

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, July 29, 2004.

Present: Patrick G. Frere, Chair  
B. Wally Beauchamp, Vice Chair  
Peter N. Geilich, Board Member  
F. W. Jenkins, Jr., Board Member  
Ernest W. Palin, Jr., Board Member  
William H. Pennell, Jr., County Administrator

Others

Present: Joseph Staton, Carter White and C.C. Burgess, Virginia Department of Transportation; Jack Larson, Planning/Land Use; Scott Hudson, Emergency Services; Joan Wenner, Northern Neck News; Robb Hoff, Rappahannock Record

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

**PUBLIC INPUT**

None

**PRESENTATION**

1. Introduction of New County Employees - Mr. Pennell said the county has two new employees in administration. He introduced the new Building Inspector, Stephen A. Daum who started on July 12, 2004 and doing a great job. We also have a new Building/Land Use Secretary, Tina R. Creech who started today and we expect that she will also be doing a good job. Ms. Donaldson was gracious enough to stay until Friday, August 6, 2004 to train her replacement Ms. Creech.

## **VIRGINIA DEPARTMENT OF TRANSPORTATION**

### **VSH 3 Town of Kilmarnock**

Mr. Staton stated the Town of Kilmarnock has expressed some concern about ability to get on VSH 3 from the alternate VSH 688. The traffic engineers have done traffic study and indicated that it does not justify the need for a traffic light at this time. The town is working on an enhancement project and the primary focus is traffic calming.

### **VSH 695 Windmill Point Road**

Mr. Staton said on VSH 695 about one mile passed VSH 659 there is a shoreline erosion issue which is getting closer to the pavement. They have submitted the drawing, application and other necessary paperwork and would like to repair the problem by winter.

### **VSH 755 Burnt Wharf Road**

Mr. Staton stated VSH 755 in the Slabtown area is currently being worked on. The grading has been complete and stabilized. They will probable pave after winter.

### **Morattico Road Work**

Mr. Staton said they have obtained permits for the rip rap work in Morattico near Sloop Point. The work will begin next week and the asphalt on the road will be raised approximately five or six inches.

### Road Repairs

Mr. Staton stated a number of the roads near the Highbank project are in bad condition and after the work is completed, hopefully by spring, they can repair the roads.

### VSH 738 Cypress Lane

Mr. Staton said a speed study has been completed on VSH 738 Cypress Lane and the speed limit has been posted at 30 mph.

### Rural Additions

Mr. Staton stated that the legislature at the last session made changes to section 33.1-72.1 of the Code of Virginia that deals with Rural Additions. The county would need to ensure its subdivision ordinance prevents private roads in subdivisions. Failure to require that subdivision roads be brought up to state standards could cause the county to lose future rural addition funding from the commonwealth. There are a few items in the Lancaster ordinance that need to be revisited.

### VSH 673 Speed Study

Mr. Frere said he would like VDOT to do a speed study on VSH 673 Riverwood Road which is across from the primary school. There currently is not a speed limit posted.

### **PUBLIC HEARING**

None

### **CONSENSUS DOCKET**

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

A. Minutes for June 24, 2004

Recommendation: Approve the minutes

B. Preliminary Water/Wastewater Engineering Study and Public Service Authority

At Mr. Jenkins' request, this matter was moved to the Consideration Docket

C. Resolution – Red Cross Month

Recommendation: Adopt the following Resolution:

**RED CROSS MONTH**

**WHEREAS**, September marks the one-year anniversary of Hurricane Isabel's destruction to Lancaster County; and

**WHEREAS**, residents of Virginia were called upon to respond to the needs of their communities during and after Hurricane Isabel last September; and

**WHEREAS**, the Rivers Counties Chapter of the American Red Cross, including eighteen Red Cross medical personnel and sixty Red Cross volunteers, were on duty during and after Isabel; and

**WHEREAS**, the River Counties Chapter of the American Red Cross has expressed its appreciation for the efforts of all the great volunteers; and

**WHEREAS**, the River Counties Chapter of the American Red Cross will replenish its Disaster Fund in order to prepare for the new hurricane season; and

**WHEREAS**, all Lancaster County citizens hope to enjoy a peaceful, hurricane-free season in 2004.

**NOW THEREFORE BE IT RESOLVED**, the Lancaster County Board of Supervisors hereby proclaims the month of September, 2004 as **Red Cross Month** in the County of Lancaster.

D. Community Services Board – 2004 Performance Contract

Recommendation: Adopt the following Resolution:

**APPROVAL OF PERFORMANCE CONTRACT**

**WHEREAS**, §37.1-198 of the *Code of Virginia* [1950] as amended, requires each Community Services Board to submit, to the governing body of each political subdivision that established it, an annual performance contract for community mental health, mental retardation and substance abuse services for its approval prior to submission of the contract to the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, and

**WHEREAS**, the Middle Peninsula – Northern Neck Community Services Board has put forward its proposed Performance Contract for Fiscal Year 2005, for approval by the Boards of Supervisors of its governing counties of Essex, Gloucester King and Queen, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Lancaster County, Virginia, that the Performance Contract prepared by the Middle Peninsula-Northern Neck Community Services Board for Fiscal Year 2005 and presented to the Board is hereby approved and may be forwarded to the Department of Mental Health, Mental Retardation and Substance Abuse Services as further required.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	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 July 2004 Salaries and Invoice Listings

Motion was made by Mr. Jenkins to approve the Salaries for July 2004 in the amount of \$146,713.09 and Invoice Listings for July 2004 in the amount of \$650,145.05.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

2. Ambulance Billing and Collection Services – Mr. Hudson stated the department of Emergency Services solicited bids for Ambulance Billing and Collections Services earlier this year. Through a selection process, the bids received were reviewed and narrowed to two finalists. The two finalists were interviewed by Mr. Pennell and himself.

Mr. Hudson said Diversified Ambulance Billing (DAB) is being recommended to the Board of Supervisors based on the following reasons:

- They can provide the necessary training for both volunteer and career personnel;

- They can provide the necessary quarterly reporting to the Virginia Office of EMS; and
- The company waived the fees associated with start-up costs of \$1,200.00 for ambulance billing and collection services, thus making them competitive with the other finalist.

Mr. Hudson recommended approval of Diversified Ambulance Billing (DAB) to serve as the ambulance billing and collections service for Lancaster County and authorize the County Administrator to negotiate and execute a contract with Diversified Ambulance Billing (DAB).

Mr. Beauchamp made motion to approve Diversified Ambulance Billing (DAB) to serve as the ambulance billing and collections service for Lancaster County and authorize the County Administrator to negotiate and execute a contract with Diversified Ambulance Billing (DAB).

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

3. Application for Special Exception – Guy O., Jr. and Judy B. Franklin - Mr. Larson said a request by Guy O. and Judy B. Franklin for a Special Exception to store stone, gravel, and landscaping materials on property identified as Tax Map #17-49. This property is located on VSH 3, Mary Ball Road, near Kilmarnock, Virginia and is in Voting District 2.

Mr. Larson stated when Mr. Franklin submitted his application; he indicated that it was for purposes of operating “a stone and landscape supply retail center.” It was felt that this may not be an appropriate use under the

A-2, Agricultural, General zoning of this parcel and clarification was requested. Mr. Franklin advised that his intent was to store stone and mulch for use on landscaping, riprap, and other jobs by his business, J&J, and that “some people might come there and buy stone.”

Mr. Larson said it should be noted that this property is at the intersection of VSH 3 and VSH 614, Devils Bottom Road, near the Lancaster Primary School. Concern has been expressed to Mr. Franklin that truck traffic might pose a hazard to school children and buses if the route of ingress and egress is located near the school. Also, placing the route of ingress and egress at the other end of the property would place it almost opposite the entrance to Earth Resources which has considerable truck traffic entering and exiting VSH 3.

Mr. Larson said this issue was the subject of a public hearing and consideration by the Board of Supervisors at the June 24, 2004 regular meeting. It was felt that more information was required to properly consider this request. A letter was sent to the applicants, which said in order to consider their application for special exception, they would need to provide a plan depicting the location and dimension of stockpiles (including height) on the subject property as well as the route of ingress and egress to the stockpiles. In identifying the route of ingress and egress, the applicants would need to consult with the VDOT resident engineer and obtain VDOT approval of the proposed route. The applicants were informed that they would be unable to transact business on the subject property under the current zoning even with a special exception. This would not preclude transacting business at an authorized location with arrangements for the purchaser to pick up product at the subject property.

Mr. Larson stated the applicants were requested to submit plans no later than Monday, July 12, 2004. Applicants did not respond before that

date. Phone calls to both business and home phone numbers requesting the status of a response had not been returned until July 29, 2004 requesting this matter be continued to the regular Board of Supervisors meeting on October 28, 2004.

Mr. Palin made a motion upon request of the applicant to continue the Application for Special Exception – Guy O., Jr. and Judy B. Franklin until the regular Board of Supervisors meeting on October 28, 2004.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

4. Amending Agreement for the 2001 Lease Revenue Note – Mr. Pennell said as discussed during the 2004 county budget deliberations, the original amortization schedule to repay the 2001 Lease Revenue Note obtained through the Lancaster County Industrial Development Authority was incorrect. The county attorney, the county financial advisors, representative of Bank America, the county’s auditor and county administrator recommend corrective action to resolve this issue.

Mr. Pennell stated since the original amortization schedule did not repay the note correctly, a new schedule has been prepared. The new schedule will have the note repaid at the same time as the original note was to be paid, thus requiring slightly higher annual payments to make up for the first two years of the repayment schedule when lower amounts were paid.

Mr. Jenkins made a motion to adopt the following resolution amending the agreement for the repayment of the 2001 Lease Revenue Note:

**AMENDING RESOLUTION OF THE INDUSTRIAL  
DEVELOPMENT AUTHORITY  
OF LANCASTER COUNTY, VIRGINIA RELATING TO THE  
AUTHORITY'S SERIES OF 2001 LEASE REVENUE NOTE**

**WHEREAS**, on October 18, 2001, the Industrial Development Authority of Lancaster County, Virginia (**the “Authority”**) sold its \$2,460,100 Public Facility Lease Revenue Note, Series of 2001 (**the “Note”**) to Bank of America, N.A. (**the “Bank”**) pursuant to a Note Purchase Agreement (**the “Note Purchase Agreement”**) among the Bank, the Authority and the Board of Supervisors of Lancaster County, Virginia (**the “County”**), which proceeds from the sale of the Note were used to finance the acquisition, construction, renovation and equipping of certain improvements and renovations to various school capital projects and County capital projects (**together the “Project”**) and;

**WHEREAS**, the Bank and the County have requested an amendment to the Lease Agreement dated as of October 18, 2001, between the Authority and the County (**the “Lease Agreement”**), the Note Purchase Agreement and the Note to reflect modifications to the payments of principal and interest on the Note and rental payments under the Lease Agreement, which are set forth in Schedule A to the Note and Exhibit A to the Lease Agreement; and

**WHEREAS**, there have been presented to this meeting a form of Amended Loan Agreement (**“Amending Agreement”**) which the Authority proposes to execute based on the request of the County and the Bank which will amend the payments of principal and interest to be made under the Note and rental payments under the Lease Agreement, copies of which shall be filed with the records of the Authority;

**NOW THEREFORE, BE IT RESOLVED BY THE INDUSTRIAL  
DEVELOPMENT AUTHORITY OF LANCASTER COUNTY,  
VIRGINIA:**

1. The Amending Agreement is hereby authorized and approved and the Chairman or Vice Chairman of the Authority, or either of them, is hereby authorized and directed to execute the Amending Agreement and deliver an original of the same to the Bank to accomplish the purposes set forth therein.

2. The Amending Agreement shall be in substantially the form submitted to this meeting, which is hereby approved, with such completions, omissions, insertions, changes and revisions as may be approved by the officer executing such agreement in his sole and absolute discretion and his execution thereof to constitute conclusive evidence of his approval of any such completions, omissions, insertions, changes and revisions.

3. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

4. All other acts of the officers of the Authority that are in conformity with the purposes and intent of this resolution are hereby approved and ratified.

5. Nothing in this Resolution or in the Amending Agreement shall constitute a debt or a pledge of the faith and credit of the Authority or the County, and the Authority shall not be obligated to make any payments thereunder except from payments made by or on behalf of the County under the Lease Agreement pursuant to annual appropriation thereof in accordance with applicable law.

6. This resolution shall take effect immediately.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

5. Subdivision Preliminary Sketch – Coastal Land Development, LLC – Mr. Larson stated Coastal Land Development, LLC has presented a subdivision sketch as permitted under Section 6-1 of the Subdivision Ordinance.

Mr. Larson said since the subdivision sketch was recently received, only a cursory review has been conducted. Mr. Chase, representative for Coastal Land Development, LLC, indicated that he would be asking for preliminary and final subdivision plat approval at the August 26, 2004 regular Board of Supervisors meeting. While this may be possible it seems extremely ambitious.

The Board of Supervisors discussed a preliminary review of the proposed subdivision and made several suggestions to the applicants.

6. Anthem Inmate Medical Services Program – Mr. Pennell said during budget deliberation, the Board of Supervisors asked that he pursue Sheriff Crockett’s suggestion that Lancaster County consider contracting with Anthem Blue Cross/Blue Shield for inmate medical and dental services.

Mr. Pennell said he recently met with representatives Anthem Inmate Medical Services to learn that:

- a. This program has been bid through the Virginia Sheriff’s Association, thus does not need to be offered for additional competitive bid.

- b. The Virginia Department of Corrections and 50 local and regional jails use this service.
- c. The program has been in existence since 1994.
- d. Anthem negotiates service fees with providers as with family medical plans.
- e. Anthem keeps 30% of the negotiated savings, thus lowering local expenses by the reduced fees for service. Currently, the county pays 100% of the invoiced cost of service (no savings).
- f. Health, dental and prescription savings are realized.
- g. In addition to the 30% of negotiated savings retained by Anthem, there is a small claim fee for each claim filed by the county for inmate services.

Mr. Pennell recommends entering into contract with Anthem to provide these services. The county will realized savings on health care, dental care and prescription services that are not available elsewhere.

Mr. Jenkins made a motion to approve entering into a contract with Anthem Inmate Medical Services and authorize the County Administrator to execute the necessary documentation.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

- 7. 2004 Tax Anticipation Note - Mr. Pennell stated at the June 24, 2004 meeting of the Board of Supervisors, the members authorized him to solicit bids to provide a \$2 million line of credit to be used in the event county

expenditures exceed the fund balance plus income until tax receipts are received later this calendar year.

Mr. Pennell said request for bids were sent to the four banks doing business in Lancaster County, advertised in the Rappahannock Record and was placed on the county's website. The results of the bidding were as follows:

Sun Trust	1.46% fixed rate
Bank of Lancaster	2.68% fixed rate
Chesapeake Bank	2.90% fixed rate
Northern Neck State Bank	3.10% fixed rate
Bank of Northumberland	No bid received

Mr. Beauchamp made a motion to accept the bid from Sun Trust to provide a \$2 million line of credit for a fixed interest rate of 1.46% and authorized the County Administrator and County Attorney to proceed to close on the loan and adopt the resolution authorizing the issuance of up to \$2 million of revenue anticipation note:

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

8. Transfer Funds from Capital Improvement to General Fund – High School and Middle School Fencing Project - Mr. Pennell stated the Lancaster County Board of Supervisors directed that future expenditures from the Capital Improvement Account be specifically approved at a regular meeting of the Board of Supervisors.

Mr. Pennell said he has received the following request for payment from Dr. Latimore for payment to Virginia Fence, Inc. in the amount of \$37,229.00 for the fencing work performed at the high school and middle school.

Mr. Jenkins made a motion to approve the expenditures and appropriate \$37,229.00 from the Capital Improvement Account to the General Fund to cover the expenses for the high school and middle school fencing project.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

9. Preliminary Water/Wastewater Engineering Study and Public Service Authority – Mr. Pennell said several years ago, the county and towns of Lancaster County began a process to explore the provision of water/wastewater services to Lancaster County’s citizens. This endeavor languished but has now been revived by the Towns of Irvington and White Stone as well as two of Lancaster County’s largest employers – The Tides and Rappahannock Westminster-Canterbury. The first step in this process is to determine what is available in Lancaster County and what will be needed to begin the process.

Mr. Pennell stated the Board of Supervisors has previously agreed to participate in a study of the water/wastewater needs of Lancaster County. Approving this action merely returns the board to its previous position of seeking answers to the increasingly pressing concerns about these issues.

Mr. Pennell said the Board of Supervisors needs to adopt a resolution to enable the county to participate in determining the water/wastewater needs and solutions of Lancaster County. The resolution also asked the Lancaster County Industrial Development Authority to fund the preliminary water/wastewater engineering study and states that the Board of Supervisors will consider the creation of a Public Service Authority if it is shown to be the manner in which solutions should be addressed.

Mr. Frere said he understand the concerns of Mr. Jenkins because he stated he does not see the benefits for the upper end of the county right away. He believes if the infrastructure is ever put in place, would help county economically, because a lot of existing businesses located in the two towns that are not served could be allowed to expand.

Mr. Jenkins stated that he does not oppose expansion, but at some point and time you choke the whole upper end of the county. There are commercial opportunities that are now limited at the upper end of the county, with better conveniences and a major portion of citizenship, by having those areas there, they are not available now because of lack of proper sewage.

Mr. Frere made a motion to adopt the following resolution enabling the county to participate in the Preliminary Water/Wastewater Engineering Study and Public Service Authority.

## **RESOLUTION**

**WHEREAS**, representatives of the County of Lancaster (the “County”), and the Towns of White Stone and Irvington (the “Towns”) have been discussing the creation of a public service authority for the provision of water and sewer service to the Towns and the County; and,

**WHEREAS**, the provision of adequate potable water and collection and proper treatment of sewerage for the citizens of the County, including those citizens residing in the Towns, is essential to promote the health, safety and welfare of those citizens, including provision for fire protection and Chesapeake Bay protection; and,

**WHEREAS**, the provision of adequate potable water and collection and proper treatment of sewerage for businesses operating or planning to locate in the County, including the Towns, is essential to promote economic development for the County and the Towns; and,

**WHEREAS**, the Town of White Stone has advertised a request for proposals for a preliminary engineering report on the feasibility of water and sewer service in the southern portion of the County, including the Towns, and assistance has been requested on that project.

**NOW THEREFORE, BE IT RESOLVED**, the Board of Supervisors of Lancaster County hereby determines that it is in the best interest of the County and will promote the health, safety and welfare of the citizens of the County and economic development in the County for a preliminary engineering report to be prepared considering the engineering, construction and operation of water and sewer systems in the County, including the Towns, and therefore supports the efforts to prepare such report and, further, to consider the creation of a public service authority to provide water and sewer service to the residents and businesses of the County and the Towns.

**BE IT FURTHER RESOLVED**, that the Industrial Development Authority of Lancaster County is hereby requested, in order to promote economic development in the County, to fund the preliminary engineering report requested by the Town of White Stone for the purpose of determining the feasibility of providing water and sewer.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

## **BOARD REPORTS**

### **Utility Vehicle on Public Highways**

Mr. Jenkins stated he has received information from a citizen in the Morattico area concerning new state legislative added to the Code of Virginia and asked if the Board of Supervisors has any desire to consider allowing golf cart and utility vehicle operations on designated public highways with limitations. The Board of Supervisors asked Mr. Pennell to research this matter and provide additional details at the August board meeting.

### **Sheriff's Vehicle**

Mr. Frere stated he has talked to the Sheriff about the omitted vehicle from his budget. Originally, the Sheriff had presented a budget which included two deputies and two vehicles. One of the deputy positions was cut and the vehicle amount he recommended was \$22,500 and the revised amount is \$16,000.

Mr. Jenkins stated there is proper protocol for submitting supplemental budget requests, which was not followed.

Mr. Geilich asked Mr. Pennell to contact the Sheriff about proper protocol and submit the request at the regular August Board of Supervisors meeting for approval.

Mr. Frere made a motion to amend the Sheriff's budget line item under motor vehicle of \$50,000 to \$66,000 which would include the \$16,000 for the requested vehicle.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Nay
	Peter N. Geilich	Nay
	F. W. Jenkins, Jr.	Nay
	Ernest W. Palin, Jr.	Nay

### **Appointments**

Mr. Jenkins made a motion to reappoint Edward R. Pittman to the Industrial Development Authority as District 1 Representative for a four year term beginning May 1, 2004 and ending May 30, 2008.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

### **COUNTY ADMINISTRATOR**

Mr. Pennell stated that the October Northern Neck Planning District Commission meeting will be devoted to the NeckTech Development. The meeting will be held at Stafford Hall on October 25, 2004 at 5:30 p.m. and inviting Town Councils as well as the Board of Supervisors.

Mr. Pennell stated he received a letter from the Department of Environmental Quality notifying the Board of Supervisors that the Town of

Kilmarnock is doing work on the Virginia Pollution Discharge Elimination System (VPDES) permit. The Board of Supervisors had no comment on the VPDES permit renewal.

Mr. Pennell said he has the list of delinquent tax payers is now available for the past 3 years.

**CLOSED MEETING**

Motion was made by Mr. Geilich to enter into a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act. The subject matter to be discussed in the closed meeting is the acquisition or disposition of real property and personnel matters. The purpose of the closed meeting is the acquisition or disposition of real property for public purposes where public discussion would jeopardize the County's or Town's bargaining or negotiating position and personnel matters. The subject and purpose falls within the following exemption(s) under §2.2-3711.A of the Code of Virginia.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F.W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

**RECONVENE**

Motion was made by Mr. Jenkins to reconvene open session.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F.W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

## **CERTIFICATION**

**WHEREAS**, the Lancaster County Board of Supervisors convened in a closed meeting on this date, pursuant to an affirmative recorded vote on the motion to close the meeting to discuss acquisition or disposition of real property for public discussion would jeopardize the County's or Town's bargaining or negotiating position in accordance with §2.2-3711.A.3 of the Virginia Freedom of Information Act and Personnel Matters in accordance with §2.2-3711.A.1 of the Virginia Freedom of Information Act;

**WHEREAS**, Section 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. Frere 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 statement, Mr. Frere calls the question. A roll call vote was taken:

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F.W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

This certification resolution is adopted.

### **ADJOURNMENT**

Motion was made by Mr. Geilich to adjourn.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye