

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the Administrative Building Board/Commission Meeting Room of said county on Thursday, June 28, 2018.

Members Present: William R. Lee, Chair  
Jason D. Bellows, Vice Chair  
Jack D. Larson, Board Member  
Ernest W. Palin, Jr., Board Member  
Robert S. Westbrook, Board Member

Staff Present: Don G. Gill, Assistant County Administrator and  
Planning/Land Use Director  
Crystal Whay, Building/Land Use Assistant  
Bonnie Dickson, County Treasurer

Mr. Lee called the meeting to order at 5:30 p.m.

**CLOSED MEETING**

Motion was made by Mr. Palin to enter into 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, § 2.2-3711.A.1 and Legal Matters, § 2.2-3711.A.8 of the Code of Virginia, 1950, as amended. The subject and purpose falls within the following exemption(s) under § 2.2-3711.A.1 (for the discussion and consideration of the assignment, appointment, promotion, performance or salaries of specific public officers, appointees or employees of the public body) and § 2.2-3711.A.8 (for the consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.)

VOTE:	William R. Lee	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

Mr. Bellows arrived at 5:53 p.m. and joined the closed meeting.

**RECONVENE**

Motion was made by Mr. Palin to reconvene the open meeting.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

**CERTIFICATION**

**WHEREAS**, the Lancaster County Board of Supervisors convened in a closed meeting on June 28, 2018 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Personnel, § 2.2-3711.A.1 and Legal Matters, § 2.2-3711.A.8 of the Virginia Freedom of Information Act;

**WHEREAS**, § 2.2-3712 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. Palin to certify the closed meeting.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number 1 and number 2 above? If so, identify yourself and state the substance of the matter and why in your judgment it was a departure. There was no comment.

Hearing no further comment, Mr. Palin called the question. A roll call vote was taken:

ROLL CALL

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

This certification resolution is adopted.

Mr. Lee made a motion to accept the retirement letter of Steve Daum, Building Official, effective September 1, 2018 and to authorize the County Administrator to advertise for Mr. Daum's replacement.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

**PUBLIC INPUT**

Gary Silverman, a District 1 citizen, stated that he had attended the last joint meeting with the School Board and the Board of Supervisors and it was exciting to hear about the scope of work for the new school. He stated that his concern was that the public was not aware of how it was all going to work with the different phases of the proposed project.

Mr. Lee stated that the Board of Supervisors has a lot of questions about it as well.

**PRESENTATIONS**

None.

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

Mr. Lee stated that the Virginia Department of Transportation didn't have any representatives that were available for tonight's meeting.

Mr. Larson asked Mr. Gill to find out from Robert Harper, VDOT Brookvale Headquarters Superintendent, about the mowing schedule. He stated that the grass was very high in the upper end of the County.

Mr. Gill replied that he would get in touch with Mr. Harper.

Dr. Westbrook asked if it would be possible for the Board of Supervisors to write a letter stating its concerns about the intersection of James B. Jones Memorial Highway and Route 3. He stated that VDOT required the intersection to be built in a certain way and yet, when the County tries to seek a solution for the closing of two turn lanes, VDOT says it is the County's responsibility to apply for Smart Scale funding. He stated that, in his opinion, he believed it was VDOT's responsibility to do everything they could to resolve this issue. He stated that he would suggest a letter or resolution to state the Board's dissatisfaction with the way that VDOT has handled this issue. He stated that the end result may be no different and VDOT may never correct the intersection, but it should be corrected.

Mr. Bellows asked James Cornwell, County Attorney, if Walgreens would have a legal case against VDOT for designing the intersection improperly.

Mr. Cornwell replied that he could not answer that question without knowing all of the facts. He stated that he thought it was a bit ridiculous to design a bypass road for trucks that trucks cannot use.

Mr. Bellows stated that he realized that the truck designation changed in the Town of Kilmarnock after the intersection was in place, but that should not make any difference because at least one truck was using the road prior to any changes being made. He stated that it should not make any difference if one truck or five hundred trucks were using the bypass road.

Mr. Lee asked Mr. Gill if he had heard anything about the intersection since the last meeting.

Mr. Gill replied that he had submitted the Smart Scale application, but had not heard anything yet.

Mr. Bellows suggested reaching out to Walgreens to find out their position.

Mr. Gill stated that he thought the Town of Kilmarnock reached out to Walgreens a few years ago and found that it was too costly to purchase the property required for the intersection to be corrected.

Mr. Gill suggested having the Board of Supervisors authorize him to write a letter to the Commonwealth Transportation Board concerning the intersection.

Mr. Bellows suggested that the County reach out again to the Town of Kilmarnock and Walgreens to see if everyone can come to an agreement.

Mr. Gill stated that had been done in the past, but it could be revisited again.

Mr. Cornwell stated that there may also be a setback issue.

Mr. Larson stated that VDOT approved the Walgreens construction plan, so VDOT should fix it. He stated that VDOT was the approval authority all the way around.

Mr. Lee asked Mr. Gill to send a letter to the Commonwealth Transportation Board on behalf of the County and to get in touch with Tom Saunders, the Kilmarnock Town Manager.

Mr. Palin asked Mr. Gill to also check with Robert Harper concerning Kelley Neck Road. He stated that one of his constituents had told him that part of the road was caving in.

## **PUBLIC HEARING**

### **1. CY 2018 Proposed Tax Levy Ordinance**

Mr. Lee asked Mr. Gill to present the issue.

Mr. Gill stated that this was the last step in the budget process for FY19. He stated that the public hearing was being held to receive public comment on the proposed CY 2018 Tax Levy Ordinance as required by Section 15.2-1427 of the Code of Virginia, 1950, as amended. He stated that the Board of Supervisors held its required public hearing on the FY19 Operating Budget on May 31, 2018 and adopted and appropriated that budget on June 14, 2018. He stated that Section 15.2-2503 of the Code of Virginia, 1950, as amended, requires the Board to fix a tax rate for the budget year no later than the date on which that fiscal year begins. He stated that the ordinance has been advertised as required by law and reflects no changes in the existing tax rates and proposes no new tax levies.

Mr. Lee opened the public hearing.

Gary Silverman, a District 1 citizen, stated that he and George Bott had done a quick calculation concerning the estimated amount of \$46 million dollars for the proposed school capital project and came up with \$2.5 million dollars needed next year for debt service. He stated that they calculated the loan amount over thirty years at today's rates.

Mr. Larson asked what interest rate they had used.

Mr. Bott replied 3.5 percent at twenty-five years and 3.6 percent at thirty years and USDA was 3.4 percent at forty years.

Mr. Larson asked if Mr. Bott knew of institutions that would give the County that rate.

Mr. Bott replied that was his best guess.

Mr. Silverman stated that Dr. Westbrook's proposal of a ten cent tax increase on real estate would generate approximately \$2.7 million dollars, which would cover the additional debt service for the new school.

Charlie Costello, a District 2 citizen, stated that he wished the Board had increased the tax rates. He stated that fifty million dollars was only for phase one of the proposed school capital project and it needs to be considered. He stated that many citizens wanted to know what was going to happen with the schools and he thought the Board should think about more communication with the public about the schools and proposed plans. He presented a check for his boat tax.

Mr. Lee stated that he agreed with Mr. Costello about communication, but they needed to have good and accurate information when they start communicating and he thought that information was still forth coming.

Mr. Lee closed the public hearing.

Mr. Bellows made a motion to Adopt the CY 2018 Proposed Tax Levy Ordinance.

**ORDINANCE PERTAINING TO  
TAX LEVIES FOR CALENDAR YEAR 2018  
AND EXEMPTIONS FROM TAXATION**

Be it ordained by the Lancaster County Board of Supervisors that:

Beginning on January 1, 2018 until December 31, 2018 the following tax rates shall apply in Lancaster County, Virginia:

Real Estate - \$0.59 per \$100 of assessed value  
General Personal Property - \$2.04 per \$100 of assessed value  
Personal Property Motor Vehicles - \$2.04 per \$100 of assessed value  
All Boats or Watercraft - \$0.0000000000000001 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 by 50%  
All Other Personal Property Except as Specifically Exempted - \$1.52 per \$100 of assessed value

**PUBLIC SERVICE CORPORATIONS**

Real Estate - \$0.59 per \$100 of assessed value  
General Personal Property - \$2.04 per \$100 of assessed value  
Personal Property Motor Vehicles - \$2.04 per \$100 of assessed value  
All Boats or Watercraft - \$0.000000000000001 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 by 50%  
All Other Personal Property Except as Specifically Exempted - \$1.52 per \$100 of assessed value

**FARM EQUIPMENT, FARM ANIMALS AND OTHER FARM ITEMS**

Farm equipment, farm animals and other classes of farm items set forth in subsection A of Section 58.1-3505 of the *Code of Virginia, 1950, as amended*, shall be exempt in whole from taxation.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Nay

VOTE: 4-1

**CONSENSUS DOCKET**

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

1. Minutes for May 8<sup>th</sup> Budget Work Session, May 31<sup>st</sup> Regular Meeting and June 5<sup>th</sup> Tax Levy Work Session

Recommendation: Approve minutes as submitted

2. Abstract of Votes – 2018 Republican Primary for the United States Senate and Democratic Primary for the House of Representatives Held on June 12, 2018

Recommendation: Approve abstract as submitted

3. Termination of Declaration of Local Emergency 3-2-18

Recommendation: Approve document as submitted

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of June 2018 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for June 2018 in the amount of \$272,148.27 and invoice listings for June 2018 in the amount of \$529,775.60\*.

\*Loan Payments - \$4,872.09

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

2. Revenue Anticipation Note Request

Mr. Lee asked Ms. Dickson to present the issue.



Ms. Dickson stated that, after looking at the funds that she has on hand, she estimated that she had approximately \$4.1 million dollars. She stated that in a normal month, what she receives from the state and other sources takes care of the smaller expenditures and the tax money that is received in December takes care of the end of month expenditures. She stated that, at the present time, she has enough money for the months of July, August and some of September. She stated that her requested \$3.2 million dollars will cover the rest of September and October. She stated that the tax bills have been going out later in October than in previous years, so the money doesn't come in as early now. She stated that the Request for Proposals states up to \$3.2 million dollars.

Dr. Westbrook asked if Ms. Dickson's request was similar to a line of credit.

Ms. Dickson replied that a line of credit was not allowed per code.

Mr. Larson stated that the cost to go through the RFP process last year was roughly \$10,000 using Davenport and Company and Sands Anderson. He stated that in the years of 2005 and 2006, when the fund balance was very low, the County prepared its own RFPs and did not use Davenport and Company's services. He suggested that the County save the money that was being paid to those firms and do the RFPs in house. He stated that the RFP does not need to go out to eighty banks and he believed that there was sufficient expertise within the staff to do the work. He asked Ms. Dickson to consider that option.

Mr. Gill stated that Davenport and Company had followed the same schedule that they had in the past two years and had already sent out an RFP electronically.

Mr. Larson asked if they were authorized to do that.

Mr. Gill replied that Davenport and Company had asked both him and Ms. Dickson if the RFP looked good and they both had replied that it did.

Mr. Larson asked if the County told Davenport and Company that the RFP would be done in house this year, would it be billed for services rendered.

Ms. Dickson replied that she was sure that they probably would, but could not say for sure. She stated that the problem with doing the RFP in house at this point was that she did not know if she had time to get the RFP done and out in time for them to make an award and go to closing with Sands Anderson.

Mr. Larson asked if the fees for Davenport and Company and Sands Anderson were in the budget.

Mr. Gill replied that the fees were projected in the short term debt figure for FY 19.

Mr. Larson stated that he wanted the RFP done in house next year and to plan ahead for it. He stated that it will probably end up being awarded to one of the local banks and it should be provided that they were the most responsive and responsible bidder. He stated that, for the record, the RFP for the Revenue Anticipation Note next year would not be done out of house unless someone can give him a very compelling reason why they should.

Mr. Cornwell stated that he thought it was more of a manpower issue, but he did not see why it could not be done in house.

Mr. Larson stated that requests for proposals and invitations to bid can be done in house and just requires the willingness to do it.

Mr. Lee stated that Mr. Larson made a good point. He stated that if the RFP process was done in house before, there is no reason why it cannot be again. He stated that he understood about the manpower issue, but if the process is started early then it should not be a problem.

Mr. Bellows stated that they would still need legal counsel to close the loan.

Ms. Dickson agreed.

Mr. Larson stated that they have convinced him that they don't have much choice this year, but he wasn't happy about it.

Ms. Dickson stated that she apologized. She stated that she had spoken with a representative from Virginia Commonwealth Bank and was given an estimate of 1.25 percent for the interest rate. She stated that she could invest the money at a rate of 2.1 percent and that would more than cover the interest costs and cover a portion of the professional fees.

Mr. Cornwell stated that Ms. Dickson should ask bond counsel about that. He stated that the federal government has rules about borrowing money at a lower rate and investing it at a higher rate.

Ms. Dickson stated that her request was to have the Board authorize her to review the RFPs once they are received. She stated that she would be coming back at the end of July with a recommendation for the award.

Mr. Lee made a motion to Authorize Bonnie Dickson, County Treasurer, to review the RFPs for the Revenue Anticipation Note of \$3.2 million dollars.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye

Jack D. Larson	Aye
Ernest W. Palin, Jr.	Aye
Robert S. Westbrook	Aye

## **BOARD REPORTS**

Mr. Larson referred to the proposed schools and stated that he had heard from citizens about the lack of information concerning them. He stated that it has been his concern, too. He stated that, in an effort to move ahead quickly, they were not doing it in a very orderly way. He stated that he knew there were citizens that strongly supported what has been put forth so far. He stated that about sixteen months ago, there was a proposal to build two new schools and renovate the middle school. He stated that, in his opinion, the costs for the plan were understated and the benefits were overstated. He stated that, after an RFP process, the School Board selected VMDO for the design work. He stated that the presentation that VMDO gave to the Board of Supervisors was a completely different approach with two new schools referred to as phase one and phase two, but only the costs associated with phase one were talked about. He stated that he had concerns about the County's ability to come up with the revenues necessary to service the debt of \$71 million dollars. He stated that he had been told from someone with the schools not to worry about the \$71 million dollars because the cost was going to be around \$40 million dollars. He stated that, after the VMDO presentation, he found out that was only for one school and the projected cost was approximately \$46 million dollars. He stated that what it means to him is that somewhere down the road, they will still have to build another school to serve grades six through twelve that will cost the same amount. He stated that it was reported in the paper that the consensus of the Board of Supervisors was to move ahead on the last plan that was put forth and that troubled him greatly. He stated that it was his understanding that the only consensus was for VMDO to come back in front of the Board to tell them what they could do for roughly \$340,000. He stated that he did not like doing these things piece meal.

Mr. Larson stated that he had heard from some of his constituents in District 1 who strongly support new schools in whatever form. He stated that he also has a majority of his constituents who are very concerned, especially as they find out that the representations are not correct. He stated that, in his opinion, the Board needed to have the public totally behind the proposed plans and if the public was behind either one of the proposals, then he would step back, but he did not believe that was the case in District 1. He stated that he believed there was a majority of people that did not want either of the plans.

Mr. Larson made a motion to begin proceedings immediately to put the matter of the proposed new schools to a public referendum.

Mr. Lee stated that they would need specific information for the referendum and some of that information would not be forthcoming until the Board meets with Davenport and Company in July.

Dr. Westbrook stated that there was process that was followed concerning the new schools. He stated that the School Board had public meetings for approximately 3 ½ years. He stated that, at those meetings, they discussed the status and conditions of all of the schools. He stated that they looked at properties and the School Facilities Committee visited other localities to see what others had done. He stated that they can do a lot better than the schools they attended. He stated that he resented the statement that this had been a rush job. He stated that the School Board had gone through two RFPs for architects and VMDO was chosen both times. He stated that, in 2012, the School Board hired RRMM to do a study of its schools and the report was published in 2013 and was available to the public. He stated that there was a series of public meetings in which the findings and options were discussed. He stated that there was no surprise that the County needed new schools back in 2012.

Mr. Larson stated that he did not dispute the fact that there were public meetings held around the County concerning new schools. He stated that there has clearly been some confusing information when it comes to the different plans.

Dr. Westbrook stated that no final decision has been made and VMDO is going to have another series of interviews with the teachers, staff and community to see what the final design will look like.

Mr. Larson stated that, it was his understanding, that VMDO was supposed to come back to the Board of Supervisors to tell them what they were going to do with the requested \$350,000.

Dr. Westbrook stated that VMDO told the Board what they were going to do and it was approved.

Mr. Larson stated that it was not a consensus on his part that this approach, which could very easily lead to schools costing over \$80 million dollars, was the way to go. He stated that, in his mind, VMDO was coming back to tell the Board exactly what it was going to do in detail.

Mr. Bellows stated that Steve Parker, School Superintendent, has signed the initial contract for approximately \$350,000 and Dr. Westbrook was correct about VMDO going to interview the teachers and staff and figure out what will be in the final plan to bring back to the Board. He stated that what he was concerned about so far was, in the building of one school, there are some questions that need to be answered such as how we will reach efficiencies necessary. He stated that if only one school was built on the new lot, then they would still be running three schools, which means there will still be three cafeterias, three bus routes, etc. He stated that the only efficiency that would be reached

by just building the one school would be the savings for electricity and maintenance at the new school.

Mr. Lee reminded the Board that there was a motion on the floor.

Mr. Larson stated that his motion was to commit to a public referendum and doing whatever was necessary to put out accurate figures so the public can make a determination. He stated that he appreciated hearing from his constituents and he listened to them, although sometimes he did not always agree with them. He stated that he was there to represent his constituents and on behalf of them he wanted to commit to a public referendum.

Mr. Lee stated that the proposed motion was for the Board to move forward with a referendum.

Mr. Bellows asked about the referendum making it to the ballot in November.

Mr. Gill replied that there was still time. He stated that they would have to have a court order by August 16<sup>th</sup>.

Dr. Westbrook stated that the Board would not have the figures until VMDO does the interviews and consolidates its final plan. He stated that they would be doing that until the first of the year.

Mr. Cornwell stated that the referendum would have to have a specific amount and a specific description of what was being proposed.

Mr. Bellows stated that he guessed that Mr. Larson's motion was more about whether the proposed school project had the Board's support to move forward.

Mr. Larson stated that if they were going to make a commitment for forty years of debt service, while trying to maintain competitive salaries and meet other obligations, he thought they should hear from the public.

Mr. Lee asked Mr. Cornwell to explain the referendum process.

Mr. Cornwell replied that the way a referendum usually begins was for a resolution to be passed by the School Board, which would request the Board of Supervisors to adopt a resolution to place the matter on the ballot. He stated that there would need to be a specific figure and specific reason included on the ballot.

Mr. Palin asked if the Board of Supervisors or the School Board was supposed to get the information.

Mr. Lee replied that Mr. Cornwell stated that the School Board would pass a resolution first.

Mr. Cornwell stated that, normally, the School Board would provide the information for the referendum. He stated that he was unsure if Mr. Larson's motion was one of principle or one of actuality.

Mr. Larson stated that he did things on principle and this was about getting something out to the public that will allow them to say whether or not they wanted what was being proposed. He stated that any reasonable person would conclude that if one school was going to cost \$46 million dollars, then two schools would cost in the range of \$80 million dollars. He asked why he was told not to worry about it because there was going to be a proposal of \$40 million dollars. He stated that it troubled him that people had not been straight with him.

Dr. Westbrook stated that the reason things changed was because it seemed more reasonable to take this in bites. He stated that the worst school in the County was the primary school, so it seemed reasonable to replace that one first. He stated that phase two would take care of the rest of it.

Mr. Larson asked if the County was going to wait until it paid off the first school before it started on the second one.

Dr. Westbrook replied that he hoped not.

Mr. Palin asked Mr. Cornwell what would happen if the Board decided to move ahead with the referendum, but did not get the required information in time for the ballot.

Mr. Cornwell replied that he did not know if Mr. Larson wanted the Board of Supervisors to adopt a resolution that it would only approve the borrowing for the schools upon passage of a referendum.

Mr. Larson stated that Mr. Cornwell's statement was correct.

Mr. Palin asked what would happen if they do not get the information in time for the ballot. He stated that he wanted to know where the Board would stand in that situation.

Mr. Cornwell replied that if there is no number or project details, then it cannot be on the ballot in November.

Mr. Palin asked if that was the case, would they have to stand still and wait for next year.

Mr. Cornwell replied that if the Board of Supervisors decides that they will only approve the financing of the schools upon passage of a referendum, then they would have to wait.

Mr. Bellows stated that Mr. Larson's motion was for the Board of Supervisors to make the decision to send this to referendum instead of moving forward.

Mr. Palin asked if the information could be obtained in time.

Mr. Gill replied that he had two potential dates to meet with Davenport and Company. He stated that they were supposed to discuss potential financing for \$47 million dollars that was proposed on June 14<sup>th</sup>. He stated that they were also going to have a scenario for the \$71 million dollars that was originally proposed for comparison. He stated that they also have a scenario for \$60 million dollars, but he was not sure where that would fit it now. He stated that Davenport and Company was available on Thursday, July 12<sup>th</sup> at 7:00 p.m. or Thursday, July 19<sup>th</sup> at 5:30 p.m.

Dr. Westbrook suggested that Davenport and Company run a scenario for \$80 million dollars so they would know the high end.

Mr. Bellows stated that if the issue went to referendum and somehow did not pass, money and time would be wasted and they would have to start the entire process over again.

Mr. Larson stated that they would have to come up with other options. He stated that he did not dispute the fact that they need to do something. He stated that the primary school was in bad shape and its doors probably should have been closed on the last day of school this year and utilize the other two facilities. He stated that they should have the capacity because they have gone from an average daily membership of approximately 1500 a few years ago to under 1100 recently. He stated that he was advocating that the people of the County that were going to be paying the bills should have a say in the matter.

Mr. Lee stated that, if the referendum fails, he understood that they would still have the option to build the schools.

Mr. Cornwell stated that was correct. He stated that, however, if the referendum failed, the lender would know that the citizens of the County were not behind it and the process could be more difficult with higher interest rates.

Dr. Westbrook stated that the assumption keeps being made that the tax rate has to stay where it is and we can't do anymore than what we are doing now. He stated that the mean tax rate of all of the counties in Virginia is ten cents above ours. He stated that this County was able to pay a tax rate that lets them have the schools that the children deserve.

Mr. Larson stated that he did not agree with that and did not think it was something that the citizens of the County agreed with and certainly not in District 1.

Mr. Bellows stated that the citizens of District 3 elected him to represent them and he would not support the referendum motion and that it was best to continue to move forward.

Mr. Larson restated his motion that the Board of Supervisors put the proposed school project to a public referendum and obtain the necessary information to do so.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Nay
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Nay
	Robert S. Westbrook	Nay

VOTE: 2-3-Motion failed.

Mr. Palin stated that he voted against the motion because at this time he did not feel he had enough information. He stated that if the referendum failed, but the County went through with the proposed plans, the public would think that they had not been heard.

Mr. Larson stated that he stood ready to work as hard as anybody else concerning the County's tax situation and figuring out what needed to be done. He stated that Dr. Westbrook had done good work as far as looking at what other localities are doing. He stated that, however, he did not think they should say the rate will be 0.69 cents just because it happens to fall in the middle of the range.

Mr. Palin stated that he had mentioned earlier about working on ordinances concerning renewable energy such as solar farms and windmills and wanted to know where that stood.

Mr. Gill stated that it had been determined at a prior meeting that the Planning Commission should start looking into a solar farm ordinance, similar to what Northumberland County has done and will be on its agenda in the coming months.

Mr. Palin asked if he needed to make a formal motion.

Mr. Gill replied that it was already a consensus.

Mr. Palin stated that they would need to determine where they should be located.

Mr. Gill stated that, currently, they were only allowed in the M-1, Industrial District.



Mr. Bellows referred to the public boat ramp at Windmill Point and stated that the County had been doing a fair amount of maintenance on that road. He stated that when the public boat ramp was built, there was an agreement with the neighbors there that the County would maintain the road. He stated that, so far, he thought they had spent close to \$5,000 on road maintenance there. He stated that Mr. Gill had received some estimates on paving the road. He stated that paving the road from Windmill Point Road to the boat ramp will keep it maintained over a long period of time. He stated that he thought the estimate was around \$30,000. He asked Mr. Gill to get that information for the next Board meeting for review. He stated that he wanted to bring the issue to the Board's attention.

Mr. Gill stated that he had the estimates and would get that information to the Board.

Dr. Westbrook stated that the Broadband Committee had met earlier in the day. He stated that they had heard from Liz Povar, Executive Director of the Middle Peninsula Alliance at the meeting. He stated that he would like the Board of Supervisors to invite Ms. Povar to speak to them and educate all of them about what the Middle Peninsula Alliance and Pamunkey Net was all about. He suggested placing Ms. Povar on the July agenda.

Mr. Gill stated that he would contact Ms. Povar.

Dr. Westbrook stated that the Broadband Committee requests that the meeting with Atlantic Broadband be postponed until August, because by then, the Lancaster Broadband Authority would be official and they would like to sit in on the discussions and participate.

The consensus of the Board was to postpone the July 17, 2018 meeting with Atlantic Broadband until August.

Dr. Westbrook stated that the Broadband Authority members are required to submit a financial disclosure form and have requested the short form as opposed to the long form. He stated that the Board of Supervisors can allow the members to utilize the short form if they choose to do so.

Dr. Westbrook made a motion to allow the Broadband Authority members to utilize the financial disclosure short form at the appropriate time.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye

Ernest W. Palin, Jr.                      Aye

Robert S. Westbrook                      Aye

Dr. Westbrook stated that he would like the Board of Supervisors to request of Jim Cornwell, County Attorney, that he look at the tax-exempt properties that have been identified by the Commissioner of Revenue and the past Commissioner of Revenue to see if they still qualify for the tax-exempt status.

Mr. Cornwell suggested that the Commissioner of Revenue contact the tax-exempt property owners to provide documentation of their tax-exempt status.

The consensus of the Board of Supervisors was to have Marlon Savoy, Commissioner of Revenue, contact the tax-exempt property owners concerning documentation of their status.

Dr. Westbrook stated that the Board also needed to review the County-owned properties to see what should happen with those.

#### **COUNTY ADMINISTRATOR**

Mr. Gill introduced Matthew Smith as the Interim Chief of Emergency Services after Terry McGregor's departure.

Mr. Gill stated that the three no littering with \$500 fine signs were added to the Welcome to Lancaster County signs and installed on Tuesday. He stated that he was in the process of picking out ten locations for VDOT's approval for signs that will be installed in their right-of-way.

Mr. Larson suggested that Judy Ripley make some recommendations on the VDOT sign locations.

Mr. Gill agreed.

Mr. Lee asked about the cost of the no littering signs.

Mr. Gill replied that the three signs that were just installed on the Welcome to Lancaster County signs totaled \$363 and he found the money in his land use budget for those. He stated that VDOT had estimated that the ten additional signs would cost \$188 each, but did not include installation, however the County's maintenance department should be able to handle that.

Mr. Gill referred to the meeting between Davenport and Company and the Board of Supervisors and stated that he had gathered from the discussion that Davenport and Company should also run a scenario for an \$80 million dollar borrowing. He stated that

there were two dates to pick from-July 12<sup>th</sup> or July 19<sup>th</sup>. The consensus was to have the meeting on July 12<sup>th</sup> at 7:00 p.m.

Mr. Gill referred to the annual VACo conference being held November 11-13 and stated that they were offering a special rate if counties register early, but will only hold three rooms per county. He stated that because Mr. Bellows was on the VACo Board of Directors, his room would be guaranteed outside of the other three rooms. He stated that he would like to have some guidance on whether he should hold all three rooms at the Homestead. The consensus was to hold three rooms for the VACo conference in November.

Mr. Bellows asked Mr. Gill if they could get the Commonwealth's Attorney and the Sheriff to come in front of the Board to talk about what they intend to do concerning the littering issue.

Mr. Gill replied that he would ask them.

Mr. Bellows stated that it would not do them any good to invest a lot of money in signs only to have the Commonwealth's Attorney throw the tickets out and not process them.

Dr. Westbrook stated that he had heard from Judy Ripley recently and she told him that she had spoken with the Commonwealth's Attorney and he promised her that he would prosecute any littering that comes before him.

### **ADJOURNMENT**

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

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye