adopt the Ordinance for the Calendar Year 2008 Tax Levy to reflect the following:

Beginning January 1, 2008 until December 31, 2008 the following tax rates shall apply in Lancaster County, Virginia:

Real Estate - \$0.42 per \$100 of assessed value
Personal Property Motor Vehicles - \$2.04 per \$100 of assessed value
All Other Personal Property - \$1.52 per \$100 of assessed value
Machinery and Tools - \$1.52 per \$100 of assessed value
Merchant's Capital - \$1.00 per \$100 of assessed value discounted 50%

PUBLIC SERVICE CORPORATIONS

Real Estate - \$0.42 per \$100 of assessed value
Personal Property Motor Vehicles - \$2.04 per \$100 of assessed value
All Other Personal Property - \$1.52 per \$100 of assessed value

ROLL CALL

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

CONSENSUS DOCKET

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

A. Minutes for May 29, 2008 and June 16, 2008

Recommendation: Approve minutes

B. Broadband Planning Study – Phase II

Recommendation: Adopt the following resolution:

**Supporting the Northern Neck and Middle Peninsula
Broadband Planning Study- Phase II**

Whereas, the Northern Neck and Middle Peninsula Broadband Telecommunication Planning Project- Phase I (Needs Assessment and Broadband Education) has been completed; and

Whereas, Phase I findings clearly identify a need for high speed connectivity options and competition in both the Northern Neck and Middle Peninsula regions; and

Whereas, a vast majority of residents and businesses have computers and internet access, the regions lag behind the nation in the numbers who have higher than dial-up internet speeds; and

Whereas, it is evident that there is inadequate bandwidth availability to meet the present and future needs of residents, businesses, education and the healthcare industry; and

Whereas, the NNMP Broadband Planning Study- Phase I has documented those needs and recommends proceeding to a Phase II study that will further define priority areas, and options for investments and partnerships to encourage broadband service expansion that will be explored, and costs that will be developed and the feasibility of public investment that will be examined to determine options for enabling broadband deployment throughout the regions,

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors endorses and supports the application to the Virginia Department of Housing and Community Development for Phase II funding and commits its willingness to proceed with implementation of an open access network.

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

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of June 2008 Salaries and Invoice Listings

Motion was made by Mr. Palin to approve the Salaries for June 2008 in the amount of \$197,415.93 and Invoice Listings for June 2008 in the amount of \$551,308.64.

VOTE:	Peter N. Geilich	Aye
-------	------------------	-----

Jack S. Russell	Aye
B. Wally Beauchamp	Aye
F. W. Jenkins, Jr.	Aye
Ernest W. Palin, Jr.	Aye

2. FY 2009 Lancaster County Operating and Capital Improvement Budget - Mr. Larson stated consideration and approval of the subject budget.

Mr. Larson said the Board of Supervisors received public input on the subject budget on June 16, 2008. The requirement for a minimum one-week period between the taking of public input and consideration for approval has been met. A synopsis of the operating and capital improvement budgets with proposed operating expenditures of \$26,672,721 and projected revenue of \$26,745,133. Fund balance at the end of FY 2009 is project to be \$629,848. Capital improvement expenditures, proposed, are \$949,400 with all being funded from the current balance in the capital improvement fund.

Dr. Russell stated he suggested that the board contribute \$5,000.00 to the Northern Neck Maternity Center and he does not want to see that item removed. He wanted to reiterate the fact that this is a service worthwhile and needed for our area. The Delegate, State Senator, and Congressman are all supporting the center. The long term impact of the maternity center would be important, as we talk about attracting young people/families and this would help to achieve that. The maternity center could create 10 – 15 jobs over the next couple of years. If there is a future for us economically in Lancaster County it is in the health care industry. He believes that the Lancaster County Board of Supervisors should show a good faith effort and show others that the board supports the maternity center and contribute \$5,000.00.

Mr. Geilich stated he has been in the health care field fifty years, most of that time dealing with hospital in obstetrical business and a free standing

maternity center that is away from a hospital and when the closest hospital has no obstetrical facility is not a good public health situation. The county should not be associated with acute care and he strongly feels that this is not a good idea.

Dr. Russell stated one of the components of the center will be the telemedicine capability and birthing center in using telemedicine has been successful in a lot of different parts of the country.

Mr. Geilich stated he was still in strong opposition to the idea.

Mr. Jenkins said Lancaster County taxpayers are going to support this thorough state and federal tax dollars and grants, and monies taken out of paychecks for Medicare and Medicaid.

Mr. Beauchamp said he does not have expertise in this field, but after hearing Mr. Geilich comments, he has to agree with Mr. Geilich that this is not a good idea for the county and its taxpayers.

Mr. Palin stated the maternity center would provide services to a number of his constituents, however; the budget has been set and he will vote on the budget submitted.

Dr. Russell made a motion to restore the amount \$5,000.00 to the budget for a contribution to the Northern Neck Maternity Center.

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

Motion failed 1 – 4.

Mr. Palin made a motion to adopt the following resolution to approve the Fiscal Year 2008/2009 Annual Budget and that appropriations will be considered quarterly by the Board of Supervisors:

FISCAL YEAR 2008/2009 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 2008/2009 is approved and appropriations for the aforementioned funds are made as follows, subject to terms and conditions outlined within this appropriation resolution:

The Lancaster County Board of Supervisors has approved the following appropriations subject to quarterly requests and subsequent approval. One-fourth of the following amounts are appropriated for the period July 1, 2008 until September 30, 2008.

Operating Budget

Board of Supervisors	\$ 46,715
County Administration	373,741
County Attorney	20,000
Independent Auditor	28,500
Commissioner of the Revenue	264,207
Treasurer	255,692
Information Technology Services	95,005

Electoral Board	26,367
Registrar	86,396
Circuit Court	12,000
General District Court	5,300
Magistrate	900
Juvenile & Domestic Relations Court	1,725
Clerk of the Circuit Court	294,417
Victim/Witness Assistance	25,460
Commonwealth Attorney	313,068
Sheriff (Law Enforcement)	1,277,123
Dispatchers	116,185
School Resource Officer	47,582
Volunteer Fire Departments	288,000
Rescue Services	101,156
Paid Rescue Services	428,718
Forest Fire Service	\$ 2,200
Local Emergency Services	65,500
Sheriff (Corrections)	899,336
Juvenile Probation Office	64,850
Electronic Monitoring Program	20,000
Building Inspections	121,357
Animal Control	93,900
Medical Examiner	750
Refuse Disposal	951,949
General Properties	187,975
Health Department	200,000
Free Health Clinic	90,778
Community Services Board	36,744
Bay Aging	70,549
Group Home Commission	25,000
Rappahannock Legal Services	5,600
The Haven Crisis Shelter	3,500
Comprehensive Services Act	800,000
Social Services Board	1,443,103
Virginia Quality Life	10,000
Rappahannock Community College	5,700
YMCA	75,000
Boys and Girls Club of America	15,000
Mary Ball Washington Museum	4,400
Historic Resources Commission	200
Community Library	80,745
Northern Neck/Chesapeake Bay Partnership	6,000
Rappahannock River Basin Commission	1,000
Land Use Administration	217,431
Resource Conservation and Development Area	600
Department of Housing	45,943

Planning District Commission	19,000
Soil & Water Conservation District	10,000
Wetlands Board	11,594
Board of Zoning Appeals	6,494
Planning Commission	11,390
Extension Service	60,359
Landfill Closure Management	5,000
Enhanced Emergency Telephone System	44,925
Lancaster Public Schools	15,494,208
School Cafeteria Fund	686,905
Debt Service	<u>669,478</u>
Total Operating Budget Appropriations	\$26,672,721

Capital Improvements Budget

LPS—Replace HVAC Systems	\$ 86,400
LPS—Construct Bus Loop	13,500
LHS—Redesign Band Room	5,000
LMS—Replace 6 th Grade Classroom Windows	51,500
Painting of County Buildings	40,000
Judicial Center Design	680,000
Repairs to Old Jail/Clerk’s Office	48,000
Repair/Replace School Cafeteria Equipment	<u>25,000</u>
Total Capital Improvements Budget	\$ 949,400

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, 2009 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, 2009.

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, 2009 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, 2009 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 re-appropriated 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:	Peter N. Geilich	Aye
	Jack S. Russell	Nay
	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Nay
	Ernest W. Palin, Jr.	Aye

BOARD REPORTS

None

COUNTY ADMINISTRATOR

Commending the Assistant County Administrator

Mr. Pennell commended Mr. Larson, Assistant County Administrator, on a job well done on working with the county budget for his year. The Board of Supervisors agreed and indicated that Mr. Larson did an excellent job.

Northern Neck License Plate

Mr. Pennell said an article was published in the Rappahannock Record about the new Northern Neck License Plate that could be available in a couple of years. People

need to apply for the license plate and be placed on a list in order for the General Assembly to approve them. Applications are now available in the Administration Office.

Lancaster County Chamber of Commerce

Mr. Pennell informed the board that Dick Donovan, Executive Director for the Lancaster County Chamber of Commerce has retired and the new Executive Director is Edie Jones-Jett.

ADJOURNMENT

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

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