

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the Administrative Building Board/Commission Meeting Room of said county on Monday, December 16, 2013.

Members Present: F. W. Jenkins, Jr., Chair  
Jason D. Bellows, Vice Chair  
Ernest W. Palin, Jr., Board Member  
William R. Lee, 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. Jenkins called the meeting to order at 7:00 p.m.

**PUBLIC INPUT**

Mr. Charles Costello, a District 2 citizen, stated that he thought the school request for the Voice Over IP project should be granted, whether or not the County is reimbursed. He stated that it is all taxpayer monies, whether it is federal, state or local taxes. He stated that after attending the last Planning Commission meeting and learning about the system, he believes it is a good project for the school system. He added that the school nurse situation should be taken care of as well.

**PRESENTATIONS**

1. Introduction of Mr. Terrance McGregor, the new Emergency Services Chief

Mr. Pleva stated that he was pleased to introduce Mr. Terrance McGregor, who started with the County on December 1, 2013. He stated that Mr. McGregor has extensive experience with both paid and volunteer rescue organizations.

Mr. McGregor introduced himself to the Board of Supervisors. He stated that he has already met with both of the volunteer rescue squads and looked forward to serving Lancaster County.

The Board of Supervisors welcomed Mr. McGregor.

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

There was no VDOT presentation.

**PUBLIC HEARING**

1. Zoning Ordinance Amendment – Data Poles/Antennas

Mr. Gill stated that the issue is to amend the following Articles of the Zoning Ordinance:

Article 3, Agricultural Limited District A-1,  
Article 4, Agricultural General District A-2,  
Article 5, Residential General District R-1,  
Article 6A, Residential Community District R-4,  
Article 7, Residential Medium General District R-3,  
Article 21, Rural Village Overlay District, RV-1,

by adding the following permitted use in each of the above districts:

*Service provider installation of single-pole high-speed data communication antennas less than 100 feet in total height with main structure setbacks. Poles not meeting these criteria, with a special exception.*

Mr. Gill stated that the Planning Commission has forwarded these amendments to the Board of Supervisors with no recommendation. He stated that the vote was 5-2 and the minutes from the Commission meeting were included in the Board packages.

Mr. Gill stated that at its November 29, 2012 meeting, the Board of Supervisors directed the Planning Commission to review and make recommendations regarding our regulation of the internet data poles/antennae that have become commonplace throughout the Northern Neck to help broaden the availability of high speed internet access. These data poles/antennae are usually between 80-100 feet in total height. They usually combine a 50-60 feet telephone pole with a 20-30 feet “straight stick” antennae on top. There is usually a 2-3 mile radius around these poles where adjoining residents can get higher speed internet if they choose to subscribe with the internet provider who erected the pole.

Mr. Gill stated that our zoning ordinance allows these poles by right in three zoning districts and requires a special exception in the other seven zoning districts. The

special exception process involves a public hearing and a fee. That fee was \$400 until December 2010, when the Board reduced the fee for this particular special exception to \$200, which basically covers the cost of the required advertising that must be done for the public hearing. The Board did not want the fee to be so burdensome that it discouraged the poles, but wanted it to cover the expense of the required advertising. Since November 2007, there have been 22 requests for these poles with 1 request being withdrawn prior to going to public hearing, while the other 21 have been approved with virtually no objection.

Mr. Gill stated that adjoining counties were contacted to see how they handled these poles. Northumberland has a 100 foot height limit for by-right placement, but requires a conditional use permit (\$150) for poles exceeding 100 feet or constructed with multiple supports. Mathews has a 120 foot height limit for by-right placement, but requires zoning (\$25) and electrical (\$25) permits and requires a conditional use permit (\$200) if exceeding 120 feet. Westmoreland requires a special exception permit (\$600) for all poles and has a 125 foot height limit. Middlesex County requires a special exception permit (\$300) for all poles and has no set height limit. Richmond County does not require anything at the current time. All of these counties require accessory structure setbacks for the by-right placements.

Mr. Gill stated that the Planning Commission studied this issue at its February and March 2013 meetings considering several possible options: 1) Leave as is. The \$200 special exception fee covers the advertising costs and the public hearing allows adjoining property owners to object, if they choose, to the 100 foot pole going in beside them. The Internet Service Provider would recoup the \$200 from potential additional subscribers. 2) Make this a “no-fee” special exception similar to our singlewide individual manufactured home special exception. This allows adjoining property owners to object, if they choose, to the 100 foot pole going in beside them, but does not burden the applicant with a fee. The County would still pay the advertising costs. 3) Allow by-right similar to Northumberland. Adjoining property owners would not have the opportunity to voice objection to the 100 foot pole going in beside them.

Mr. Gill stated that the Planning Commission recommended to the Board of Supervisors that our current policy of requiring a special exception for most of these poles was the most fair and thus recommended no changes to our current regulation of these poles. At its April 2013 meeting, the Board of Supervisors expressed appreciation for the Planning Commission’s work, but strongly believed that these poles should be allowed by right, subject to certain criteria, and directed the Planning Commission to propose an amendment to the zoning ordinance which would accomplish that.

Mr. Gill stated that currently, our zoning ordinance allows these poles by right in three zoning districts: C-1 Commercial, C-2 Commercial Limited and M-1 Industrial Limited. Our zoning ordinance currently requires a special exception for poles of any height in the W-1 Waterfront Residential Overlay district and for poles exceeding 35 feet in height in the other six zoning districts: A-1 Agricultural Limited, A-2 Agricultural

General, R-1 Residential General, R-3 Residential Medium General, R-4 Residential Community, and RV-1 Rural Village Overlay districts.

Mr. Gill stated that staff believes the proposed amendments are an acceptable answer to the Board of Supervisors' direction of the Planning Commission to craft a zoning ordinance amendment to allow these poles by-right, with certain criteria. Northern Neck Wireless, the major service provider and installer of these poles, has said that 100 feet tall is adequate. Staff believes that accessory structure setbacks allowed by other counties for similar poles (5 feet from side and rear property lines) are too little, so main structure setbacks are suggested. Main structure setbacks are usually 25-feet from side property lines and 25-feet (50-feet in A-1 and A-2) from rear property lines and 75-feet from the centerline of any road. Staff believes that the special exception that is currently required should remain for all poles in the W-1 District (parcels located within 800 feet of tidal waters).

Mr. Gill stated that the Planning Commission tweaked the proposed amendment language at its September and October meetings and conducted a public hearing at its November meeting and those minutes were included in the Board packages. He stated that much of the discussion at those meetings centered on whether or not the proposed new language should also be added to the W-1 District. The discussion suggested that it was "discriminatory or elitist" to exclude the W-1 from the proposed amendment language. Staff does not agree with that suggestion.

Part 1 of the Zoning Ordinance states:

*Whereas, by act of the General Assembly of Virginia as provided in Code of Virginia, ch. 11, art. 8, §§ 15.1-486—15.1-498, and amendments thereto, the governing body of any county may by ordinance, divide the territory under its jurisdiction into districts of such number, shape and area as it may deem best suited to carry out the purposes of this article, and in each district it may regulate, restrict, permit, prohibit, and determine the following:*

*(a)The use of land, buildings, structures and other premises for agricultural, commercial, industrial, residential, floodplain and other specific uses;*

*(b)The size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing, or removal of structures;*

*(c)The areas and dimensions of land, water, and air space to be occupied by buildings, structures and uses, and of courts, yards, and other open spaces to be left unoccupied by uses and structures, including variation in the sizes of lots based on whether a public or community water supply or sewer system is available and used;*

*(d)The excavation or mining of soil or other natural resources*

*Therefore, be it ordained, by the governing body of Lancaster County, Virginia, for the purpose of promoting the health, safety, or general welfare of the public and of further accomplishing the objectives of Code of Virginia, § 15.1-489, that*

*the following be adopted as the zoning ordinance of Lancaster County, Virginia, together with the accompanying map.*

Mr. Gill stated that since Lancaster County enacted zoning in June 1975, land uses have either been permitted or prohibited in the various zoning districts based on the aforementioned enabling legislation. As evidence of this, currently the W-1 District has only 13 permitted uses whereas the A-1 District has 25, the A-2 District has 40, the R-1 District has 28, the R-3 and R-4 Districts have 21 each and the RV-1 District has 77 permitted uses.

Mr. Gill stated that staff has recommended that the current policy of requiring a special exception for all data poles/antennas in the W-1 District should remain, even though they would be allowed by-right (with the proposed height and setback restrictions) in the A-1, A-2, R-1, R-3, R-4 and RV-1 Districts. An identical scenario currently exists with the "Home Occupation" use. Currently, a "Home Occupation" is allowed by-right in the A-1, A-2, R-1, R-3, R-4 and RV-1 Districts, but requires a special exception in the W-1 District. Therefore, excluding the W-1 District from the proposed new language allowing these data poles/antennas by-right (with the proposed height and setback restrictions) is neither discriminatory based on the aforementioned enabling legislation nor precedent-setting based on the currently existing identical scenario for the "Home Occupation" use.

Mr. Gill stated that in response to the Board of Supervisors' direction to propose an amendment to the zoning ordinance which would allow these poles by-right, with certain criteria, the Planning Commission has forwarded these amendments to the Board with no recommendation by a 5-2 vote. By contrast, the Planning Commission voted unanimously at its March 2013 meeting to recommend to the Board of Supervisors that no changes be made to our current policy of regulating these poles. Several members of the Planning Commission still do not believe that these poles should be by-right. They also believe that adjoining property owners should be notified and have the ability to voice their opinions in a public hearing if a pole is proposed beside them. Many believe that if the poles are by-right in the proposed six zoning districts, they should also be by-right in the W-1, Waterfront Residential Overlay District, and not doing so is discriminatory. He stated that these opinions are well documented in the minutes.

Mr. Gill stated that advertising has been conducted as required by law. To date, other than the discussion at prior Planning Commission meetings, there has been no response from the public.

Mr. Jenkins stated that the Board would vote on each District separately. He stated that there would be separate amendments to the Code as it now stands.

Mr. Jenkins opened the public hearing.

Mr. Charles Costello, a District 2 citizen, stated that the Planning Commission did not want to make the adjustments for the data poles and wanted to leave it as it is with the required special exception. He stated that it has come to the Board of Supervisors without

a recommendation, which should tell them something. He stated that his recommendation would be to leave it alone as well.

There was no other public input.

Mr. Jenkins closed the public hearing.

Mr. Jenkins made a motion to approve the zoning ordinance amendment to Article 3, Agricultural Limited District, A-1.

Mr. Jenkins asked if there was any discussion on the motion.

Mr. Bellows asked if the amendments go through, would there be any means for adjoining property owners to be notified prior to the poles' installations.

Mr. Gill replied not unless it is a special exception. He stated that if it meets the criteria set forth in the language, then it will be by-right and be like any other building permit.

Mr. Bellows asked about the waterfront district being excluded.

Mr. Gill replied that the W-1, Waterfront Overlay District would not have the proposed language.

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

Mr. Beauchamp made a motion to approve the zoning ordinance amendment to Article 4, Agricultural General District, A-2.

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

William R. Lee      Aye

B. Wally Beauchamp Aye

Mr. Bellows made a motion to approve the zoning ordinance amendment to Article 5, Residential General District, R-1.

VOTE:              F. W. Jenkins, Jr.      Aye

Jason D. Bellows      Aye

Ernest W. Palin, Jr.      Aye

William R. Lee      Aye

B. Wally Beauchamp Aye

Mr. Lee made a motion to approve the zoning ordinance amendment to Article 6A, Residential Community District, R-4.

VOTE:              F. W. Jenkins, Jr.      Aye

Jason D. Bellows      Aye

Ernest W. Palin, Jr.      Aye

William R. Lee      Aye

B. Wally Beauchamp Aye

Mr. Palin made a motion to approve the zoning ordinance amendment to Article 7, Residential Medium General District, R-3.

VOTE:              F. W. Jenkins, Jr.      Aye

Jason D. Bellows      Aye

Ernest W. Palin, Jr.      Aye

William R. Lee      Aye

B. Wally Beauchamp Aye

Mr. Jenkins made a motion to approve the zoning ordinance amendment to Article 21, Rural Village Overlay District, RV-1.

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

2. Code of Ordinances Section 49-3 Emergency Medical Services Fees Exemptions-Code Amendment and Resolution

Mr. Pleva stated that during its regular monthly meeting on August 29, 2013, the Board of Supervisors unanimously voted to adopt the following EMS fee schedule: Basic Life Support fee of \$450, Advanced Life Support 1 fee of \$550 and Advanced Life Support 2 fee of \$650.

Mr. Pleva stated that, according to Medicare and Medicaid regulations, these fees can be exempted or waived in whole or in part if such exemptions are income-based. He stated that all members had received a draft resolution that included a scale of exemptions by percentage of the EMS bill that is based upon income. He stated that the resolution was modeled after one that was adopted by the Westmoreland County Board of Supervisors on October 16, 2013.

Mr. Pleva stated that, while Lancaster County Code Section 49-3 authorizes the Board of Supervisors to impose and to revise EMS fees by resolution, there is no codified authority for the exemption of such fees by resolution. He stated that, accordingly, it is recommended that Section 49-3 be amended to stipulate that the Board may waive such fees by resolution and that once county code has been amended, the Board could adopt a resolution regarding the waiver of EMS fees.

Mr. Pleva stated that his recommendation is that after the public hearing, the Board of Supervisors should adopt the proposed amendment to Section 49-3 Lancaster County Code amendment and then adopt the proposed resolution providing for exemptions for EMS fees. He stated that it is recommended that the Board also make the county code amendment and resolution effective upon adoption. He stated that the resolution will be promptly forwarded to the regional EMS fee billing agency after its adoption.

Mr. Pleva stated that the issue has been advertised as required by law.

Mr. Beauchamp stated that he wanted to advise the Board that they have had numerous meetings on the matter with the counties of Richmond, Westmoreland and Essex. He stated that the goal is to provide relief to citizens who cannot afford the emergency medical service fees, even if they have no insurance coverage. He stated that he thought it was something the County needed to do.

Mr. Jenkins opened the public hearing.

There was no public comment.

Mr. Jenkins closed the public hearing.

Mr. Beauchamp made a motion to adopt the amendment to the Code of Ordinances Section 49-3.

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

Mr. Beauchamp made a motion to adopt the resolution to the Code of Ordinances Section 49-3.

**EMERGENCY MEDICAL SERVICES FEES FOR SERVICE  
EXEMPTION  
RESOLUTION**

**WHEREAS**, upon finding as fact, after notice and public hearing, that the exercise of the powers enumerated in Virginia Code § 32.1-111.14 is necessary to assure the provision of adequate and continuing emergency services and to preserve, protect, and promote the public health, safety and general welfare of the residents and visitors of Lancaster County; and

**WHEREAS**, the Lancaster County Board of Supervisors has fixed reasonable charges for permitted rescue services to be billed to the users and their insurance providers for such services; and

**WHEREAS**, the Lancaster County Board of Supervisors is aware that some citizens and visitors are without insurance coverage and have limited financial means to pay for such services.

**NOW, THEREFORE, BE IT RESOLVED** that the Lancaster County Board of Supervisors hereby adopts the following scale of exemptions for the users of rescue services *who lack insurance coverage and meet the following income guidelines:*

<u>Total Combined Income</u>	<u>Percentage Exemption of Ambulance Bill</u>
Less than \$20,000	100%
\$20,001 to \$30,000	75%
\$30,001 to \$40,000	50%
\$40,001 to \$50,000	25%
\$50,001 & above	0%

Done this 16<sup>th</sup> day of December, 2013.

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

**CONSENSUS DOCKET**

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

1. Minutes for November 21, 2013

Recommendation: Approve minutes as submitted

2. Commissioner of the Revenue – Proposed state legislation

Recommendation: Approve as submitted.

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

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of December 2013 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for December 2013 in the amount of \$248,988.09 and invoice listings for December 2013 in the amount of \$398,867.66.

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

2. Lancaster County Public Schools – Voice Over IP Project

Mr. Pleva referred to Mr. Gill’s memo.

Mr. Gill’s memo stated that the issue is the reconsideration of the School Voiceover IP Project that was approved in the FY 2014 Capital Improvement Budget now that new information reveals that e-rate reimbursable funds will not be available as was originally thought during the initial consideration of this project.

Mr. Gill's memo stated that the Planning Commission has forwarded this issue to the Board of Supervisors with no recommendation. He stated that the vote was 7-0 and the minutes were included in the Board packages.

Mr. Gill's memo stated that, generally, the Voiceover IP Project (VOIP) involves tying phone lines into the school's computer and intranet system, allowing for the elimination of most existing phone lines, which is projected to save \$15,000 annually in communication expenses while increasing efficiency.

Mr. Gill's memo stated that while the total cost of this project has not changed, it is still \$165,000 as presented and approved, the net expense to the taxpayers has changed since the reimbursable e-rate funds are not available. He stated that this project was approved under the assumption that the net expense would be \$84,000 (\$165,000-\$81,000 reimbursed), but now it is known that the net expense to the taxpayers will be \$165,000, the full cost of the project. He stated that under the original presentation and approval, it would have taken approximately 5.5 years to recoup the net cost of this project (\$84,000/\$15,000 annual savings), but with the new information, it will take 11 years to recoup the cost (\$165,000/\$15,000 annual savings). He stated the VOIP project was initially requested by the School Board in February 2012 during the Planning Commission's update of the FY 2013-2017 Capital Improvement Budget (CIB). He stated that it was presented as costing \$157,000 with approximately \$65,000 reimbursable through the e-rate program as a Priority 2 project. He stated that the School Board ranked the VOIP project #1 out of the 2 projects it requested in FY 2013. He stated that the Planning Commission ranked it #1 out of the 3 projects it recommended to the Board of Supervisors for the FY 2013 CIB. He stated that the Board of Supervisors ultimately did not fund any FY 2013 Capital Improvement projects.

Mr. Gill's memo stated that the VOIP project reappeared in February 2013 during the Planning Commission's update of the FY 2014-2018 CIB. It was presented as costing \$165,000 with approximately \$81,000 reimbursable through the e-rate program. The School Board ranked the VOIP project #3 out of the 4 projects it requested in FY 2014. On April 18, 2013, the Planning Commission ranked the VOIP project #7 out of the 8 projects it recommended to the Board of Supervisors for the FY 2014 CIB. On June 27, 2013, the Board of Supervisors approved the VOIP as one of the six projects it would fund under the FY 2014 CIB.

Mr. Gill's memo stated that in October 2013, the School system learned that they would not be receiving the \$81,000 e-rate reimbursable funds as was originally presented to the Planning Commission and Board of Supervisors, nor would they likely receive any future e-rate Priority 2 funding. Lancaster Schools Director of Operations/Transportation, John Mann, wrote a letter to the School Board informing them of this new information and requested that the issue be reconsidered by the Board of Supervisors before contracting with the vendor to complete the VOIP project.

Mr. Gill's memo stated that at the November 21, 2013 Board of Supervisors meeting, John Mann briefed the Board on this project and the new information and the Board requested that it first be reconsidered by the Planning Commission since the annual CIB updates originate at the Planning Commission level.

Mr. Gill's memo stated that at a special meeting of the Planning Commission on December 5, 2013, the VOIP project was reconsidered with a detailed cost sheet provided by John Mann and Kevin Bean. After much discussion, the Planning Commission was not willing to recommend full funding of the VOIP project in addition to the other school projects approved under the CIB and concluded that this was a prioritization issue for the school board as it may have to put off one of the projects until a future year. The school board had a meeting scheduled for December 9, 2013 and Commission and School Board member Bob Smart proposed to seek a recommendation from the school board as to which of their approved CIB items were the highest priority for them. Since the Planning Commission would not know the outcome of that future school board meeting, the Planning Commission forwarded this issue to the Board of Supervisors with no recommendation.

Mr. Gill's memo stated that Chairman Jenkins requested that staff contact the state coordinator for the e-rate program for clarification as to who makes the determination for e-rate funding and under what authority. An attached email correspondence with Greg Weisiger, one of the two state coordinators for the e-rate program, was provided to address the chairman's concerns.

Mr. Gill's memo stated that we have received Priority 1 funding through e-rate in 15 of the 16 years it has been offered, but only once for Priority 2 projects. He stated that Mr. Weisiger's comments suggest that discount rates below 90% will most likely not receive Priority 2 funding in the future and Lancaster's discount rate is usually 80% based on the number of students eligible for free or reduced lunch. He stated that in order for Lancaster to achieve that 90% discount rate, more than 75% of the students at all 3 schools would have to be eligible for free or reduced lunch. He stated that the 75% threshold may be attainable for the primary and middle schools, but is unrealistic for the high school.

Mr. Gill's memo stated that since increasing Lancaster's discount rate to 90% seems unlikely, Mr. Weisiger suggested another alternative in which the VOIP would be a "hosted VOIP" where much of the equipment cost is made part of the "host's" general services fees and thus would move the VOIP project from a Priority 2 to a Priority 1, where funding for Lancaster is much more likely. He stated that the deadline for 2014 applications is March 26, 2014.

Mr. Bellows stated that the school phone system had reached a point where it needs replacement and it had already essentially been approved to move forward. He stated that he made a motion to approve the Voice Over IP project.

Mr. Lee stated that he found it disturbing that the school has to obtain phone parts from the E-bay auction website. He stated that he had worked with Nortel for approximately twenty years as well as the Cisco Company. He stated that Cisco was a very reliable company, in his opinion. He stated that the project was very much needed.

Mr. Bellows stated that the phone system is outdated and has outlived its usefulness.

Mr. Jenkins stated that his only concern was the fact that the significant grant for the project did not come through and puts a hole somewhere in the capital improvement budget. He stated that there may be a reprioritization of capital improvements in the future.

Mr. Palin stated that some of the funds that have been turned back from the previous school year may be able to fill the gap.

Mr. Beauchamp stated that there is no question that they need to move forward with the project. He stated that they can address other budget concerns in the spring.

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

3. Lancaster County Operating and Capital Improvement Budgets – FY 2014 Semi-Annual Appropriation Resolution

Mr. Pleva stated that the Board members had received a revised resolution of the last six months of the current fiscal year, which ends June 30, 2014. He stated that the primary changes were there were no capital projects or debt service listed because the Board had appropriated those items on an annual basis. He stated that the other change, under the school funding on page three, reflects the categories referenced in Ms. Salg's letter that transfers \$44,000 from instruction to administration and health for the purpose of employing a third school nurse.

Mr. Jenkins asked if the third school nurse had been hired.

Mr. Pleva replied that he did not know.

Mr. Bellows stated that there is an intern filling in at the moment, but he thinks the position will be filled relatively quickly.

Mr. Lee stated that he had supported the hiring of another school nurse. He stated that it bothered him that it had come to the Board and thought that the School Board should have taken care of it last summer. He stated that the Board of Supervisors is fixing a problem tonight that they did not create.

Mr. Jenkins stated that he agreed.

Mr. Bellows made a motion to approve the second half of the FY 2014 Semi-Annual Appropriation Resolution.

**FISCAL YEAR 2013 - 2014 BUDGET  
RESOLUTION OF SEMIANNUAL APPROPRIATION  
FOR THE PERIOD  
JANUARY 1, 2014 THROUGH JUNE 30, 2014**

**WHEREAS**, the Lancaster County Board of Supervisors has heretofore prepared a budget for the Fiscal Year beginning on July 1, 2013 and ending on June 30, 2014 for information and fiscal planning purposes only and has conducted a legally advertised public hearing on said budget on June 20, 2013; and

**WHEREAS**, the Lancaster County Board of Supervisors has approved a budget for the Fiscal Year beginning on July 1, 2013 and ending on June 30, 2014 for the purposes and in the amounts delineated in the resolution of budget adoption on June 27, 2013; and

**WHEREAS**, it is now necessary to appropriate sufficient funds for the contemplated expenditures that are contained in the budget for the Fiscal Year beginning on July 1, 2013 and ending on June 30, 2014.

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with Sections 15.2-2506 and 22.1-94 of the *Code of Virginia, 1950, as amended*, the Lancaster County Board of Supervisors does hereby appropriate the second six (6) months of the budget for the Fiscal Year beginning on January 1, 2014 and ending on June 30, 2014 for the purposes and in the amounts, subject to the terms and conditions stipulated within this resolution of appropriation, except for the annual appropriations noted herein.

**Operating Budget**

Board of Supervisors	\$20,500
County Administration	194,288

County Attorney	12,500
Independent Auditor	17,100
Real Estate Assessor	2,500
Commissioner of the Revenue	141,765
Treasurer	142,929
Information Technology Services	52,756
Electoral Board	16,494
Registrar	44,455
Circuit Court	6,491
General District Court	1,700
Magistrate	300
Juvenile and Domestic Relations Court	1,313
Clerk of the Circuit Court	156,023
Court Appointed Special Advocates	2,500
Victim/Witness Assistance Program	11,156
Commonwealth's Attorney	168,315
Sheriff (Law Enforcement)	854,912
School Resource Officer	50,972
Volunteer Fire Departments	140,000
Volunteer Rescue Squads (EMS)	\$31,820
Paid Rescue Services (EMS)	417,962
Forest Fire Service	2,000
Local Emergency Services	14,810
Sheriff (Corrections)	480,111
Juvenile Detention and Probation Office	20,825
Electronic Monitoring Program	4,000
Building Inspections	66,132
Animal Control	64,768
Medical Examiner	100
Refuse Disposal	431,059
General Properties	130,995
Health Department	100,676
Free Health Clinic	50,239
Community Services Board	18,372
Bay Aging	35,275
Rappahannock Legal Services	2,800
The Haven Crisis Shelter	2,000
Comprehensive Services Act	300,000
Social Services Board	734,299
Virginia Quality Life	5,000
Boys and Girls Club of America	25,000
Lancaster Chamber of Commerce	250
Rappahannock Community College	3,268
YMCA	37,500
Mary Ball Washington Museum	2,200
Historic Resources Commission	100

Community Library	51,498
Northern Neck – Chesapeake Bay Region Partnership	3,000
Rappahannock River Basin Commission	500
Land Use Administration	135,331
Department of Housing	27,883
Planning District Commission	11,000
Soil and Water Conservation District	5,000
Wetlands Board	5,582
Board of Zoning Appeals	1,084
Planning Commission	4,171
Cooperative Extension Service	30,075
Landfill Closure Management	3,500
Enhanced Emergency (E-911) Telephone System	29,963
Lancaster Public Schools	7,373,362
Instruction	5,476,000
Technology	250,000
Administration, Attendance and Health	378,014
Pupil Transportation	550,000
Operations and Maintenance	719,348
School Cafeteria (Food Service) Fund	292,500
<b>Total Operating Appropriations</b>	<b>\$12,994,979</b>

### TERMS AND CONDITIONS

1. In accordance with Section 15.2-2506 of the *Code of Virginia, 1950, as amended*, except as noted herein, all appropriations, including those for the Lancaster County Public Schools and General Fund departments, agencies and organizations, are made on a semiannual (6-month) basis; specifically, for the period beginning on January 1, 2014 and ending on June 30, 2014. (Note: On June 27, 2013 the appropriations for debt service and the capital improvements budgets for the Public Schools and General Fund were made on an annual (12-month) basis; specifically, for the period beginning on July 1, 2013 and ending on June 30, 2014.)
2. All appropriations are declared to be maximum, conditional and proportionate appropriations. This makes the appropriations payable in full in the amounts named herein, if the aggregate revenues collected and other resources available during the fiscal year beginning on July 1, 2013 and ending on June 30, 2014 for which appropriations are made, are sufficient to pay all of the appropriations in full; otherwise, said appropriations shall be deemed to be payable in such proportion as the sum of all realized revenue is to the total amount of the revenues estimated by the Board of Supervisors to be available for appropriation in the fiscal year beginning on July 1, 2013 and ending on June 30, 2014.

3. No department, agency, or individual receiving appropriations under the provisions of this resolution shall exceed the amount approved for that department, agency, or individual by the Lancaster County Board of Supervisors.
4. The Board of Supervisors reserves the right to change at any time during the fiscal year beginning on July 1, 2013 and ending on June 30, 2014 compensation provided to any officer or employee and to abolish any office or position, except for such office or position as may be prohibited by law from abolishing.
5. The County Administrator is authorized to establish purchasing policies and procedures to assure that expenditures are made within the appropriations defined within this Resolution and to initiate emergency spending reductions to decrease expenditures in light of decreased actual revenues.
6. In accordance with Section 22.1-94 of the *Code of Virginia, 1950, as amended*, the amounts appropriated to fund the contemplated expenditures for the Lancaster County Public Schools (School Board) are by the major expenditure categories or classifications that are delineated in this resolution. The School Board shall not transfer any funds between said categories without obtaining the prior approval of the Board of Supervisors.
7. No expenditures shall exceed the appropriation established by the Lancaster County Board of Supervisors unless a supplemental appropriation is approved in advance of the expenditure.
8. Any request to increase the overall appropriation to any department, agency or organization as appropriated by this resolution must be made to the Board of Supervisors by written request.
9. The County Administrator may increase appropriations for the following items of non-budgeted revenue that may occur during the fiscal year:
  - a. Insurance recoveries received for damage to County vehicles or other property for which County funds have been expended to make repairs.
  - b. Refunds or reimbursements made to the County for which the County has expended funds directly related to that refund or reimbursement.
  - c. Additional, unbudgeted grants received during the fiscal year for which there is sufficient revenues to defray expenditures.
10. All appropriations that are not encumbered or expended prior to June 30, 2014 will lapse and the balance shall become part of the General Operating Fund Balance.
11. The County Administrator may increase or reduce revenue and expenditure appropriations related to programs funded all or in part by the Commonwealth of

Virginia and/or the federal government to the level approved by the responsible state or federal agency.

12. The County Administrator may appropriate both revenue and expenditures for donations by citizens or citizen groups in support of County programs. Any remaining unencumbered balance of a restricted donation at the end of the fiscal year will be reappropriated into the subsequent fiscal year.

13. The County Administrator may appropriate revenues and expenditures for funds received by the County from asset forfeitures for operating expenditures directly related to drug enforcement. The outstanding balance of these funds shall not lapse, but be carried forward into the subsequent fiscal year.

Done this 16<sup>th</sup> day of December, 2013.

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

**BOARD REPORTS**

None.

**COUNTY ADMINISTRATOR**

Mr. Pleva wished everyone a happy and healthy holiday season.

**ADJOURNMENT**

Motion was made by Mr. Bellows to adjourn to the 2014 Organizational Meeting immediately following this meeting.

VOTE:	F. W. Jenkins, Jr.	Aye
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Jason D. Bellows     Aye

Ernest W. Palin, Jr.     Aye

William R. Lee     Aye

B. Wally Beauchamp     Aye