

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, May 29, 2003.

Present: Cundiff H. Simmons, Chair  
F. W. Jenkins, Jr., Vice Chair  
Patrick G. Frere, Board Member  
B. Wally Beauchamp, Board Member  
William H. Pennell, Jr., County Administrator

Others

Present: Jack Larson, Planning/Land Use; Joe Staton, Carter White and Robert Harper, Virginia Department of Transportation; Joan Wenner, Northern Neck News; Robb Hoff, Rappahannock Record

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

**PUBLIC INPUT**

Mr. Ellis Squires, President, Northern Neck Audubon Society stated the Audubon Society would like to submit a Proposal for Stewardship at the Courthouse Landing Public Area. He said the Northern Neck Audubon Society proposes to assume responsibilities of stewardship for the Courthouse Landing Public Areas in order to protect the area from future development if Lancaster County would agree to place the area in conservation easement.

Mr. Squires said the Northern Neck Audubon Society would provide routine monitoring for appropriate usage. Appropriate uses include birding, wildlife-watching, wildflower/native plant observation, photography, hiking, research, teaching and interpretation, and canoe or kayak paddling. Others uses may include swimming,

hunting, specimen collection, camping, bicycling, horseback riding, climbing. Off-road vehicles and unleashed pets would be deemed to be incompatible and inappropriate uses.

Mr. Squires said routine maintenance of the trail, observation platform, and a boardwalk would be provided by Northern Neck Audubon Society. He said other anticipated stewardship responsibilities would include: identification and study of fauna and flora, educational activities for children and adults, coordination with the county regarding support for relevant infrastructure, improvement of public access, identification and location of potentially dangerous conditions, coordination with Virginia Department of Transportation to maintain parking area; provision of signage, development of trail guide/bird list, and support for inclusion of site in the Virginia Birding and Wildlife Trail.

Mr. Simmons stated the county recently acquired the property at Courthouse Landing and the board has not discussed the use of the property. He stated the board appreciated the Northern Neck Audubon Society offer and will consider the proposal.

## **PRESENTATIONS**

None

## **VIRGINIA DEPARTMENT OF TRANSPORTATION**

Mr. Staton stated the video conference held on May 14, 2003 was to discuss the six year plan. The Commonwealth Transportation Board approved the tentative plan on May 15, 2003, however the Lancaster County Route 3 Project was not added back into the plan. There are three Northern Neck bridges that were added to the plan. He stated there would be a public hearing schedule on June 5, 2003, one at VMI and the other in Suffolk and the board will give its final approval on June 19, 2003, so that the plan can go into effect on July 1, 2003.

Mr. Staton stated that all of the accidents at the intersection of Route 603 and Route 3 involved students from the High School. He said that the speed limit has already been reduced and watch for turning vehicle signs erected. He stated he has spoken to the Commonwealth Attorney and Sandra Spears, high school principal, about implementing an educational program in the fall which would involve the State Police, VDOT, and Sheriff's Office.

Mr. Staton stated that discontinuance of the parts of old state highway 39, Windmill Point Road would not permit the commonwealth or the county to use the discontinued parts as part of a continuing right-of-way. The property would revert back to the property owners on both sides of the old road.

Mr. Staton said Route 766 – Yopp's Cove Road pavement has been completed.

Mr. Simmons stated he had a request from citizens who live on Pirates Cove would like their road taken into the secondary system. They stated they now have three permanent residents on that road. Mr. Staton will check and advise those property owners.

Mr. Simmons stated he had a request from a citizen who lives on a dirt lane approximately a mile long off Old Salem Road in White Stone to have their road taken into the secondary system. He stated he explained the procedure to have a road taken into the secondary system and told the citizen he would forward the information onto VDOT.

Mr. Frere said the citizens on Scott Road were greatly appreciative of the resurfacing work by VDOT. Also, the citizens within his thanked VDOT for the drainage improvements.

Mr. Frere asked Mr. Staton to keep Dungeon Thicket Road on the list of requests for drainage improvements.

Mr. Beauchamp asked about the speed limit reduce signs in Weems.

Mr. Staton stated the 55/45/35/25 speed limit signs were erected today in Weems.

Mr. Jenkins asked if VSH 354 would be resurfaced.

Mr. Carter White stated that VSH 354 from Chinn's Mill to Litwalton would be resurfaced this year.

### **PUBLIC HEARINGS**

1. Amendment to current Dangerous/Vicious Dog Ordinance – Mr. Pennell stated the Lancaster County Board of Supervisors has previously adopted an ordinance (10-43) to control dangerous/vicious dogs in accordance with §3.1-796.93:1 of the Code of Virginia. During this term of the General Assembly, this section of state law was amended to provide sanctions for dangerous/vicious dogs that attack other dogs.

Mr. Pennell said the amendment comes from the Lancaster County Board of Supervisors request that to have the General Assembly make these changes. The owner of a victim dog had previously asked the Board of Supervisors if it would support this amendment and to encourage the General Assembly to consider its provisions during the 2003 session.

Mr. Pennell asked the Board of Supervisors to approve the following ordinance which makes the required changes to comply with the current state law on July 1, 2003.

## **Authority to Control Dangerous or Vicious Dogs**

(Amended Ordinance)

The Lancaster County Board of Supervisors hereby enacts the following ordinance regulating dangerous dogs and vicious dogs.

### **Definitions:**

Dangerous Dog: As used in this ordinance, "dangerous dog" means a canine or canine crossbreed ~~which~~ *that* has bitten, attacked, or inflicted injury on a person or companion animal, ~~other than a dog,~~ or killed a companion animal ~~and~~; *and however, when a dog attacks or bites another dog, the attacking or biting dog shall not be deemed dangerous (i) if no serious physical injury as determined by a licensed veterinarian has occurred to the other dog as a result of the attack or bite or (ii) both dogs are owned by the same person. No dog shall be found to be a dangerous dog as a result of biting, attacking or inflicting injury on another dog while engaged with an owner or custodian as part of lawful hunting or participating in an organized, lawful dog handling event.*

Vicious Dog: As used in this ordinance, "vicious dog" means a canine or canine crossbreed ~~which~~ *that* has (i) killed a person; (ii) inflicted serious injury to a person, including multiple bites, serious disfigurement, serious impairment of health, or serious impairment of a bodily function; or (iii) continued to exhibit the behavior which resulted in a previous finding by a court that it is a dangerous dog, provided that its owner has been given notice of that finding.

### **Provisions:**

The Lancaster County Animal Control Officer may determine, after investigation, whether a dog is a dangerous dog. If the animal control officer determines that a dog is a dangerous dog, he may order the animal's owner to comply with the provisions of the ordinance. If the animal's owner disagrees with

the animal control officer's determination, he may appeal the determination to the general district court for a trial on the merits. The animal control officer shall confine the animal until such time as evidence shall be heard and a verdict rendered. The court, through its contempt powers, may compel the owner, custodian or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal is a dangerous dog, the court shall order the animal's owner to comply with the provisions of this ordinance. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of § 3.1-796.119, Code of Virginia, 1950, as amended.

**Exceptions:**

No canine or canine crossbreed shall be found to be a dangerous dog or vicious dog solely because it is a particular breed, nor shall the Lancaster County Board of Supervisors prohibit the ownership of a particular breed of canine or canine crossbreed. No animal shall be found to be a dangerous dog or vicious dog if the threat, injury or damage was sustained by a person who was (i) committing, at the time, a crime upon the premises occupied by the animal's owner or custodian, (ii) committing, at the time, a willful trespass or other tort upon the premises occupied by the animal's owner or custodian, or (iii) provoking, tormenting, or physically abusing the animal, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times. No police dog ~~which~~ *that* was engaged in the performance of its duties as such at the time of the acts complained of shall be found to be a dangerous dog or a vicious dog. No animal which, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, or its owner or owner's property, shall be found to be a dangerous dog or a vicious dog.

**Registration and Control of Dangerous Dogs:**

1. The owner of any animal found to be a dangerous dog shall, within ~~ten~~ 10 days of such finding, obtain a dangerous dog registration certificate from the Lancaster County Animal Control Officer for a fee of ~~fifty dollars~~ \$50 in addition to other fees that may be authorized by law. The Lancaster County Animal Control Officer shall also provide the owner with a uniformly designed tag ~~which~~ that identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. All certificates obtained pursuant to this subdivision shall be renewed annually for the same fee and in the same manner as the initial certificate was obtained.

2. All certificates or renewals thereof required to be obtained under this section shall only be issued to persons ~~eighteen~~ 18 years of age or older who present satisfactory evidence (i) of the animal's current rabies vaccination, if applicable, and (ii) that the animal is and will be confined in a proper enclosure or is and will be confined inside the owner's residence or is and will be muzzled and confined in the owner's fenced-in yard until the proper enclosure is constructed. In addition, owners who apply for certificates or renewals thereof under this section shall not be issued a certificate or renewal thereof unless they present satisfactory evidence that (i) their residence is and will continue to be posted with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property and (ii) the animal has been permanently identified by means of a tattoo on the inside thigh or by electronic implantation.

3. While on the property of its owner, an animal found to be a dangerous dog shall be confined indoors or in a securely enclosed and locked structure of sufficient height and design to prevent its escape or direct contact with or entry by minors, adults, or other animals. The structure shall be designed to provide the animal with shelter from the elements of nature. When off its owner's property, an animal found to be a dangerous dog shall be kept on a leash and muzzled in such a manner as not to cause injury to the animal or interfere

with the animal's vision or respiration, but so as to prevent it from biting a person or another animal.

4. If the owner of an animal found to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of this section.

5. After an animal has been found to be a dangerous dog, the animal's owner shall immediately, upon learning of same, notify the local animal control authority if the animal (i) is loose or unconfined; (ii) bites a person or attacks another animal; (iii) is sold, given away, or dies; or (iv) has been moved to a different address.

**Penalties:**

The owner of any animal ~~which~~ *that* has been found to be a dangerous dog who willfully fails to comply with the requirements of this ordinance shall be guilty of a Class 1 misdemeanor.

**Fees:**

All fees collected pursuant to the ordinance, less the costs incurred by the animal control authority in producing and distributing the certificates and tags required by the ordinance, shall be paid into a special dedicated fund in the treasury of Lancaster County for the purpose of paying the expenses of any training course required under § 3.1-796.104:1.

***Certificates or Renewals:***

1. *All certificates or renewals thereof required to be obtained under this section shall only be issued to persons 18 years of age or older who present satisfactory evidence that the animal has been neutered or spayed.*



2. *All certificates or renewals thereof required to be obtained under this section shall only be issued to persons who present satisfactory evidence that the owner has liability insurance coverage, to the value of at least \$50,000, that covers animal bites.*

***Dog Injuring or Killing Other Companion Animals:***

*The owner of any companion animal that is injured or killed by a dog shall be entitled to recover damages consistent with the provisions of §3.1-796.127, of the Code of Virginia, from the owner of such dog in an appropriate action at law if (i) the injury occurred on the premises of the companion animal's owner, and (ii) the owner of the offending dog did not have the permission of the companion animal's owner for the dog to be on the premises at the time of the attack.*

**Effective Date:**

This amendment shall become effective on July 1, 2003.

Mr. Jenkins made a motion to adopt the amended ordinance for the regulation of dangerous and/or vicious dogs in Lancaster County and have the Towns of Kilmarnock, Irvington and White Stone adopt a similar ordinance.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

2. Application for Change of Zoning District Classification – Leon Owens – Mr. Larson stated the applicant; Leon Owens was requesting to conditionally rezone property described as Tax Map #28-193/194 from A-2, Agricultural, General to C-1, Commercial. This property is located on Route 3, Mary Ball Road, near White Stone, Virginia and is in Voting District 4.

Mr. Larson said the applicant wishes to sell tobacco products in his antique store. Since there is no reasonable connection between antiques and tobacco products, this was not treated as an expansion of an existing use. The sale of tobacco products would be covered, as a permitted use in the C-1 zoning district under paragraph 8-1-26 (retail, wholesale and processing activities not objectionable because of dust, noise or odors). He stated that these parcels are surrounded by parcels currently zoned A-2, Agricultural, General. However, they are separated by only one small parcel from a nursery and an animal hospital.

Mr. Larson said adjoining property owners have been notified and advertising as required by law has been conducted. As of this date, staff has received no phone calls from adjoining property owners or other interested members of the public concerning this application.

Mr. Owens was present at the meeting and confirmed that he wished to limit this rezoning to that requested in writing on the application of being able to sell tobacco products in his existing store. This qualifies the request to be considered as conditionally zoning.

Mr. Simmons made a motion to grant approval to Leon Owens for a conditional Change of Zoning District Classification from A-2, Agricultural, General to C-1, Commercial in order to sell tobacco products in his existing antique store, limiting the use to antique collectibles and sell of tobacco products.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

3. O. Linda McConahey - Request for Bay Act Waiver – Mr. Larson stated the applicant, O. Linda McConahey, was requesting a Bay Act Waiver to construct a 268 square foot screened porch, replacing an existing deck that is closer than 50’ to tidal wetlands. The property on which this would occur is described as Tax Map #22A-1-28/29, which is on Laurel Point Road near Kilmarnock, VA and is in Voting District 4.

Mr. Larson said this request involved approximately 170 square feet of new impervious cover inside the 50’ seaward portion of the 100’ RPA buffer. However, the closest point of intrusion (36’) is no closer than the present intrusion. Mitigation is being provided for 1,255 square feet of impervious cover or all of that which does not drain outside the 100’ buffer. Overall pollutant load would be significantly reduced from existing conditions.

Mr. Larson said adjoining property owners have been notified and advertising as required by law has been conducted. As of this date, staff has received no phone calls from adjoining property owners or other interested members of the public concerning this application.

Mr. Simmons made a motion to approve the Chesapeake Bay Act Waiver for O. Linda McConahey.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

4. Peter B. Hutt – Request for Bay Act Waiver – Mr. Larson stated the applicant, Peter Barton Hutt has requested a Bay Act Waiver for a previously built pool, pool deck, screen room, and equipment shed on property described as Tax Map

#31-23, which is near the terminus of VSH 747, Chiltons Lane, Bertrand, VA and is in Voting District 1.

Mr. Larson said the pool and screened structure were built in 1989 and 1990 respectively by prior owners of the property. While there are building permits on record for the pool (including the shed which houses the filtration units) and screened room, there was no evidence of approved site plan or zoning permit authoring the location of this impervious cover. Absent a waiver or other authority, these structures would not have been permitted inside the 50' seaward portion of the 100' protective buffer. As can be seen from the site plan, intrusion is as close as 34' from the edge of tidal wetlands. He said while intrusion should not have occurred to the degree that it has, granting Mr. Hutt's request is viewed as the most reasonable alternative. The fact that he has brought this to the county's attention is significant. Further, the planted vegetation and the retaining wall have acted to prevent sheet flow run-off from the pool area. Finally, this plan does provide mitigation that does not presently exist.

Mr. Larson said adjoining property owners have been notified and advertising as required by law has been conducted. As of this date, staff has received no phone calls from adjoining property owners or other interested members of the public concerning this application.

Mr. Joe Sands stated he is an adjoining property owner and supports Mr. Hutt's efforts to improve the property.

Mr. Jenkins made a motion to approve the Chesapeake Bay Act Waiver for Peter B. Hutt.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye

5. M. Tyler Gatchell – Request for Bay Waiver – Mr. Larson stated that the applicant, M. Tyler Gatchell was requesting a Bay Act Waiver to construct a 246 square foot screened porch that would intrude closer than 50’ to tidal wetlands. The property on which this would occur is described as Tax Map #29-55E, which is on McSwain Road near Kilmarnock, VA and is in Voting District 3.

Mr. Larson said on previous applications, the Board of Supervisors has not granted waivers when the proposed intrusion into the 100’ buffer exceeded that of existing conditions. The proposed intrusion not only exceeds that of existing conditions but would take the intrusion inside the 50’ seaward portion of the 100’ buffer for the first time. Further, it does not appear that denying this application would impose a hardship on the applicant since the proposed porch could be placed over a portion of the existing deck that is in the 50’ landward portion of the 100’ buffer.

Mr. Larson said adjoining property owners have been notified and advertising as required by law has been conducted. As of this date, staff has received no phone calls from adjoining property owners or other interested members of the public concerning this application.

Mr. Frere asked Mr. Pruitt if there was an existing encroachment of 45’ as shown on the plan.

Mr. Pruettt said the steps and deck exist and was constructed in 1992.

Mr. Larson stated he visited the site and the 50’ RPA markers were seaward of the existing structure, if the markers had been placed with the 50’ seaward encroachment, this could have been handled administratively.

Mr. Beauchamp stated he was involved in this property transaction in January and to avoid any improprieties he would abstain from any involvement in this consideration.

Mr. Frere made a motion to approve the Chesapeake Bay Act Waiver for M. Tyler Gatchell with the after-the-fact encroachment into the 50' seaward RPA with the condition that the screen porch goes no closer to the water than the existing deck and the BMPs for all impervious surface in the 100' RPA be constructed.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Abstain
	Patrick G. Frere	Aye

6. Subdivision – Notification of Adjoining Property Owners – Mr. Larson stated that paragraph 3-4 of the Subdivision Ordinance requires that persons owning property adjoining any proposed subdivision be given notice of the filing of the subdivision application by the sub-divider by certified mail.

Mr. Larson said there was no statutory requirement for the notification of property owners adjoining a proposed subdivision. We do not currently require it of those doing family subdivisions. As dictated in Paragraph 15.2-2240 of the Code of Virginia, approval of a proposed subdivision is a ministerial rather than a discretionary or legislative act. For that reason, approval of large subdivisions by the Board of Supervisors is always a consideration item rather than the subject of a public hearing. Given these conditions, and the fact that adjoining property owners cannot force disapproval of a subdivision that otherwise meets all the requirements of the Ordinance, there seems to be no reason to require notification. Finally, there are several examples where notification has either confused recipients or caused them to believe that they have the right to dictate various

aspects of the proposed subdivision when they do not. He said as provided for in paragraph 15.2-2286 of the Code of Virginia, this matter is put before the Board of Supervisors as one serving the convenience of the public.

Mr. Larson said advertising as required by law has been conducted. As of this date, staff received two phone calls from interested members of the public concerning this hearing of the issue; one caller was more information and the second caller Mr. John Beebe had issues and concerns of easements with subdivision next to his property and he would have liked to have been notified prior to the approval of the subdivision. There was no input from the public prior to or at the Planning Commission hearing.

Mr. Larson stated he noted the Planning Commission did suggest a “courtesy” letter be sent to adjoining property owners by the subdivider/landowner.

Mr. Simmons stated Lancaster was the only county still required to send notification to adjoining property owners.

Mr. Frere made a motion to delete *Paragraph 3-4. Notice to adjoining property owners* of the Subdivision Ordinance as recommended by the Planning Commission.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

**CONSENSUS DOCKET**

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

A. Minutes for April 24, 2003, May 6, 2003, May 13, 2003 and May 20, 2003

Recommendation: Approve the minutes

B. Health Insurance Benefit – July 1, 2003 – June 30,2004

Recommendation: Approve the health insurance renewal contract with Southern Health Insurance

C. VDOT Changes to VSH 695 – Windmill Point Road

Recommendation: Adopt the following Resolution.

**VSH 695 (Old 37) – WINDMILL POINT ROAD  
CHANGES DUE TO RELOCATION AND CONSTRUCTION**

**WHEREAS**, Primary Route 37 (now Route 695) from Westland to White Stone, a distance of 7.315 miles, has been altered and a new road has been constructed and approved by the State Highway Commissioner, which new road serves the same citizens as the road so altered; and

**WHEREAS**, certain sections of primary roads (now secondary roads) follow new locations, these being shown on the attached sketch titled *Changes in Secondary System Due to Relocation and Construction on Route 695 (Old Route 37), Project 712A*.

**NOW THEREFORE BE IT RESOLVED**, that the portions of Primary Roads, i.e. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 shown in the yellow on the attached sketch titled *Changes in Secondary System Due to Relocation and Construction on Route 695 (Old Route 37), Project 712A* a total distance of 3.40 miles be and hereby is, discontinued as a public road and from the Secondary System of Highways, pursuant to Section 33.1-144 of the Code of Virginia.



**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of May 2003 Salaries and Invoice Listings

Motion was made by Mr. Jenkins to approve the Salaries for May 2003 in the amount of \$128,881.22 and Invoice Listings for May 2003 in the amount of \$595,050.73.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

2. Waste Wood Management Facility Contract – Mr. Rowe stated the county put out the bid for a Waste Wood Management Facility Contract and received two bids. He said following the fire experienced at the Lancaster County Convenience Center a couple of years ago, it became apparent that the county must make more complete arrangements to accommodate wood-waste materials being brought to the county site. The Board of Supervisors gave county staff directions to issue a Request for Proposals to determine prices for the county to accept and dispose of wood-waste – free to homeowners, but at a cost per load

to commercial interests. He said bids were received from Ronald L. Self and J & J, Inc. As stated in the invitation to Bid, the bids were to be evaluated primarily on total annual cost to the county and to a lesser degree on proposed commercial wood waste disposal rates, the contractor's experience and site plan considerations. The staff recommendation was to accept the bid from Ronald L. Self with a total annual cost to the county of \$200,000.

Mr. Beauchamp made a motion to accept the bid for Waste Wood Management Facility Contract from Ronald L. Self with a bid of \$200,000 annually for homeowner wood waste and a set schedule of costs to accept commercial wood waste, with the condition that Mr. Self obtain the required Department of Environmental Quality (DEQ) permits and obtain a special exception to permit a stump/brush/scrap wood burning and/or chipping facility (4-1-15A) in accordance with the Lancaster County Zoning Ordinance.

VOTE:	Cundiff Simmons	Abstain
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

3. Custodial Maintenance Service Contract – Mr. Pennell stated Mr. Revere put out the bid for a three year courthouse Custodial Maintenance Service Contract and received four bids in response to the request for bids for Custodial Maintenance. The staff recommended Cointel Communications, Inc. which was the lowest bid received for the maintenance service contract.

Mr. Jenkins made a motion to accept the bid for a custodial maintenance service contract from Keith Cornwell, Cointel Communications, Inc. with a bid of \$16,500.00 annual and should this contractor be unable to fulfill the contract it should be given to the next lowest bidder until a competent contractor can be located.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

2. Fuel Bids Contract – Mr. Pennell stated that Mr. Revere put out the bid for 2003 – 2004 Fuel and received bids from Walter L. Kilduff, Inc., Noblett Oil & Propane, and Petroleum Traders. The following is the recommendation:

- a) Unleaded Gasoline    0.8435/gallon    Walter L. Kilduff, Inc.
- b) Diesel Fuel            0.8410/gallon    Noblett Oil & Propane
- c) #2 Fuel Oil            0.7845/gallon    Walter L. Kilduff, Inc.

Mr. Jenkins made a motion to accept the lowest bids as recommended by Mr. Revere and have the County Administrator execute the necessary paperwork for the contract.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

4. Lancaster County Donation to Belle Isle State Park Project – Mr. Larson stated the Lancaster County Wetlands Board has requested the Board of Supervisors approval to donate \$5,400.00 from the Wetlands Special Project Account toward the Belle Isle State Park Project. This Special Project Account is used only for wetlands restoration and education and is derived from civil charges assessed against violators. This project includes a teaching marsh, handicapped boardwalk, pier and observation deck with correlating interpretive signs, and a viewing scope. The students of the Chesapeake Bay Governor’s School have

asked the Board of Supervisors for \$5,400.00 in financial aid for materials and labor.

Mr. Beauchamp made a motion to approve the donation of \$5,400.00 from the Wetlands Board Special Project account toward the Belle Isle State Park Project.

VOTE:	Cundiff Simmons	Aye
	F. W. Jenkins, Jr.	Aye
	B. Wally Beauchamp	Aye
	Patrick G. Frere	Aye

### **BOARD REPORTS**

None

### **COUNTY ADMINISTRATOR**

#### Plastic Recycling

Mr. Pennell stated there has been an interest in plastic recycling by a number of county citizens and when the county researched the possibility it was found to be restrictively expensive. At that time, the board did not support the idea of adding additional expenditures to the county budget.

Mr. Pennell stated he received a call from a gentlemen who operates TFC Recycling in Newport News and he is willing to come and review all Lancaster County's recycling activities and make recommendations on ways to improve the cost effectiveness and efficiency.

By consensus of the board the county administrator may undertake a review the county's recycling operations.

Capital Improvement Budget Work Session and County Budget Public Hearing

Mr. Pennell stated the public hearing for the county budget would be held on June 17, 2003 at 7:00 p.m. and would like to set a Capital Improvement Budget work session on the same date if possible.

By consensus of the board the Capital Improvement Budget Work Session was scheduled for Tuesday, June 17, 2003 at 5:30 p.m.

**ADJOURNMENT**

Motion was made by Mr. Simmons to adjourn the meeting until 5:30 p.m. on June 17, 2003 for a Capital Improvement Budget work session in the County Administrator office.

VOTE: Cundiff Simmons           Aye  
          F. W. Jenkins, Jr.        Aye  
          B. Wally Beauchamp     Aye  
          Patrick G. Frere        Aye