

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, September 27, 2007.

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

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

PUBLIC INPUT

Hawthorne Farms Subdivision Traffic Light Concerns

Ms. Grace Goodman, Hawthorne Farms Subdivision, stated they are having problems with the stop light and turn-off lane placed in the Town of Kilmarnock by VDOT. She asked the Board of Supervisors if they could look at this issue and make recommendations to VDOT. Residents of the Hawthorne Farms Subdivision have met with VDOT and the Mayor of the Town of Kilmarnock. There were some suggestions made but she does not believe they have reached a solution that is workable. This is a very dangerous situation involving school buses and traffic turning in and out of the subdivision, there was no study done on the north side approach to Wal-Mart. There are many storage units used on a regular basis by businesses and six school buses travel in and out all day. It's a bad situation.

Mr. Geilich said that stop light was within the limits of the Town of Kilmarnock and VDOT evaluated the issue. The Board of Supervisors has no jurisdiction.

Dr. Russell stated he attended the meeting and while the stop light is within the jurisdiction of the Town of Kilmarnock, it is a safety issue which is a county issue. There are a lot of unanswered questions concerning that intersection. The stop light was designed to meet needs of Wal-Mart and not necessarily the safety concerns the neighborhoods both residential and commercial in that area. This is a big problem.

Mr. Jenkins said that he understands Dr. Russell's concerns, however; the board has no regulatory authority at all.

Mrs. Goodman asked the Board of Supervisors to assist in any way possible which would be greatly appreciated.

Mr. Jenkins said the code of the commonwealth gives sole jurisdiction for land use issues to the incorporated towns, so the county does not have any statutory authority to approve or overrule a town's decision.

Former School Superintendent Salary Issue

Chuck Ristneck stated he had questions and concerns about what action the Board of Supervisors would be taking against Dr. Latimore, former Superintendent of Schools on the salary issue.

Mr. Geilich said the board would discuss that issue under board reports.

PRESENTATIONS

None

VIRGINIA DEPARTMENT OF TRANSPORTATION

Indiantown Road

Mr. Trapani stated Indiantown Road paving was completed last week.

Maintenance

Mr. Trapani said mowing and trash pick-up on the secondary roads would be completed by the end of the week and the primary roads would be mowed the following week.

Traffic Signal

Mr. Trapani stated the traffic signal at the intersection of VSH 688/James Jones Memorial Highway and VSH 200/Irvington Road is scheduled for installation in February 2008.

The board expressed its appreciation for the approved traffic signal and knows that the installation of the signal will cut down on the number of accidents at that particular intersection.

VSH 200/Irvington Road and Town of Kilmarnock Speed Study and Thru Traffic Concerns

Mr. Trapani said Mr. Harper had submitted a letter to the board about thru truck restrictions and speed study on VSH 200/Irvington Road.

Mr. Geilich stated the concern is for the portion between Irvington and White Stone on VSH 200/Irvington Road.

Mr. Trapani said he had been approached by the Mayor of the Town of Kilmarnock about possible thru truck restrictions in the Kilmarnock area on VSH 200 and other section between Irvington and White Stone. He explained that the local governing body would have a public hearing because there are two jurisdictions involved. Should the board approve the request it should not be established until the traffic signal goes into operation on VSH 200/Irvington Road.

Mr. Jenkins asked since there are trucks that need to through the Town of Kilmarnock to go to the Purdue Grain facility on Waverly Avenue which is not part of the town, there is “only” one way for trucks to get to that facility, would that be considered thru traffic. Need to protect the commerce in his district, VDOT would have to explain how the by-pass more viable before he would consider it.

Town of Kilmarnock Traffic Light at the Wal-Mart Intersection

Mr. Trapani said a joint public meeting was held this evening with Town of Kilmarnock Mayor and Council, neighboring communities, and Dr. Russell. They tried to give some options on what was there on Wal-Mart’s original plan and changes VDOT made and there are additional changes they will make. The citizens gave additional suggestion that they need to consider and hopefully can incorporate some of those ideals. VDOT would be contacting the Town of Kilmarnock by the early part of the next week with information.

Dr. Russell asked which suggestions or options would be used. Would moving the light be an option?

Mr. Trapani said one of the option would be that sensor be put into Hawthorne which would detect traffic to the intersection that would give a lag on the traffic back to the Wal-Mart intersection. Do not believe moving the light will happen at this time.

Dr. Russell said it is an issue for the Hawthorne Community, but also an issue for the businesses on opposite side of the street which will next to impossible for them to get in and out with the current set up. He knows that the board does not have statutory responsible to this, he personal will monitor what is happening with this issue.

Mr. Geilich thanked VDOT for their assistance on Hadlin Lane.

VSH 688/Harris Drive Repairs

Mr. Trapani stated the board may receive complaints as VSH 688/Harris Drive will be doing patch work next week and scheduled to be repaved next year.

VSH 695/Windmill Point Road

Mr. Geilich said residents on VSH 695/Windmill Point Road were glad to see work taking place on that little bridge going to Fleet's (Goat) Island.

Robert O. Norris Jr. Memorial Bridge – Six Year Plan

Mr. Pennell stated he received a letter today from Delegates Wittman and Morgan making a request and drafted a resolution to the Lancaster County Board of Supervisors for consideration to place the replacement of the Robert O. Norris, Jr. Memorial Bridge on the Commonwealth Transportation Board's docket for review of the next Six Year Plan.

Mr. Jenkins made a motion to adopt the following resolution for consideration to place the replacement of the Robert O. Norris, Jr. Memorial Bridge on the Commonwealth Transportation Board's docket for review of the next Six Year Plan:

ROBERT O. NORRIS MEMORIAL BRIDGE

WHEREAS, the Robert O. Norris, Jr., Memorial Bridge is 50 years old and is the oldest major bridge crossing of tidal rivers in Virginia, and

WHEREAS, this bridge has the same steel lattice construction design as the bridge that collapsed in Minneapolis, Minnesota; and

WHEREAS, the most recent bridge inspection resulted in weight limits being placed on the bridge; and

WHEREAS, the safety and welfare of travelers across the Robert O. Norris, Jr., Memorial Bridge and the continuation of commerce are of the utmost importance to our region and the Commonwealth; and

WHEREAS, the Harry Nice Bridge, which crosses the Potomac River from Virginia to Maryland, slated to be replaced by the State of Maryland, is as old as the Robert O. Norris, Jr., Memorial Bridge; and

WHEREAS, the U. S. Senate approved spending \$1 billion to speed repair of substandard bridges across the nation by increasing appropriations to the Highway Bridge Replacement and Rehabilitation Program; and

WHEREAS, the bridge is in need of rust removal and painting and the current cost estimate to sandblast and paint the bridge is \$35 million and the estimated cost of replacement in today's dollars is \$150 million.

NOW THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors hereby requests that Virginia Commonwealth Transportation Board include the replacement of the Robert O. Norris, Jr., Memorial Bridge in the Virginia Six-Year Transportation Plan and that it consider any and all means to expedite the planning design and construction of a new span; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Commonwealth Transportation Board and to the Fredericksburg District Administrator.

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

Mr. Tarpani stated there was a public allocation meeting scheduled for October 30, 2007 in Fredericksburg, attendance was not necessary. A locality could send a letter of support for any project to be included in the record.

Black Stump Road Request

Mr. Beauchamp said a speed study request was forwarded to the board and VDOT last month to look at a section of Black Stump Road where the speed limit on the road that has lines and good width is 45 mph, however; the speed limit goes up to 55 mph where the road has no line and gets narrower.

Mr. Trapani stated they would take a look at the speed study request for Black Stump Road.

PUBLIC HEARINGS

1. Lease of County Land – SBA Towers II, LLC – Mr. Pennell stated the county has been negotiating a lease of county land behind the Sheriff's office that would allow SBA Towers II, LLC that would permit improved cellular telecommunications as well as emergency county communications. There will be places on the tower that other telecommunication companies can lease to erect antennas.

Mr. Pennell said the drafts of this lease and the finalization of a monthly lease amount have been reviewed by the county attorney and discussed with the Board of Supervisors previously.

Mr. Geilich stated for the record, that at the May 30, 2006 meeting he abstained because he had stock in the company. He has subsequently sold that stock and will participate in the public hearing.

Chairman Geilich opened the public hearing.

Andrew Datt, SBA Representative said they have been working on this contract for some time. He said Verizon has already committed to being on the tower. The tower is scheduled to be built by the end of the year.

Mr. Ristneck asked if internet will be provided.

Mr. Datt said that is certainly possible, it is open to the public and whoever would like to place equipment on the tower is welcome to do so for a fee.

Mr. Chamberlain asked if this would allow enhanced Verizon services.

Mr. Datt stated it would typically be within a two – three mile radius.

Chairman Geilich closed the public hearing.

Mr. Palin made a motion to Approve the Lease of County Land to SBA Towers II, LLC and authorize the county administrator to execute all appropriate documents.

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

CONSENSUS DOCKET

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

A. Minutes for August 30, 2007

Recommendation: Approve the minutes with amendments

B. Resolution of Appreciation – Susanna A. Collins

Recommendation: Adopt the following resolution:

SUSANNA A. COLLINS

WHEREAS, Susanna A. Collins was appointed Library Director of the Lancaster Community Library on March 1, 1992, and

WHEREAS, since her appointment, Susanna has worked diligently to improve the services offered by the library to the citizens of this region; and

WHEREAS, Susanna has been instrumental in providing enhanced library services to Lancaster County Public Schools; and

WHEREAS, Susanna oversaw a number of library expansions, including “bricks and mortar”, technology and programmatic enhancements; and

WHEREAS, Susanna’s forte has always been the children of the community and her passion is evident in the quality of services offered to that constituency.

NOW THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors offers its most sincere gratitude for Susanna Collins’ work as Library Director for the past 15+ years; and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors wishes Susanna a hearty “Well Done” and will remember her fondly as she enjoys her retirement.

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

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of September 2007 Salaries and Invoice Listings

Motion was made by Mr. Beauchamp to approve the Salaries for September 2007 in the amount of \$186,863.96 and Invoice Listings for September 2007 in the amount of \$522,099.45.

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

2. Septic Tank Pump-out Program – Mr. Marshall Sebra, Lancaster County Environmental Codes Compliance Officer said the Chesapeake Bay Local Assistance Board’s compliance evaluation requires Lancaster County to initiate a septic tank pump-out program. Once notification has been sent to property owners they are required to pumped-out their septic system every five years and that pump-out will be tracked by the county office.

Mr. Sebra provided the Board of Supervisors with a copy of the Department of Conservation and Recreation Chesapeake Bay Preservation Act Program Initial Compliance Evaluation Report. The Chesapeake Bay Local Assistance Board has required five conditions to be completed by September 30,

2008. Upon completion, Lancaster County will be found compliant with the Chesapeake Bay Act Program. He told the Board of Supervisors he has already begun implementing three of the five conditions.

Mr. Jenkins said once again a good example of the General Assembly taking good idea and making it bad. They have handed down an unfunded mandate by the General Assembly of Virginia forced upon this locality on a pump-out that may or may not have universal benefits. He believes doing this “by district” would be unfair, it should be county-wide and systemic and needs additional input. If there are failing septic systems, these should have top priority. Therefore, there are a much narrower band of properties that are on the waterfront, farms, run-off streams, which is where the county should attack first instead of by district.

Dr. Russell asked how other localities were proceeding.

Mr. Sebra stated one locality was doing this county-wide and the rest of the localities were doing this by district. It was recommended by the Chesapeake Bay Local Assistance Board suggested performing the pump-out by district.

Mr. Pennell said he believes that Mr. Jenkins was correct, however; they need logical method by which to select the properties.

Mr. Sebra stated it is easier to be done by district and once the notification is sent out to one district, the county would then be in compliance with the Chesapeake Bay Local Assistance Board.

Mr. Geilich made a motion to authorize county staff to implement the Chesapeake Bay Local Assistance Board pump-out program with a priority to properties with failing septic systems or close to the public waters.

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

3. Cherry Hill, Section One – Preliminary Subdivision – Mr. Larson stated a fifteen-lot subdivision has been submitted for preliminary plat approval as required by Article 3-7 of the Subdivision Ordinance. He originally received this application in August 2007 with an incorrect tax map number.

Mr. Larson said this was a resubmittal plat as per a letter from the surveyor which was provided to the board. It was not placed before the Board of Supervisors in August because of errors and omissions. Omissions remain. Specifically, there is no traffic impact study submitted as required by Article 6-2(h) and prepared in accordance with Article 5-22 of the Subdivision Ordinance. Additionally, the draft covenants not only do not address the requirements of Article 5-26(d) of the Subdivision Ordinance but make no reference to the common open space required by Article 5-26(a).

Dr. Russell made a motion to deny approval of the Cherry Hill, Section One – Preliminary Subdivision at this time.

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

4. Comprehensive Plan – Chapter 7 – Mr. Larson said the update to the Lancaster County Comprehensive Plan, Chapter 7 is back before the Board of Supervisors for consideration.

Mr. Larson stated the Planning Commission addressed this issue at public hearing at their regular meeting on May 17, 2007. Subsequent to that hearing a draft was forwarded to the Board of Supervisors recommending approval of the draft, Vote 5-0. The Board of Supervisors addressed the issue at public hearings held at their regular July 26, 2007 and August 30, 2007 regular meetings.

Mr. Larson said consideration of the issue was continued from the August meeting until items raised at the public hearing could be addressed. The Board of Supervisors conducted work sessions on September 11, 2007 and September 18, 2007. Proposed changes were provided to each board members (highlighted and italicized) and were drafted as per guidance provided at the work session. The intent is to approve the entire draft Chapter 7, with attached changes, if the changes are acceptable.

Mr. Larson said after the September 11, 2007 and September 18, 2007 meeting he was directed to make correction to the Plan Growth Area (PGA) and the other issue was the future land use map will be fixed and be consistent with the language contained in Chapter 7 which states the “only” Highway Corridor are VSH 3, VSH 200, and VSH 354.

(replaces existing page 9 and new page 9)

Purchase of Development Rights/Transfer of Development Rights

In the fall of 2001, the Virginia General Assembly appointed a Farmland Preservation Task Force through the Department of Agriculture and Consumer Services to address growing concerns over the loss of agricultural land in the Commonwealth. The task force developed a report, *A Model Purchase of*

Development Rights (PDR) Program for Virginia, after numerous meetings with representatives of jurisdictions with PDR programs within Virginia and in other states. According to the report, Virginia lost over 23,000 acres of agricultural land to development each year between 1992 and 1997, of which more than 10,000 acres (annually) was prime farmland.

Under a PDR program, a landowner voluntarily sells his or her rights to develop a parcel of land to a public agency or a charitable organization charged with the preservation of farmland. The landowner retains all other ownership rights attached to the land, and a conservation easement is placed on the land and recorded on the title. The buyer (often a local unit of government) essentially purchased the right to develop the land and retires that right permanently, thereby assuring that development will not occur on that particular property. In placing such an easement on their farmland, participating landowners often take the proceeds from sale of the development rights to invest in their farming operations or retire from the business, allowing another farmer to purchase the land at lower rates.

Virginia Code provides even broader possibilities for purchasing development rights. Part of the Virginia Land Conservation Fund's purpose is to acquire property for the protection or reservation of ecological, historical or cultural resources. The criteria include provision for grants to localities for PDR programs. (§10.1-1020 Virginia Land Conservation Fund. Purposes of Foundation. Code of Virginia. Title 10.1 CONSERVATION. Chapter 10.2 Virginia Land Conservation Foundation. §10.1-1020 Virginia Land Conservation Fund. Purposes of Foundation).

While a PDR program is another tool for farmland protection, a main concern is the County's ability to administer the program given its current limited staff resources, especially over extended periods of time (10 – 20 years). Provided the County can fund a PDR program in an amount sufficient to make significant land

preservation possible, a PDR program could be successfully used in Lancaster County to preserve large amounts of farmland and open space. Under a typical PDR program, the land can continue being farmed or harvested, thus maintaining the ‘rural character’ of the County. By compensating the property owner for the right to develop his or her land, the County mitigates any economic hardship that may befall someone who is “land rich but cash poor.” However, the challenge is to develop a consistent and continuing funding mechanism for the program.

*Transfer of Development Rights (TDRs) have much the same objective as PDRs in that they are designed to protect sensitive areas from development by permitting or requiring the transfer of development from a location deemed unsuitable to a location considered more appropriate. The **sending zone** is an area where development is discouraged, or the area from which development rights are sent. The **receiving zone** is an area where land use planning would dictate that development should occur, or the area that receives the development rights. Landowners in the receiving zones can purchase development rights from landowners in the sending zones with strict development restrictions then being placed on the landowners in the sending zones. Successful TDR programs such as the one in Montgomery County, Maryland are exceptionally rare throughout the country with the designation of sending and receiving zones cited as the primary obstacle.*

(replaces existing pages 15 and 16)

II. QUALITY GROWTH

The County desires to encourage well-managed growth that is consistent with the rural nature of the County, preserves the natural beauty of the County’s land areas and shoreline, and ensures careful development of waterfront areas. Character areas have been identified to describe the desired land use patterns and characteristics and to serve as a guide for future land use decisions. The Character areas are shown on the County’s Future Land Use Map and illustrate the desired

location and pattern of future land use, including the type and intensity of new residential, commercial or industrial development.

Goal: Ensure orderly and well-managed land use that protects the County's natural beauty, quality of life and its communities.

A **Planned Growth Area (PGA)** includes existing locations of the highest level of residential, commercial, employment, and industrial activity with the highest level of existing public infrastructure, including public water and sewer. Most community services, such as hospitals and places of higher education, are located in the PGA. The primary

Heavy industrial and manufacturing activities with a significant noise, air quality, water quality, or visual impact, as well as significant impact on county roads are not considered appropriate for Lancaster County.

centers of commercial and development activity in the County are **and will remain** the three **incorporated** towns of Kilmarnock, White Stone and Irvington. The unincorporated area located between the towns, in a roughly triangular shape, **as depicted in the following map**, is designated as the PGA for the County.

- Higher density residential and commercial activity **appropriate to and consistent with residential development** will be directed to the PGA **as the preferred area for such activity. Consideration may still be given to proposed higher density residential and commercial activity in areas outside the PGA, especially those areas contiguous to it.**
- **Incorporated towns are in no way inhibited from proposing contiguous expansion of their boundaries to areas within and outside the PGA consistent with state law for such a process.**
- Investments in new or improved public infrastructure and community services will be first directed to the PGA.
- The extension of municipal water and wastewater treatment lines to all areas of the defined PGA is permitted.
- Generally, appropriate development in the PGA includes medium-density single-family and multi-family housing.

- Existing agricultural activities will be allowed to continue.

Mr. Palin said he read the wording of the proposed correction from Mr. Larson, he has a number of concerns with the wording in the Planned Growth Area (PGA) he would like to be considered.

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Goal: Ensure orderly and well-managed land use that protects the County's natural beauty, quality of life and its communities.

A **Planned Growth Area (PGA)** includes existing locations of the highest level of residential, commercial, employment, and industrial activity with the highest level of existing public infrastructure, including public water and sewer. Most community services, such as hospitals and places of higher education, are located in the PGA. The primary centers of commercial and development activity in the County are the three ***incorporated*** towns of Kilmarnock, White Stone and Irvington. The unincorporated area located between the towns, in a roughly triangular shape, ***as depicted in the following map, along with areas located in close proximity to, not***

Heavy industrial and manufacturing activities with a significant noise, air quality, water quality, or visual impact, as well as significant impact on county roads are not considered appropriate for Lancaster County.

necessarily contiguous with, this roughly triangular shape is designated as the PGA for the County.

- Higher density residential and commercial activity will be directed to the PGA.
- *Incorporated towns are not way prohibited from proposing contiguous expansion of their boundaries to areas within and outside the PGA consistent with state law for such a process.*
- Investments in new or improved public infrastructure and community services will be first directed to the PGA.
- The extension of municipal water and wastewater treatment lines to all areas of the defined PGA is permitted.
- Generally, appropriate development in the PGA includes medium-density single-family and multi-family housing.
- Existing agricultural activities will be allowed to continue.

Mr. Palin also stated he would like the board to consider changes to page 7-24, Policy III-B, ***Preserve, protect, and promote agricultural activities***. He said under strategies it currently reads:

- Revise the A-1 and A-2 zoning districts as follows:
 - Require sliding scale zoning in the A-1 and A-2 zoning districts.

Mr. Palin said at the Planning Commission it was discussed and decided this should read:

- Revise the A-1 and A-2 zoning districts as follows:
 - **Volunteer** sliding scale zoning in the A-1 and A-2 zoning districts.

Mr. Palin made a motion to Approve the Amendment to the Comprehensive Plan - Chapter 7, page 7-24, Policy III-B, ***Preserve, protect, and promote agricultural activities.***

Strategies

- Revise the A-1 and A-2 zoning districts as follows:
 - **Volunteer** sliding scale zoning in the A-1 and A-2 zoning districts.

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

Mr. Jenkins had concerns with the wording “contiguous” verses “near”. After the discussion he stated he could support the changing of the language.

Dr. Russell said this is not an ordinance but a plan to give direction.

Mr. Geilich stated within this proposed Planned Growth Area (PGA) there are already approved by various Boards of Supervisors of a number of residential units. The projects at the Golden Eagle, Tartan, etc. are ready, subject to final approval.

Mr. Palin made a motion to Approve the Amendments the Comprehensive Plan – Chapter 7 as stated to the Planned Growth Area (PGA).

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

Mr. Jenkins said he still has some concerns with the Comprehensive Plan Planned Growth Area (PGA) being so limited to a segment of our community. As it is encouraging growth in the area and certainly overlooks the potential for village overlays.

Mr. Geilich stated that all would not be satisfied but it is a plan and we look details at any time and welcome it.

Dr. Russell said he too has concerns with the Planned Growth Area (PGA) but we are reading too much into the wording.

Mr. Beauchamp said he had an opportunity to speak with an administrator in another county and asked if they had a Planned Growth Area. He responded and said they have seven. There is one Planned Growth Area in or around each of their seven towns within the county. Those are the areas of growth and that is where they encourage it. This is in line with Mr. Jenkins' comments.

Mr. Jenkins made a motion to Approve an Amendment to line 9 of the Comprehensive Plan – Chapter 7, Planned Growth Area (PGA) to read:

A **Planned Growth Area (PGA)** includes existing locations of the highest level of residential, commercial, employment, and industrial activity with the highest level of existing public infrastructure, including public water and sewer. Most community services, such as hospitals and places of higher education, are located in the PGA. The primary centers of commercial and development activity in the County are the three *incorporated* towns of Kilmarnock, White Stone, Irvington, **and Designated Village Overlays**. The unincorporated area located between the towns, in a roughly triangular shape, *as depicted in the following map, along with areas located in close proximity to, not necessarily contiguous with, this roughly triangular shape* is designated as the PGA for the County.

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

Mr. Jenkins made a motion to Approve the Comprehensive Plan – Chapter 7 as amended.

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

Mr. Geilich again thanked Jack Larson, Director of Planning and Land Use, the Planning Commission and citizen input for an extraordinary amount work.

5. Second Quarter, FY 2007-2008 Appropriation – Mr. Larson stated the Board of Supervisors needs to approve a second quarter appropriation for County and School Board operations.

Mr. Larson stated a resolution adopted by the Lancaster County Board of Supervisors on June 28, 2007 approved the budget for Fiscal Year 2007/2008 by quarterly appropriations. Finally, it stated that any future appropriations beyond September 30, 2007 would be “subject to quarterly requests and subsequent approval”. No requests for second quarter funding have been received to date. Any requested variations to the one fourth of annual amounts depicted would need to be submitted for consideration.

Mr. Larson requested that the Board of Supervisors appropriate \$7,208,816 for second quarter, FY 2007-2008 County and School Board operations. Permit the Assistant County Administrator to continue working with fund administrators in refining the process and proposing interim amendments if necessary.

Mr. Larson stated he would meet with each department about their funding needs as some quarters may incur more funding. The Registrar's office's heavy spending is approaching (November Elections) and the Commissioner of the Revenue with reassessments. The funding could be realigned rather than a straight 25% for each quarter.

Mr. Jenkins asked if memorandum dated the September 27, 2007 for the school board asking for \$69,557.84 was included in the cafeteria fund of \$196,591.

Mr. Larson stated no, the school board is in essence requesting a loan.

Mr. Jenkins said the word loan, means being repaid and he does not foresee repayment. He can not believe that with a quarterly appropriation of \$3.8 million that they need a loan of \$69,558. The board should amend the appropriations adding \$69,558 to the School Cafeteria Fund and decrease the school operating account by the same amount and the school board can find it within their budget.

Mr. Jenkins made a motion to amend the Appropriations Resolution by adding \$69,558 to the School Cafeteria Fund and decreasing \$69,558 from the Schools Operating Account.

VOTE:	Peter N. Geilich	Aye
	Jack S. Russell	Aye

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

Mr. Jenkins made a motion to Approve the Second Quarter, FY 2007-2008 Appropriations in the amount of \$7,208,816.

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

The board welcomed Dr. Sciabbarrasi to the meeting.

Dr. Sciabbarrasi asked for clarification of the allocation of funds.

Mr. Jenkins again explained that the board will amend the appropriations adding \$69,558 to the School Cafeteria Fund and decrease the school operating account by the same amount and the school board can find it within their budget.

Dr. Sciabbarrasi stated they are going to be looking at the Aramark contract and meeting on a regular basis to check the status throughout the year and try to make some adjustments.

Mr. Beauchamp asked if she felt that this could be turned around.

Dr. Sciabbarrasi said they have only had one month but hopefully it could. However; it is too soon to tell at this point. They will be looking at surrounding counties. The school cafeteria does not get any income until the end of

September but they are making payout in the months of July, August, and September. Again, the cash flow does not start until end of September.

BOARD REPORTS

Mr. Geilich informed the public that there will a special meeting scheduled for Tuesday, October 2, 2007 at 10:00 a.m. to discuss legal issues surrounding the former Superintendent of Schools on the salary payout. This issue will be discussed in Closed Session, however; part of the meeting is open to the public. Any action taken will be made public.

Appointments

Mr. Geilich made a motion to reappoint Howard Kyzer, Jr. to the Lancaster County Industrial Development Authority.

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

Mr. Geilich stated the Board of Supervisors and County Administrator received a faxed report from Paul Lee with Robinson Farmer Cox, County Auditor, indicated that Dr. Latimore indicated he had 40 vacation days and 140 sick leave days (total values of \$16,940.80) during the FY06 annual audit.

COUNTY ADMINISTRATOR REPORT

Mr. Pennell stated the Lancaster Health Department will hold a Rabies Clinic on October 20, 2007.

At Mr. Pennell's request, the Board of Supervisors agreed by consensus that Mr. Geilich will be the principal voting member and Dr. Russell will be the substitute voting member at the upcoming Virginia Association of Counties Annual Conference.

ADJOURNMENT

Motion was made by Mr. Geilich to adjourn the meeting until Tuesday, October 2, 2007 at 10:00 a.m. for a Work Session to discuss legal issues surrounding the former Superintendent of Schools on the salary payout.

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