

**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, August 31, 2017.

- Members Present: William R. Lee, Chair  
Ernest W. Palin, Jr., Vice Chair  
F. W. Jenkins, Jr., Board Member  
Jason D. Bellows, Board Member  
B. Wally Beauchamp, Board Member
- Staff Present: Frank A. Pleva, County Administrator  
Don G. Gill, Planning and Land Use Director  
Crystal Whay, Building/Land Use Secretary

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

**PUBLIC INPUT**

Charlie Costello, a District 2 citizen, stated that it has come to his attention that a County employee is using a County vehicle for transportation to his residence outside of the County. He stated that an emergency vehicle is being taken away from the County approximately 34 miles one way. He stated that, in a year's time, it adds up to approximately 17,000 miles and in five years, it's 85,000 miles, which is almost the life of the vehicle. He asked if this was really happening. He stated that the Internal Revenue Service used to require that employees pay taxes on their benefits. He stated that, according to his calculations, there should be \$8,000 in taxes paid per year for this employee's benefit.

Mr. Costello referred to the proposed EMS/EOC Building and stated that he had some problems with the projected costs. He stated that he thought there should be more discussion on what is necessary or not before a final decision is made.

George Bott, a District 1 citizen, stated that he spoke to the new school teachers and administrators last week and they were invited to sail with his club. He stated that his organization is keeping up the community effort to promote sailing.

Mr. Bott stated that the weekend of September 29<sup>th</sup> is the time when the Hospice Turkey Shoot Regatta will be held in Irvington. He stated that it was a fundraiser for

hospice services in the Northern Neck. He invited the Board to attend the cocktail party on Friday night to show its support.

Mr. Bott stated that the County is due for an update of the Comprehensive Plan. He stated that the existing plan has served the County well. He stated that the new Comprehensive Plan should include strategies for providing high speed internet to all citizens and the modernization of our public infrastructure, which includes schools and emergency services facilities. He stated that, for example, should the EMS functions be consolidated to one space or should they be distributed across the county. He also stated that two prior architectural studies and a current citizens' effort have concluded that taxpayers would be better served by investing in a new elementary school and a new high school. He stated that while the old high school would not meet future educational needs, it still has value for County uses. He stated that, if the old high school building were to be vacated, wouldn't it make sense to examine how the building could be used. He stated that at almost 100,000 square feet, the building could house the Board of Supervisors and other County departments, while the Administrative Building could become a museum. He stated that they should pause before constructing a two million dollar EMS/EOC Building until they can incorporate it into a coherent five-year plan for moving forward. He stated that the County doesn't have to spend another \$100,000 to do this. He stated that there is a Planning Commission and citizens who are willing to help.

## **PRESENTATIONS**

### **1. Update on Award of Bid of the \$2.5 Million Revenue Anticipation Note**

Mr. R. T. Taylor of Davenport and Company stated that he was reporting back to the Board of Supervisors based on action that was taken at the July 27<sup>th</sup> Board meeting. He stated that, at the meeting, the Board adopted a resolution to proceed with the 2017 Revenue Anticipation Note. He stated that he is happy to report that they came in well under the established parameters. He stated that the low bid was .85 percent, with a maturity date of December 31, 2017, with the Bank of Lancaster, which is now Virginia Commonwealth Bank. He stated that the note has flexible pre-payment conditions and met all parameters that had been set. He stated that the loan closed on August 24<sup>th</sup>.

Mr. Lee thanked Mr. Taylor for his presentation.

## **VIRGINIA DEPARTMENT OF TRANSPORTATION**

None.

## **PUBLIC HEARING**

### **1. Proposed Dymer Creek No Wake Buoys**

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

Mr. Pleva stated that the public hearing was being conducted in accordance with Section 29.1-744 of the Code of Virginia, 1950, as amended. He stated that the purpose of the hearing was to receive public comment and to consider a request from David H. Herndon, the Boating Safety Committee Chairman of the Dymer Creek Environmental Preservation Association, to set No Wake buoys at the following two locations: 1) at the end of the shoal of Townley Point, which marks the beginning of the narrow portion of Dymer Creek and 2) at the end of the shoal of Flowering Fields Point in the western portion of Dymer Creek.

Mr. Pleva stated that, once the Board acts on the request, it will also need to be approved by the Virginia Department of Game and Inland Fisheries and the United States Coast Guard. He stated that he had not received any comments to date.

Mr. Lee opened the public hearing.

David Herndon, the applicant, stated that he has lived on Dymer Creek since 1941. He stated that the western third of the creek is very protected and is usually calm and quiet. He stated that, in recent years, the number of boaters has increased drastically and most boaters come in and out quietly, but there are a few who come in at high speeds and create big wakes. He explained how these actions have affected him personally, which included damage to his boat at the dock and erosion. He stated that they did not want to hinder boating at all, but rather have boaters pay attention to their speed.

Richard Siemens, a Dymer Creek resident, stated that he had been a resident for eighteen years and during that time, he has watched his bank erode. He stated that much of the erosion has been caused by speeding boats and jetskis. He stated that he was also concerned about the safety of swimmers and kayakers. He stated that he did not expect the no wake buoys to eliminate the problem entirely, but he thought it would help. He stated that he was not opposed to any boating activities and encouraged them. He stated that the water is there for all to enjoy, but must be enjoyed responsibly.

Mickey Kendrick stated that he was representing Carl Smith, the President of the Dymer Creek Environmental Preservation Association, because Mr. Smith could not attend. He stated that he has personally noticed safety issues both on the creek and the surrounding properties. He stated that out of the 149 households who have joined the Association, not one has voiced disagreement with the addition of the no wake zone buoys on the creek. He stated that he hoped the Board would approve the application.

William Sullivan stated that he lived on Dymer Creek and wanted to voice his opposition to the no wake buoys. He stated that he would miss the boats and jetskis coming by his home. He stated that he was a jetski owner and enjoyed them.

Mr. Lee closed the public hearing.

Mr. Bellows stated that, unfortunately there are some boaters who do not want to follow the rules and make things bad for the ones who do follow the rules. He stated that he thought it was a fairly reasonable request for the head waters of the creek and he did not think it would deter responsible boaters.

Mr. Bellows made a motion to Approve the Dymer Creek No Wake Buoys Application and submit same to the Department of Game and Inland Fisheries.

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

2. Proposed Amendments to Code of Ordinances Article III Section 70-51 Regarding Public Boat Landings

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

Mr. Pleva stated that the public hearing was being conducted in accordance with Section 15.2-1427 of the Code of Virginia, 1950, as amended to receive public comment and to consider a proposed amendment to Article III of Chapter 70 of the Lancaster County Code of Ordinances. He stated that the change would add the Windmill Point Boat Landing to the regulations currently governing the Greenvale Creek Boat Landing. He stated that he has not received any public comment on this issue.

Mr. Lee opened the public hearing.

There was no public comment.

Mr. Lee closed the public hearing.

Mr. Bellows made a motion to Approve the Proposed Amendments to the Code of Ordinances Article III Section 70-51 Regarding Public Boat Landings.

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye

Jason D. Bellows Aye

B. Wally Beauchamp Aye

3. Application for Special Exception – Larry Mead Benson and Michael Joseph Andrews, Jr.

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

Mr. Gill stated that the issue was an application for special exception by Larry Mead Benson and Michael Joseph Andrews, Jr. to place a double-wide individual manufactured home on a 1.48-acre parcel described as tax map #25D-1-64. He stated that this Salt Aire Subdivision property is zoned R-1, Residential General and is located at 302 Senora Road in District 1.

Mr. Gill stated that the applicant's individual manufactured home, which is a 28' x 56' double wide, meets all of the requirements of the zoning ordinance Article 5-1-3 for "by right" placement except "a roof pitch of 3:12 or greater" and therefore requires a special exception. He stated that the roof pitch, as stated by the applicant and verified by the manufacturer's specifications, is only 2.35:12. He stated that previous similar approvals by the Board of Supervisors have been based on whether any legitimate concerns could be raised by adjacent property owners.

Mr. Gill stated that this property has an approved health department permit for onsite septic and well, and all front, rear and side setbacks can be met. He stated that the Salt Aire Property Owner's Association, Inc. Protective Covenants permits double-wide homes if placed on permanent foundations.

Mr. Gill stated that the issue had been advertised and adjoining property owners notified as required by law. He stated that he had been handed a written statement from the Salt Aire Property Owner's Association that says there are no objections to the application and gave each Board member a copy.

Mr. Lee opened the public hearing.

There was no public comment.

Mr. Lee closed the public hearing.

Mr. Jenkins made a motion to Approve the Application for Special Exception for Larry Mead Benson and Michael Joseph Andrews, Jr.

VOTE: William R. Lee Aye

Ernest W. Palin, Jr.	Aye
F. W. Jenkins, Jr.	Aye
Jason D. Bellows	Aye
B. Wally Beauchamp	Aye

4. Application to Amend Proffers on a Previously Approved Rezoning – Big Red Enterprises, LLC

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

Mr. Gill stated that the issue was an application to amend proffers on a previously approved rezoning by Big Red Enterprises, LLC (William Bradley Smith, agent) to add antique shop and other select professional offices to the proffered permitted uses on a 0.882-acre parcel described as tax map #28-211. He stated that the property is zoned C-2 Commercial Conditional and is located at 3611 Irvington Road in District 5.

Mr. Gill stated that the Board of Supervisors approved the rezoning of this parcel to C-2 Commercial on April 27, 2000 conditioned on the proffers voluntarily offered by the prior owner that the property would be limited to three uses: 1) beauty shop, 2) small office, and 3) small restaurant with special exception. He stated that the current applicant purchased this parcel on June 30<sup>th</sup> of this year and does not want to use the parcel for the uses proffered by the previous owner and seeks to amend those proffers. He has taken the list of permitted uses in the C-2 District and removed undesired ones and prior to the public hearing has presented a signed and notarized proffer to formalize the request. He wishes to retain the following permitted uses: 8A-1-1-Antique shops and art galleries (auctions included in definition), 8A-1-3-Banks, savings and loan, finance, professional offices and consultant offices, 8A-1-13-Insurance agencies, 8A-1-14-Interior decorating and home improvement stores, 8A-1-15-Jewelry and gift shops, sales and service, 8A-1-23-Real estate sales offices and other brokerage sales offices, 8A-1-25-Retail lawn and garden and plant and flower sales, 8A-1-34-Horticultural nurseries and greenhouses with garden supplies.

Mr. Gill stated that the applicant intends to renovate and use the existing buildings, parking area and entrance for the foreseeable future. He stated that any future new buildings would require submission of a site plan subject to review for zoning, stormwater management, erosion and sediment control and possibly further VDOT review if warranted.

Mr. Gill stated that adjoining property owners had been notified and advertising conducted as required by law and to date, there had been one response from a non-adjoining neighbor who was in full support of the request.

Mr. Lee asked about any potential problems with ingress and egress for this parcel with the proposed uses.

Mr. Gill replied that he did not see any problems with these uses, however, if something were to be more intense in the future, VDOT would get involved.

Mr. Lee opened the public hearing.

Brad Smith, the applicant, thanked the Board for their time and consideration. He stated that he was a Lancaster High School graduate and is currently attending Christopher Newport University. He stated that he is seeking to amend proffers on this parcel and move his existing business, The Big Red Flea, from Courthouse Road to Irvington. He stated that he has owned the business for the last seven years. He stated that his other business is Big Red Auctions and he wants to move that to this parcel as well. He stated that his intended use was to have the flea market in the back building with operating hours of 10-5, Thursday through Saturday and 12-5 on Sundays. He stated that in the front building, he would like to have an antique store with a small office for his auction company.

Paul Sciacchitano stated that he wanted to speak in favor of Mr. Smith's application. He stated that there are similar uses down the street from the parcel which have been there for some time. He stated that it would be a day-time business with generally more of a mature crowd. He stated that, on a personal note, he has known Brad Smith since he was a child. He stated that Mr. Smith is a young entrepreneur and had the vision to open the Big Red Flea when he was fourteen years old. He stated that the County really needs to encourage young people to come back.

Mr. Sciacchitano stated that the group he is associated with called Visions conducted a study about seven years ago. He stated that the study showed that in Lancaster and Northumberland counties, there was a net outflow of citizens between the ages of 20 and 50 years old. He stated that Mr. Smith is one of our own and will be a long-term resident of the County. He stated that the County needs more young, energetic people like Brad. He stated that he was in full support of the application.

Charlie Costello, a District 2 citizen, stated that Brad Smith is a good example of what the County needs.

Mr. Lee closed the public hearing.

Mr. Beauchamp stated that this type of endeavor needs to be encouraged. He stated that the property had sat vacant for many years.

Mr. Bellows stated that the County needs more young entrepreneurs and Brad Smith is a good example.

Mr. Beauchamp made a motion to Approve the Application to Amend Proffers on a Previously Approved Rezoning-Big Red Enterprises, LLC.

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

5. Application for Change of Zoning District Classification – Otho Daniel and Dandridge Tyler Carlson

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

Mr. Gill stated that the issue was an application for change of zoning district classification from R-1, Residential, General to M-1, Industrial, Limited Conditional by Otho Daniel and Dandridge Tyler Carlson for a 7.803-acre parcel described as tax map #23-29A. He stated that the property is located off Mary Ball Road across from its intersection with Kamps Mill Road in District 2.

Mr. Gill stated that the applicants, who are father and son, have owned and operated their businesses, DC's Powder Coating and DC's Lawn Care, as home occupations for many years, but have outgrown that smaller use classification and need to expand to this larger parcel. He stated that they wish to build a 150 feet x 60 feet building and relocate their two existing businesses to this unimproved parcel, but cannot do so under the current R-1 zoning. He stated that, as a result, the applicants seek to rezone the parcel to M-1 Industrial Limited. He stated that to help their request, they have also taken the list of permitted uses in the M-1 District and removed undesired ones and have presented a signed and notarized proffer to formalize this conditional rezoning request.

Mr. Gill stated that this rezoning request can be considered reasonable and appropriate given the fact that nearby parcels have industrial or commercial uses. He stated that this parcel is located approximately one half-mile from eight industrially zoned (M-1) properties at the intersection of Mary Ball Road and

Good Luck Road including Noblett Propane, Bay Restoration, Walker's Floor Service and Bay Auto Service. He stated that there are other M-1 and C-1 Commercial properties nearby on Goodluck Road including the Good Luck Cellars vineyard and Beatley's Custom Cabinets.

Mr. Gill stated that the Comprehensive Plan suggests that industrial/commercial activity be located in or near the towns and in or near traditional village areas and this parcel is approximately one mile from the Kilmarnock town limits.

Mr. Gill stated that the applicants will need to have an engineered site plan prepared and VDOT approval for a low volume industrial/commercial entrance off of Mary Ball Road, but that next step will cost additional money and it would not be prudent for the applicants to expend that money if this first step of rezoning is not approved.

Mr. Gill stated that the applicants' plan, including narrative, site sketch and building sketch was included in the Board's meeting packages. He stated that the applicants also own two unimproved adjoining parcels to the south and east which will serve as natural buffers to the subject parcel. He stated that the subject parcel also has sufficient acreage to provide for more than adequate buffering from the neighbors to the west. He stated that the parcel abuts Mary Ball Road at its intersection with Kamps Mill Road, so the entrance will align perfectly with that intersection. He stated that VDOT has the ultimate jurisdiction to determine if a turning lane will be required off Mary Ball Road, but this type of light industry will not generate the amount of traffic that a traditional retail commercial business would, so a turning lane may not be required.

Mr. Gill stated that the Planning Commission conducted its public hearing of this rezoning request on July 20, 2017 and has forwarded this request to the Board of Supervisors recommending approval by a 5-1-1 vote.

Mr. Gill stated that adjoining property owners had been notified and advertising conducted as required by law. He stated that, prior to the Planning Commission's public hearing, he had received two letters from non-adjoining citizens opposing this request. He stated that he has heard from three adjoining property owners from this round of advertising and all have no objections to the application.

Mr. Lee opened the public hearing.

Charlie Costello, a District 2 citizen, stated that he thought this application could be considered spot zoning and would lead to future development. He stated that this was not what the Comprehensive Plan envisioned and not close to the Primary Growth Area.

Kendall Acors, an adjoining property owner, stated that he did not see a problem with the application.

Mr. Lee closed the public hearing.

Mr. Palin stated that before he made his motion, he would like to hear from his fellow Board members. He stated that it has been a difficult decision for him.

Mr. Beauchamp stated that he did not see the application as spot zoning. He stated that the parcel was within a half mile of a number of other businesses. He stated that one job will be created immediately and hopefully more in the future. He stated that he would like to see the application approved and the County needs more jobs.

Mr. Lee stated that Dandridge Carlson is a young person in the County, who is trying to expand his business and that is good for the County. He stated that they own the property and are trying to do something with it. He stated that it is light industry and that is what the County is looking for. He stated that he did not have a problem with the application.

Mr. Bellows stated that jobs are important, but they also needed to consider the future of zoning in the County. He stated that the parcel was outside of any other industrial zone. He stated that it concerned him about what could happen if the Carlsons sell the property. He stated that the property is located on the headwaters of the Corrotoman River and surrounded by residential properties.

Mr. Jenkins stated that for the same reasons that Mr. Beauchamp and Mr. Lee said, he was in favor of the application. He stated that he saw it as low activity and very similar to what is already there just down the road.

Mr. Palin stated that a few years ago, there were discussions about the Primary Growth Area and where it should be and how it should be defined. He stated that “in close proximity” and “nearby” is up for debate. He stated that he would like to see the Comprehensive Plan amended to state a defined area for the Primary Growth Area. He stated that he would like to see specific parameters.

Mr. Jenkins stated that the Comprehensive Plan review will start again next year and that issue can be addressed. He stated that specific parameters are a good idea, but the best use of people’s property is involved and there should be some discretion when determining the uses.

Mr. Bellows stated that there should be some definitive parameters stated or there could be urban sprawl and no control. He stated that a lot of what is being seen in Texas is uncontrolled development with no zoning at all.

Mr. Lee stated that he agreed that there should be specifics contained in the Comprehensive Plan.

Mr. Palin made a motion to Approve the Application for Change of Zoning District Classification for Otho Daniel and Dandridge Tyler Carlson.

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Nay
	B. Wally Beauchamp	Aye

**CONSENSUS DOCKET**

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

1. Minutes for July 27<sup>th</sup> Regular Meeting and August 1<sup>st</sup> Special Meeting  
Recommendation: Approve minutes as submitted
2. Resolution Recognizing Constitution Week 2017

**CONSTITUTION WEEK 2017**

**WHEREAS**, September 17 marks the two hundred and thirtieth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS**, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

**WHEREAS**, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as constitution week;

**NOW, THEREFORE**, the Board of Supervisors of Lancaster County, proclaims September 17 through 23, 2017 to be Constitution Week in Lancaster County and asks our citizens to reaffirm the ideals the framers of the Constitution had in 1787.

Recommendation: Approve the resolution as submitted

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of August 2017 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for August 2017 in the amount of \$304,725.39 and invoice listings for August 2017 in the amount of \$528,251.95\*.

\*Capital Improvements - \$73,836.97

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

2. Sheriff's Office Compression Pay Raise Funding/Appropriation Request

Sheriff Patrick McCranie stated that when the General Assembly passed a pay raise for the deputies and staff, it was only for comp board positions and did not cover the county positions. He stated that by the time the money was

appropriated, the County budget had already been passed. He stated that the total amount requested is \$14,051.00.

Sheriff McCranie stated that the compression rates are based on years of service. He stated that it was \$80 per year of service for sworn employees, but is capped at thirty years. He stated that it was \$65 for non-sworn employees which is also capped at thirty years. He stated that the compression pay was intended to help in lieu of regular raises.

Mr. Lee asked Mr. Pleva why Sheriff McCranie's request wouldn't be considered in September when the Board will be reviewing other County employees' salaries.

Mr. Pleva replied that the Sheriff is trying to treat all of his employees the same because they are in the same department.

Mr. Bellows asked if the raise that Sheriff McCranie was requesting was above and beyond the three percent increase that the County employees received.

Sheriff McCranie stated that the comp board employees received a two percent raise and all employees received a three percent raise overall. He stated that the compression pay raise would be effective for the comp board employees as of September 1.

Mr. Bellows stated that the pay increase requested is not being compared to other localities, but rather having employees in the same department compensated equally, so, in his opinion, it was different than the September salary review.

Mr. Lee stated that he understood, but it seemed to him that a certain group of employees was being singled out tonight and other County employees' salaries would not be reviewed until later.

Mr. Jenkins stated that the difference here is that the change in the Sheriff's Office salaries have been forced on the County by state action. He stated that it was something that needed to be done to stay competitive and does not think waiting another couple of weeks would change the decision.

Mr. Pleva stated that he understood Mr. Lee's position, but with the other positions up for review, the County is looking at comparisons with other localities. He stated that, in this instance, the Sheriff's Office is trying to address inequities within the same department.

Mr. Beauchamp referred to the two memorandums from the Sheriff's Office and asked which figure was correct. He stated that one showed a total of \$14,051 and one showed a total of \$14,110.

Sheriff McCranie replied that he thought the figure of \$14,110 was correct.

Mr. Bellows made a motion to Approve the Sheriff's Office Compression Pay Raise Funding and Appropriation Request.

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

### **BOARD REPORTS**

None.

### **COUNTY ADMINISTRATOR**

None.

### **CLOSED SESSION**

Motion was made by Mr. Lee 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 Legal Matters, § 2.2-3711.A.8, Real Property, § 2.2-3711.A.3 and Personnel Matters, § 2.2-3711.A.1 of the Code of Virginia, *1950, as amended*. The subject and purpose falls within the following exemption(s) under § 2.2-3711.A.8 (for the consultation with legal counsel employed by the public body regarding specific legal matters requiring the provision of legal advice by such counsel pertaining to the Dominion Energy application with the Virginia State Corporation Commission and a proposed lease agreement for the Lancaster County Department of Emergency Services), § 2.2-3711.A.3 (for the discussion and consideration of the acquisition of real property for a public purpose (proposed school capital project), where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body) and § 2.2-3711.A.1 (for the discussion and consideration of the employment and compensation of specific public officers, appointees or employees of the public body.)

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye

F. W. Jenkins, Jr.	Aye
Jason D. Bellows	Aye
B. Wally Beauchamp	Aye

**RECONVENE**

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

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

**CERTIFICATION**

**WHEREAS**, the Lancaster County Board of Supervisors convened in a closed meeting on August 31, 2017 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Legal Matters, § 2.2-3711.A.8, Real Property, § 2.2-3711.A.3 and Personnel Matters, § 2.2-3711.A.1 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. Lee called the question. A roll call vote was taken:

ROLL CALL

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

This certification resolution is adopted.

The following actions were taken in the closed meeting:

Mr. Lee made a motion to approve the lease agreement between the County and Medical Arts, LLC effective August 31, 2017 for the lease of a portion of the former Maternity Center for the Emergency Services Department.

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

Mr. Beauchamp made a motion to approve the appointment of James E. Cornwell, Jr. as the County Attorney for Lancaster County.

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye

B. Wally Beauchamp            Aye

Mr. Bellows made a motion to direct Mr. Pleva to draw up a resolution, for the Chairman's signature, endorsing the hearing examiner's findings and recommendations regarding the proposed Dominion Energy Tower Project. Mr. Pleva was also asked to send a letter to the state legislators asking for their support concerning the tower project and any related legislation.

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye

**ADJOURNMENT**

Motion was made by Mr. Jenkins to adjourn.

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	Jason D. Bellows	Aye
	B. Wally Beauchamp	Aye