

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, September 29, 2005.

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

Others

Present: Jack Larson, Planning/Land Use; Carter White, Virginia Department of Transportation; Dr. Thomas K. Irungu, Health Department; Charles Chase, MAG, LLC; Frederick K. West, Spring Hill Farms, LLC; Randal S. Vaughan, Wiley and Wilson; Robert B. Bragg III, Harbour on Indian Creek, LLC; Christopher Kelly, Exuma Group, Ltd.; Scott Hudson, Emergency Services; Robb Hoff, Rappahannock Record

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

**PUBLIC INPUT**

Mr. Fazzi asked if there would be a hearing scheduled to review the Comprehensive Plan and would a hearing be scheduled for each district.

Mr. Pennell stated there would not be a public hearing, but a public meeting held in each district.

**PRESENTATION**

Dr. Thomas K. Irungu, Director of Virginia Department of Health – Three Rivers District said he was hired as health director in August. He hopes to continue the good working relationship with Lancaster County Board of Supervisors. If his assistance is ever needed, do not hesitate to contact him. He thanked the board for their time.

## **VIRGINIA DEPARTMENT OF TRANSPORTATION**

### **Maintenance Update**

Mr. White stated the second mow should be completed on August 26, 2005 and the third mow by the third week in September.

Mr. White said VDOT will be doing concrete work in the Town of Kilmarnock within the next week.

### **Six Year Plan Work Session**

Mr. White said they would like to have a work session for the Six-Year Plan for Secondary Highways at the next regular Board of Supervisors meeting on October 27, 2005 and the public hearing will be held in November on the Six-Year Plan.

By consensus of the Board of Supervisors, the work session for the Secondary Highways Six-Year Plan will held at the October 27, 2005 regular meeting.

## **PUBLIC HEARINGS**

1. Application for Change of Zoning District Classification – Joseph M. and Michelle M. Waller – Mr. Larson presented a request by Joseph M. and Michelle M. Waller to rezone property described as Tax Map #29-55V/W from R-1, Residential, General to A-1, Agricultural, Limited. This property is off McSwain Road near White Stone, VA in Voting District 3.

Mr. Larson stated the approved Planning Commission minutes of the August 18, 2005 meeting at which this issue was heard were available to the board. As indicated in the minutes, the motivation for requesting this rezoning is a property tax dispute with the Commissioner of the Revenue. Mr. Thomas advises the rezoning would have no impact on the assessment. There are no other agriculturally zoned properties in all of Tax Map #29. They are all residentially zoned with the exception of a very few which are zoned limited industrial. Rezoning this property to A-1, Agricultural, Limited or even A-2, Agricultural, General would not be logical. As is the case with many residentially zoned properties in the County agricultural activities can be conducted on this property. To the best of his knowledge there is no use the Wallers are contemplating for their property that would be prohibited under the present zoning.

Mr. Larson said this issue has been advertised and adjacent property owners notified for this public hearing as required by law. To date there has been no input from either adjoining property owners or other interested members of the public.

Chairman Jenkins opened the public hearing.

Hearing none.

Chairman Jenkins closed the public hearing.

Mr. Geilich made a motion to deny the Application for Change of Zoning District Classification for Joseph M. and Michelle M. Waller.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

2. Application for a Special Exception – William T. and Tracey A. Hayden – Mr. Larson presented an application for a Special Exception by William T. and Tracy A. Hayden to operate a sand and gravel pit on property described as Tax Map # 17-40B which is located off VSH 605, Pinckardsville Road, near Kilmarnock, VA in Voting District 2.

Mr. Larson said consideration of this request was continued from the July 28, 2005 meeting due to erroneous information from the applicant that resulted in incorrect advertising. A determination to conduct another public hearing to ensure that all interested parties had the opportunity to provide input was also made.

The Haydens' request seems to be a reasonable use of the property on the scale proposed of 4-5 truckloads per day. It is well screened with the nearest private residence being that of the Haydens. There is buffering between the subject property and the adjoining property. Finally, operation of the pit would be subject to issuance of a permit by the Virginia Department of Mines, Minerals and Energy (DMME) and continued monitoring by that agency for compliance with environmental, health and safety regulations.

Mr. Larson said this issue has been advertised and adjacent property owners notified for this public hearing as required by law. To date there has been no input from either adjoining property owners or other interested members of the public for this hearing.

Chairman Jenkins opened the public hearing.

Mr. Geilich asked if a hole would be left in the ground or how would that be handled.

Mr. Larson said the state requires restoration.

Mr. Hayden stated hills were being removed.

Chairman Jenkins closed the public hearing.

Mr. Palin made a motion to Approve the Application for Special Exception for William T. and Tracy A. Hayden with a limit of five truck loads per day and establish a Virginia Department of Transportation approved entrance.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

3. Application for Change of Zoning District Classification – MAG, LLC – Mr. Larson presented a request by MAG, LLC to rezone property described as Tax Map #28-6 from R-1, Residential, General to C-1, Commercial. This property is off VSH 200, Irvington Road, at the intersection with VSH 688, James B. Jones Memorial Highway, near Kilmarnock, VA in Voting District 4.

Mr. Larson stated the approved Planning Commission minutes of the August 18, 2005 meeting were provided for the review of the board. Mr. Jones has reviewed the revised proffer adjusting the maximum height of buildings on the perimeter to 15' vice the previously proposed 20' and found it acceptable in terms of addressing the concern that he had raised.

Mr. Larson said this issue has been advertised and adjacent property owners notified for this public hearing as required by law. To date there has been no input from either adjoining property owners or other interested members of the public.

Chairman Jenkins opened the public hearing.

Mr. Geilich said the plans show 15' height limit on perimeter structures but wanted to know maximum height of other structures.

Mr. Chase said not exceed 20' to eve height.

Mr. Warren asked if the well adjacent to property is active and what are the impacts to the well.

Mr. Chase stated it belongs to adjacent property owners and MAG, LLC would be responsible for impacts.

Chairman Jenkins closed the public hearing.

Mr. Hill made a motion to Approve the Application for Change of Zoning District Classification for MAG, LLC with conditional rezoning per proffers.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

4. Application for Change of Zoning District Classification – Frederick K. West – Mr. Larson presented a request by Frederick K. West to rezone property described as Tax Map #28-139 from R-1, Residential, General to R-3, Residential, Medium General. This property is off VSH 1036, Harris Road, near Kilmarnock, VA in Voting District 4.

Mr. Larson said approved Planning Commission minutes of the August 18, 2005 meeting at which this issue was considered were given to the board for review. Consideration of the request had been continued from the July 21, 2005 regular meeting to give Mr. West an opportunity to address concerns raised at public hearing. Mr. West is proffering buffering along the main entrance as well as adjoining properties. Additionally, he is proffering a walking path. Proffers submitted by Mr. West seemed to address concerns resulting in the favorable recommendation by the Planning Commission.

Mr. Larson stated this issue has been advertised and adjacent property owners notified for this public hearing as required by law. To date there has been no input from either adjoining property owners or other interested members of the public.

Chairman Jenkins opened the public hearing.

Mr. West stated the proposed name of the subdivision has become an issue and will be changed if his rezoning request is approved the Board of Supervisors. He said, based on the current R-1 zoning status, they have voluntarily proffered to decrease the allowable density of single-family lots for the expressed purposes of developing an attractive village-type setting and to maintain approximately 40% of the subject property as open and wooded spaces. The most environmentally responsible development plan calls for the use of available and accessible municipal water and sewer service. This community is situated only 700 feet from such municipal serves. He is fully prepared to work with Lancaster County and the Town of Kilmarnock to hook up to these services. He and his partners believe that this community may become a positive development precedent for Lancaster County. This development plan deliberately limits allowable density, maintains substantial open spaces, includes quality residential models with an emphasis on architectural integrity. For those reasons, he asked that the board approve his request.

Mr. Beauchamp stated access to the Town of Kilmarnock water and sewer can not be guaranteed.

Mr. Geilich asked about the review of the final site plan.

Mr. Larson stated this would be zoned R-3 and a site plan is not required, however; a subdivision plat is required.

Mr. Geilich asked if the cost per housing units would be \$300,000.

Mr. West said yes.

Mr. Bob Morning asked about the hook up to town water.

Mr. Jenkins stated the hook up to town water was out of the Board's control and does not have control over the Town of Kilmarnock water and sewer.

Mr. Morning stated as an adjoining property owner he was not notified.

Mr. Larson said every effort is made to notify all adjoining property owners and which may not show clearly on the tax maps.

Mr. Morning said the map is not correct and Harris Road split his property in half. The developers have no concerns for the people in the area, only for the money. The new homes will squeeze out the old residents. Who will afford these homes?

Mr. James Davis said he owns property directly across from the new development. Surveying was done on his property and he does not understand why. The entrance will create too much confusion. He would also like to know who will be paying for the new water and sewer.



Mr. Jenkins stated the developer is usually responsible.

Mayor Robertson asked if Mr. West would be allowed to apply for water through the county.

Mr. Pennell stated not unless changes are made to the Comprehensive Plan.

Mr. Jenkins said even after reviewing the Comprehensive Plan the county can not guarantee.

Mrs. Betty Chuck said if this subdivision is approved and water and sewer is not allowed by the town, what will happen?

Mr. Pennell stated that an alternative for water and sewage needs to be found and then it would be allowed.

Mayor Robertson said the project would be economically positive if approved.

Mr. Fazzi asked if the town run lines will they run across private and/or county property.

Mr. Jenkins stated they would need to place the infrastructure in approved easements or acquire the easements before the line could be run over any property.

Mr. Fazzi said there is not enough information available, \$300,000 + proffers for affordable housing and many unanswered questions.

Mr. Wallace Dawson asked the board not to rush to approve, because there are too many unanswered questions.

Mr. Jenkins stated the board has one year from tonight's meeting.

Mr. Shepherd asked about the acreage and if children would live in this subdivision.

Mr. Larson stated there is 38 acres and 66 homes would be built.

Mr. Jenkins said there would probably be no children living in the subdivision.

Mr. Larson said on the high density issue, if each home had single wells the development could build more houses. This has less density than what is allowed by right.

Mr. Larson said there no requirement for open space, however; Mr. West is providing open space.

Mr. Julian suggested the county follow what they have in place.

Mr. Jenkins said Mr. West is asking for R-3 zoning and this is allowable.

Mr. Dirk Mundt asked if a property owner refuses to provide an easement for water and sewer lines, can the county condemn.

Mr. Jenkins said there doesn't seem to be any interest in condemnation proceedings. The Lancaster County Board of Supervisors has traditionally refused to condemn private property unless there is a demonstrated need for the

good of the majority of the people in the county. No one could remember when the last condemnation procedure took place in Lancaster County.

Mr. Pennell stated the county would have no right to exercise eminent domain but rather have to follow the state law if that was ever desired.

Mr. Jenkins again stated the county can not guarantee water lines.

Mrs. Frances Simmons said the water aquifer will not support these homes.

Chairman Jenkins closed the public hearing.

Mr. Hill said Mr. West has instituted the good neighbor policy and has met with neighbors and will put up buffers.

Mr. Beauchamp stated he was concerned with where lines would run. There are eight property owners involved if done in a straight line.

Mr. Hill made a motion to table the Application for Change of Zoning Classification made by Frederick K. West until the Board of Supervisors regular October 27, 2005 meeting.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

5. Public Hearing – Public Service Authority – Mr. Pennell stated over the past several months, representatives from the Towns of White Stone and Irvington and

Lancaster County have been discussing the methods by which modern water supply and wastewater treatment can be provided to citizens throughout Lancaster County. At the August 2005 meeting of the Lancaster County Board of Supervisors, the members authorized the advertising and scheduling to conduct a public hearing on the creation of a Public Service Authority agreement between Lancaster County and the towns within Lancaster County.

Mr. Pennell said creation of a Public Service Authority will not automatically generate capital costs. Any future plans to establish municipal water provision and/or wastewater treatment will require the approval of the respective governing bodies in the jurisdiction in which they will be located.

Mr. Pennell stated potable water provision and wastewater treatment is an environmental responsibility. Control of development and sprawl is a comprehensive plan/zoning ordinance responsibility.

Mr. Palin stated the board is on the right path and looking out for the citizens of Lancaster County. We know there are problems with the aquifer and septic systems are failing. DEQ will eventually tell us what we need to do. We should start the process before being told. This does not mean infrastructure will be started in the next few years.

Mr. Geilich said chances are other governing bodies will take this issue and exclude the county. They will set themselves up to expand town limits, and the county will lose control of property. At a later date, if county wants to join the PSA they will have little say and the cost to county residents will be higher. Sooner or later this issue must be faced.

Mr. Beauchamp said this issue is not going away, there is not enough information to vote, however; overall impact and cost must be addressed.

Mr. Hill said he has concerns with the \$1.4 million block grant for the Greentown area for indoor plumbing, sewer system which would be affected. There are several citizens in the county that do not have amenities. The citizens in the county need this.

Mr. Frank Derteronte said he does not see need for sewage treatment in the county. He would like to see studies. He asked if the engineers are from Blue Plains and how is sludge going to be taken away? This can be expensive and does not know where such a facility could be placed.

Mayor Hubbard said the confusion is that PSA is not sewage treatment. He thanked the board for taking the necessary step to consider involvement in a PSA.

Mr. Charles Costello, Friends of Lancaster County stated the information collected from meetings, DEQ or the Chesapeake Bay Foundation has failed to convince FOLC members that PSA is needed at this time. The PSA sets projects and fees and has absolute control. He read a portion of the Code of Virginia about signed petitions requesting a referendum.

Mr. Jenkins asked if the petition had been certified by the Registrar.

Mr. Costello said it has not at this time.

Mr. Jenkins said the petition would be accepted for certification and a legal opinion obtained from the County Attorney.

Mr. Julian said his concerns are the way the agreement was prepared and worded. There is not enough information available to make a decision. What are the costs and will the citizens of Upper Lancaster benefit from PSA?

Mr. Sam Marshall, Oceanographer, said he was told that septic systems in Lancaster County are polluting local waters and there are not reports of such at DEQ. If inspected every five years, a septic system can be maintained as well as a sewage treatment plant.

Mr. Beauchamp said if the cost of a sewage treatment plant may be \$14 million today, in ten years it could be \$35 million dollars.

Mr. Doug Trittipeo said he has been through this in Fairfax County and very similar questions are being asked tonight. After initial study is done more studies are done. The commission will be able to float bonds without voting. Potential hook ups may not be enough to cover the interest on bonds. This will change the character of Lancaster County, creating higher density, more schools, more employees, and a new department with new costs. Septic fields are fine as done today. A new plant will still dump into Rivers and Bay. It is cheaper in the end to pay for repairs of septic systems rather than a sanitary district. The agreement is not what was described and needs to be reworded.

Mr. Jenkins stated PSA may happen even if the county is not a part. Any governing body has option to leave before any money is spent.

Mr. Wayne Cannon asked if this is predicated on density or future density. Will it be addressed by the Comprehensive Plan review.

Mr. Jenkins said this provides systems for future needs and there is an existing need. The provisions for municipal water and wastewater treatment will be considered during the comprehensive plan revision.

Mr. Anthony Blackstone said the sewer system would discharge effluent in either headwaters of Carter Creek or Corrotoman River. Concerned with how

this would be done. Carters Creek is already polluted and the headwaters are fairly stagnate.

Mr. Bill Warren asked how the study was funded.

Mr. Pennell said the study was funded by the Industrial Development Authority and not taxpayer money.

Mr. Warren asked if money was coming from interested parties.

Mr. Jenkins said money comes from bond fees previously issued.

Mr. Warren said this would change the face of the county and believed this action is premature. The county could commission a study to look at impacts. Costs have been well documented by other localities and the county owes citizens a thorough study. There are too many unknowns. This would be bothersome that tourism and retirement community with financial interest would be on PSA. Once the process is started it is too hard to stop. The county should hire independent study.

Ms. Barbara Deitz urged the board to continue review of Comprehensive Plan first. There is no mandate set for PSA.

Mr. David Jones said that White Stone businesses are suffering due to inability to expand.

Mr. Richard Canter said ineffective septic systems should not be used to form PSA and asked if the CDBG Greentown/Gaskins Road grant was contingent upon a PSA.

Mr. Hill said no.

Mr. Canter said “no cost” is not true, because there is a cost in personnel.

Mr. Tommy Jones said he works in Richmond and lives here in Lancaster County. Does not want his tax money used for expansion and he would like to be able to vote.

Mr. Alan Burgess said everyone present was against the PSA.

Mr. Warren said there are isolated situations and should have other ways to solve (i.e. pump and haul).

Mr. Sam Marshall said point source pollution should have point source solution.

Mr. Simmons stated the problem is too many people moving into the area and large developments will contribute to problems.

Chairman Jenkins closed the public hearing.

Mr. Beauchamp stated no member of the board is totally in favor. We should table the matter and give proper consideration of the petition.

Mr. Beauchamp made a motion to table the creation of a Public Service Authority agreement between Lancaster County and the towns within Lancaster County to the regular Board of Supervisors meeting on October 27, 2005.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye



**CONSENSUS DOCKET**

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

A. Minutes for August 25, 2005

Recommendation: Approve the minutes as submitted

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of September 2005 Salaries and Invoice Listings

Motion was made by Mr. Hill to approve the Salaries for September 2005 in the amount of \$163,123.79 and Invoice Listings for September 2005 in the amount of \$372,074.63.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

2. Courthouse Security and Space Needs Assessment – Mr. Pennell said the Board of Supervisors has authorized a request for proposals for an architectural/

engineering firm to evaluate the Lancaster County Courthouse to improve the courtroom security as well as address space needs requirements.

Mr. Pennell stated the firm previously recommended to the Board of Supervisors was Wiley and Wilson, following interviews of three architectural/engineering firms which responded to the county's RFP for an evaluation and recommendation to improve courtroom security and address space needs by the department/offices occupying the courthouse. The cost estimates were reconsidered and reduced from the first proposal submitted by Wiley and Wilson. The estimated \$110,000 cost of this study is well within the \$250,000 the Board of Supervisors has reserved from the 2001 and 2003 Capital Improvement Program for improvements to county offices.

Mr. Geilich made a motion to Approve the proposal from Wiley and Wilson and authorize the County Administrator to proceed with process.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

3. Emergency Medical Services – Weekend Career Assignment – Mr. Pennell stated both volunteer rescue squads in Lancaster County formally asked the Board of Supervisors to provide career Emergency Medical Technician services on Saturday and Sunday as well as the current Monday through Friday services.

Mr. Pennell said that details of the data collected by him and Scott Hudson regarding the status of the revenues and expenditures of the career EMT program in Lancaster County. The county is receiving just about the same funding as it is costing to provide this service. The revenues are increasing as the program

matures but he cannot accurately predict the average annual revenues until more data is received.

Mr. Pennell stated the estimate of the cost of adding Saturday and Sunday service to the program. The least expensive method is to change the current EMT schedules so that two full-time EMTs have Friday and Saturday as days off and two full-time EMTs have Sunday and Monday as days off. By doing this, the weekends can be staffed with two part-time EMTs working 8 hours per day on Friday, Saturday, Sunday, and Monday. The possibility exists of the county being asked to provide full-time EMT services 24/7/365. Plans are being drawn so that it could be accommodated quickly, if requested.

The minimum cost for this adjustment is as follows:

1. Salary = \$11.78 per hour per person x 2 x 8 hours daily x 4 days per week x 52 weeks per year = \$39,203 per year.
2. Social Security and Medicare Benefits = 7.65% of payroll = \$2,999 per year
3. Uniforms and equipment = \$250 each = \$500.
4. Training = \$250 each = \$500
5. Total estimated additional cost = \$43,202

Mr. Beauchamp made a motion to appropriate \$43,202 to increase Emergency Medical Services staff.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

4. County Employee Vehicle Mileage Reimbursement – Mr. Pennell stated that Lancaster County employee vehicle mileage reimbursement is currently 32 ½ cents per mile. With the enormous increase in gasoline prices, it may be time for the Board of Supervisors to consider an increase in this amount even if only temporary while gas prices are so high.

Mr. Pennell said recently, Richmond County has increase its mileage reimbursement rate to 42 cents per mile and Northumberland’s county administrator is preparing to ask the Board of Supervisors to consider a mileage increase as well. The reimbursement mileage rate for IRS was increased from 40 ½ cents per mile to 48 ½ cents per mile until December 31, 2005.

Mr. Pennell stated he would monitor the gasoline prices over the next several months and if they are significantly reduced, he will ask the Board of Supervisors to consider a reduction based on the gasoline price level.

Mr. Geilich made a motion to Approve the increase of the county employee vehicle mileage reimbursement to 42 cents per mile.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

5. Modification of Master Plan – Robert B. Bragg, III – Mr. Larson presented a request by Robert B. Bragg III for modification of the master plan for the Harbour on Indian Creek to add a pool house and to make improvements to old barge landing area. The subject property is in Voting District 3.

Mr. Larson stated that in his letter to Mr. Bragg dated September 6, 2005, he agreed that proposed improvements to the old barge landing area have been approved administratively because of preexisting conditions of impervious cover. However, consistent with policy, changes to density (i.e. additions of structures) are treated as major changes to the master plan and forwarded to the Board of Supervisors for consideration. The proposed pool house of 1200 square feet, is set back from the adjoining property line almost 30 feet, and is viewed as a reasonable modification. It is noted that with the addition of this pool house the site impervious cover is 15.8% which is very close to the threshold of 16%. Any impervious cover above 16%, as will likely occur with Phase II development, would require a storm water management plan to include Best Management Practices (BMPs) for mitigation of storm water runoff.

Mr. Geilich said setbacks are 100' and wanted to ensure there would be no problems in the future with encroachment. Setbacks may need to be more than the minimum to avoid the risk of encroachment.

Mr. Hill stated Mr. Bragg should be aware of Best Management Practices.

Mr. Geilich made a motion to Approve the Modification of Master Plan for Robert B. Bragg III Harbour on Indian Creek cautioning the developer to stay out of the 100' RPA buffer.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

6. Preliminary and Final Subdivision Approval – The Exuma Group, Ltd. – Mr. Larson stated that, as required by Article 3-7 of the Subdivision Ordinance, this

subdivision in excess of five lots with the proposed name of “Overlook” is presented for Board of Supervisors consideration. The subject property is in Voting District 2.

Mr. Larson said there were six areas of deficiency identified on the initial submission of the Preliminary Subdivision Checklist. All have been addressed by the applicant to the satisfaction of the county staff with corrective action reflected on either the plat submitted for the Board of Supervisors consideration or correspondence dated September 9, 2005 received from VDOT Resident Manager, Carter White.

Mr. Palin made a motion to Approve the Preliminary Subdivision Plat for the Exuma Group, Ltd.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

7. Preliminary and Final Subdivision Approval – New Tides, LLC – Mr. Larson stated that, as required by Article 3-7 of the Subdivision Ordinance, this subdivision in excess of five lots with the proposed name of “Taylor Creek Park” is presented for Board of Supervisors consideration. Applicants are also requesting final plat approval. Subject property is in Voting District 4.

Mr. Larson said the plat submitted to the Board of Supervisors meets all requirements for approval with the exception of performance bond and final VDOT signature. Lots are minimally sized but do meet or exceed the minimum 20,000 square feet for lots with community water and/or sewer. Frontage also meets the minimum of 100 feet for an R-1 subdivision.

Mr. Larson said a separate but related issue is the land area, designated Park Areas A, B, and C, that is dedicated for use by the general public. This dedication is in fulfillment of a commitment made at the time rezoning was considered for the Tides Lodge. Conditions for Public Use were submitted to Board of Supervisors and appear reasonable. However, it is recommended that the County Attorney review that document as well as the covenants for consistency between the two prior to accepting the proposed dedication. Consideration of the dedication can be treated as a separate matter from the subdivision plat if necessary.

Mr. Hill made a motion to Approve the Preliminary and Final Subdivision Plat for New Tides LLC pending revision or approval of the covenants by the county attorney.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

8. National Association of Counties – Prescription Discount Card – Mr. Pennell said recently, the National Association of Counties, of which Lancaster County is a member, has offered a prescription discount card to the citizens of member counties. Regionally, the Richmond County and Westmoreland County Board of Supervisors have already approved this program in their respective counties. Northumberland has not yet participated because it recently dropped its membership in the National Association of Counties.

Mr. Pennell stated he has requested of Dr. Thomas Irungu, the new Director of the Three Rivers Health District, to permit the Lancaster County Health Department to be the distribution site for these cards. This service has

already been offered to Richmond County and Westmoreland County. The remaining administrative responsibilities for county staff are minimal.

Mr. Palin made a motion to authorize the County Administrator to complete the necessary documentation to participate in the Prescription Discount Card Program offered by the National Association of Counties.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

## **BOARD REPORTS**

### Hurricane Preparation

Mr. Hill asked how prepared is the county in the case of an emergency.

Mr. Beauchamp stated he has attended many meeting held since Hurricane Isabel and is pleased with what has been accomplished. Mr. Beauchamp and Mr. Pennell described the many improvements to Lancaster County's ability to respond to citizen needs during future emergencies.

### Citizen Concern

Mr. Geilich stated he received a complaint from a citizen of manure dumping and will pass this issue on to staff.



**COUNTY ADMINISTRATOR**

Mr. Pennell informed the board of the Chamber of Commerce After Hours Business Meeting to be held on Thursday, October 6, 2005 at the Tartan Village.

Mr. Pennell stated the Region II VACo meeting would be held on Wednesday, October 5, 2005 and a Gang Trainig meeting at Middlesex will be held later the same day.

**ADJOURNMENT**

Motion was made by Mr. Beauchamp to adjourn.

VOTE:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye