

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, June 24, 2004.

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

Others

Present: Joseph Staton, Carter White and Robert Harper, Virginia Department of Transportation; Scott Hudson, Emergency Services; Randolph Latimore, School Board; Jack Larson, Planning/Land Use; Joan Wenner, Northern Neck News; Robb Hoff, Rappahannock Record

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

PUBLIC INPUT

None

PRESENTATION

Mr. Hudson, Emergency Services Supervisor, stated from December 11, 2003 – June 18, 2004, Emergency Medical Services has responded to 281 calls with total mileage of 5285 and an average response time of four and a half minutes.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Staton said there was a cut of \$700,000 funding on secondary road programs from the six year plan.

Mr. Staton stated the Lively light is finally operable and doing its job.

Mr. Staton said the scenic by-way signs on VSH 614 Devils Bottom Road have been erected.

Mr. Staton stated all the paperwork for the Avis Trail Road project has been completed and submitted.

Mr. Staton said the VSH 630 – Taylor Creek Road project will be shortened by 1000 feet. He stated 70% of the funding for this project has been obtained and will begin work soon.

Mr. Staton stated the mowing was going well, they had a late start, but are back on track.

PUBLIC HEARING

1. Application for Special Exception – R.R. Beason, Jr. – Mr. Larson stated a request by R. R. Beason, Jr. for a Special Exception to increase the height of a boathouse, an authorized non-conforming structure. The boathouse is on property identified as Tax Map #20-158 off VSH 611, Hoecake Road, near Merry Point, Virginia and is in Voting District 2.

Mr. Larson said Mr. Beason was issued a building permit on March 22, 2004 for storm damage repair of his boathouse. Because the work was represented as repair of damage from Hurricane Isabel, no fee was assessed for the permit. Mr. Beason submitted a drawing at the time of his request for a permit that clearly indicated his intent to increase the height of the boathouse. The permit should have been denied since it went beyond storm damage repair and

constituted an unauthorized expansion. As soon as this error was noted, Mr. Beason was advised that he must apply for this special exception and that further work would be at his own risk.

Mr. Larson said Lancaster County policy with respect to new boathouses or the expansion of existing boathouses has been strict and consistent; it has not been authorized. Granting of this request even under the circumstances of a permit being issued would deviate from this policy and make future implementation of it extremely difficult.

Mr. Larson stated this request has been advertised and adjoining property owners notified as required by law. To date, this office has received one call from a property owner across the way in favor of this issue.

Mr. Frere asked if construction had begun on this boathouse?

Mr. Larson stated the boathouse was approximately 50 – 60% completed.

Mr. Matson Terry, representing the applicant, stated Mr. Beason made an application to the county and the new roof plans showed all the work. The boathouse is pre-existing with the same footprint and 33” higher roof. Again, he gave his plans to the county office with all the correct information and a permit was issued. He has already spent \$7,800 on building materials and \$2,500 on labor. He just has knee surgery and this would be a hardship on him with the money he has spent to repair his boathouse.

Phil Purrington, an adjoining property owner said he asked Mr. Beason if he had obtained permits and he indicated he had done so. The repairs are better construction on the new roof. Mr. Beason did what he was supposed to do and should be allowed to complete the work on his boathouse.

Mr. Palin asked about the restrictions and if there had been others problems such as this.

Mr. Larson stated not on a boathouse.

Mr. Frere said that all non-conforming issues come before the Board of Supervisors and boathouses are non-conforming.

Mr. Geilich said the first application fee was waived, but why was the second fee waived.

Mr. Larson stated staff made an error and should the Board of Supervisors approve this special exception, Mr. Beason would be required to pay for the second application.

Mr. Palin made a motion to approve the Application for Special Exception for R.R. Beason, Jr. and he was required to pay the cost of the building permit.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

- Application for Change of Zoning District Classification – Bernard J. Brown, Sr.
– Mr. Larson stated a request by Bernard J. Brown, Sr. to rezone property described as Tax Map #7-24 (part) from A-2, Agricultural, General to C-2, Commercial, Limited. This property is located on VSH 600, Lara Road, near Alfonso, Virginia and is in Voting District 2.

Mr. Larson said only Parcel 1 on the plat is being considered for rezoning. There was documentation giving the history of this issue that originated from a citizen complaint. Much was said about the “after the fact” nature being the fault

of County employees who misled Mr. Brown into believing that he did not have to go through a rezoning process. Mr. Larson said he would contend that Mr. Brown was not misled and that he did not put the County on notice as to his intended use of the subject property. The building permit issued to him was for a 40' x 60' steel building with no mention of the commercial use planned for the building. The community support for Mr. Brown and his business was impressive and no doubt contributed to the favorable recommendation by the Planning Commission.

Mr. Larson stated this request has been advertised and adjoining property owners notified as required by law. To date, this office has received one letter from an interested member of the public expressing his continued opposition to this request.

Mr. Bugg stated Mr. Brown moved his business from Irvington to Alfonso and he thought he had done everything. He has the only towing company in the upper end of the county. Mr. Brown operates a good, clean and necessary business.

Mr. Geilich asked if a chain link or privacy fence would be erected to keep the vehicles from public view.

Mr. Palin stated that the vehicles are screened by a line of trees, however; in the winter when the trees are without leaves the vehicles will be visible.

Mr. Jenkins stated it is not within viewing distance of the complaining citizen. However, there is a concern of Virginia Department of Transportation indicating the entrance should be wider for a commercial entrance.

Mr. Brown stated the entrance has been widened to 50' which is in compliance with Virginia Department of Transportation regulations.

John Marshall stated he was concerned that you can see the vehicles especially when there are no leaves on the trees. Also, the business could decrease property values. He does not want Mr. Brown to go into debt or out of business, however; if this application is approved will the entire property be rezoned.

Mr. Frere stated that only parcel one (.88 acre) would be rezoned.

Mr. Palin made a motion to approve Application for Change of Zoning District Classification for Bernard J. Brown, Sr. with the following proffers:

- 1) The property will only be used for automobile repair and towing service;
- 2) All vehicles being repaired, awaiting repair, or awaiting return to owners will be under cover to the degree possible;
- 3) Vehicles not under cover will be staged neatly and will not exceed thirty-five in number, excluding those used in the business; and
- 4) Wrecked vehicles will be screened from public view and will be removed from the property as soon as practicable.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

3. Application for Special Exception – Bernard J. Brown, Sr. – Mr. Larson stated a request by Bernard J. Brown, Sr. for a Special Exception to operate an automobile repair shop on property identified as Tax Map #7-24. This property is in Voting District 2.

Mr. Larson said Paragraph 8A-1-3 of the Zoning Ordinance requires the granting of a special exception within the C-2, Commercial, Limited zoning district to operate an automobile service facility. This paragraph further restricts the floor area of the automobile repair facility to less than 2000 square feet. While the total area of Mr. Brown's steel building is 2400 square feet, at least one third of the area is used for activities other than the repair of automobiles. Reducing the number of vehicles on site at any one time to something less than 35 that Mr. Brown proffered may be a consideration in granting this special exception.

Mr. Larson said this request has been advertised and adjoining property owners notified as required by law. To date, this office has received on letter from an interested member of the public expressing his continued opposition to this request.

Mr. Palin stated his concern was whether a buffer of shrubbery or trees could be added to screen the vehicles during foliage.

Mr. Brown stated the banks were cleared because of site distance for the vehicles entering and/or leaving his shop.

Mr. Frere said he was concerned about the commercial entrance for the safety of the public.

Mr. Brown said the entrance has been widened to 50' which is in compliance with Virginia Department of Transportation regulations.

Mr. Palin made a motion to approve the Application for Special Exception for Bernard J. Brown, Sr. with the approval from Virginia Department of Transportation that the entrance meets their requirements.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

4. Application for Change of Zoning Classification – Douglas A. Swane – Mr. Larson stated a request by Douglas A. Swane to rezone property identified as Tax Map #21-125L from R-1, Residential, General to M-1, Industrial, Limited. This property is located on VSH 604, Merry Point Road, near Merry Point, Virginia and is in Voting District 2.

Mr. Larson stated an adjoining property owner expressed concern over the use of an existing right-of-way for ingress and egress to the proposed buildings. Applicant stated that a new road, further from the adjoining property owners home and screened by natural vegetation, would be constructed for ingress and egress. One member of the Planning Commission requested that care be given to ensure lighting be focused down vice outward so as to minimize light pollution on neighboring properties.

Mr. Larson said this public hearing of the request has been advertised and adjoining property owners notified as required by law. To date, this office has received no input from adjoining property owners concerning this hearing of the request.

Frank Burke, Mr. Swane's legal representative, said Mr. Swane renovated the old Merry Point tomato factory where he restores antique cars. There will be an entrance for construction vehicles. The road shown on the plat was never completed. The road that will be used is 100 yards away from the adjoining property owner's driveway and would be screened by trees.

Mr. Costello asked about the size of the building and storm water management.

Mr. Frere stated if the construction required 2500 square feet of disturbance, a storm water management plan would be required when the applicant applies for the building permit.

Mr. Palin made a motion to approve the Application for Change of Zoning Classification for Douglas A. Swane with following revised proffer:

To construct three (3) buildings, 40 feet x 600 feet, which buildings will only be used to store boats, and other vehicles, such as RV's, automobiles, trucks and campers. It is also intended to use some of the space in these buildings for mini-storage units. Although most of the repair and restoration work will continue to be performed on adjacent property (the old tomato factory property), some boat, auto and RV repairs will take place in these storage buildings, as the need may arise."

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

5. Application for Special Exception – Douglas A. Swane – Mr. Larson stated a request by Douglas a. Swane for a Special Exception to operate a boat storage, and automobile storage and repair facility on property identified as Tax Map #21-125L and is in Voting District 2.

Mr. Larson said Paragraph 9-1-14 of the Zoning Ordinance requires that boat storage by authorized within the M-1 Industrial, Limited zoning district by special exception.

Mr. Larson stated this request has been advertised and adjoining property owners notified as required by law. To date, this office has received no input from adjoining property owners or other interested members of the public concerning this issue.

Mr. Palin made a motion to approve the Application for Special Exception for Douglas A. Swane as shown on the site plan and with a commercial entrance.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

6. Application for Special Exception – Guy O., Jr. and Judy B. Franklin – Mr. Larson said a request by Guy O. and Judy B. Franklin for a Special Exception to store stone, gravel, and landscaping materials on property identified as Tax Map #17-49. This property is located on VSH 3, Mary Ball Road, near Kilmarnock, Virginia and is in Voting District 2.

Mr. Larson stated when Mr. Franklin submitted his application; he indicated that it was for purposes of operating "a stone and landscape supply retail center." It was felt that this may not be an appropriate use under the A-2, Agricultural, General zoning of this parcel and clarification was requested. Mr. Franklin advised that his intent was to store stone and mulch for use on landscaping, riprap, and other jobs by his business, J&J, and that "some people might come there and buy stone."

Mr. Larson said it should be noted that this property is at the intersection of VSH 3 and VSH 614, Devils Bottom Road, near the Lancaster Primary School. Concern has been expressed to Mr. Franklin that truck traffic might pose a hazard to school children and buses if the route of ingress and egress is located near the school. Also, placing the route of ingress and egress at the other end of the

property would place it almost opposite the entrance to Earth Resources which has considerable truck traffic entering and exiting VSH 3.

Mr. Larson stated this request has been advertised and adjoining property owners notified as required by law. To date, this office has received no input from adjoining property owners or other interested members of the public concerning this issue.

Mr. Frere opened the public hearing.

Frank Smith asked if it would be a hard surface entrance.

Jan Fadeley stated there were too many questions unanswered.

Mr. Larson stated Mr. and Mrs. Franklin were not present to answer questions.

Mr. Frere closed the public hearing.

Mr. Jenkins made a motion to continue to next regular Board of Supervisors meeting on July 29, 2004 with drawings, scope of work, and Virginia Department of Transportation comments.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Aye
	Ernest W. Palin, Jr.	Aye

7. Ordinance to Adopt Calendar Year 2004 Tax Levy – Mr. Pennell advised the Board of Supervisors must adopt a tax levy for real estate, personal property, merchant’s capital and machinery and tools as well as real estate and personal property for Public Service Corporations.

The proposed Tax Levy for Calendar Year 2004 for Lancaster County:

Real Estate - \$0.44 per \$100 of assessed value
Personal Property - \$1.52 per \$100 of assessed value
Machinery and Tools - \$1.52 per \$100 of assessed value
Merchant’s Capital - \$1.00 per \$100 of assessed value

PUBLIC SERVICE CORPORATIONS

Real Estate - \$0.44 per \$100 of assessed value
Personal Property - \$1.52 per \$100 of assessed value

Mr. Frere opened the public hearing.

Pete Janschio stated he purchased his property five years ago and he received a 17% tax increase. He said gas prices are higher, medical insurance has increased and taxes have increase and it is hard to get by. Lancaster County is in competition with other counties and places to live. The option would be to leave and go some place else to live. The county is in a downhill spiral. He asked the board not to increase the taxes.

Roger Atkins said he retired one year ago and there will be a 30% taxes increase on his property. As a retiree he will not receive a 30% increase in his benefits and those working will not receive an 11.7% increase. He asked the board not to increase the taxes.

Hack Dean stated he is a “come here” and the tax increase is appalling. He said 23% of the county’s population is over the age of 60 on fixed incomes and 13% is below poverty level. The county is funding the schools decreasing enrollment and administration overhead too high. Where is the money going? The school board must account for schools funding. The county does not have fire protection, emergency medical service, and/or garbage collection.

Mr. Frere stated that all three schools are fully accredited by the Standards of Learning which is set by the State of Virginia. He said Lancaster County is one of three rural localities on the Middle Peninsula and Northern Neck that has achieved full accreditation.

Mr. Jenkins said the county should be proud of the schools achievements, however; the school should be accountable. The schools gained that accreditation on budgets before the large increase that is proposed for this fiscal year.

Mr. Geilich stated the county does have volunteer fire departments and the county does contribute \$160,000 to the volunteer fire departments.

D.F. Williams of Weems stated he has lived here since 1998. From 2000 – 2003 the assessment stayed the same. His tax increase will be 19% at the proposed rate. He asked if there was special assessment for agriculture.

Mr. Pennell said there a reassessment every four years, however; Lancaster County has generally done the reassessment every six years with a waiver. The Board of Supervisors learned from the Commission of the Revenue that property was selling three and four times the assessed value. The people with lower valued homes on the inland, their property is not accruing in value like the waterfront property. The people with lower valued homes are paying more than their share of the taxes. The Board of Supervisors decided, because there was such a remarkable change, that the county would do the reassessment on the required statutory four-year cycle this time. The board does not have any control over the value of property. There is a land use ordinance in Lancaster County that adjusts the assessed value on acres of farmland.

Walt Fadeley said it is an issue of fairness. The county believes “come here’s” have pockets full of money. He said the biggest business is attracting retirees and waterfront property is more desirable. He asked the board not to increase the taxes.

Sam Marshall stated he is a 30 year resident and the taxes are too high. He said the cost of living increase has gone up 2% and yet there is 11.7% increase in taxes.

Ray Bartholomew said his property was valued at \$114,300 prior to the assessment on 5.14 acres and after the reassessment the property was assessed at \$352,100. He went before the Board of Equalization and the reassessment was reduced by \$10,000. He stated his neighbor sold his home for \$195,000 which sits on 2.40 acres, however; the reassessment value on the property was \$275,000. The reassessment does not appear to be done fairly when comparing with adjoining property owners.

Dave Greenbaum said he has 26.5% tax increase and believes assessed value exceeds resale. He asked the board to reconsider the tax increase.

Mr. Jenkins stated the problem lies with the General Assembly of the Commonwealth of Virginia. We are a Dillon Rule state which means the Boards of Supervisors are created by the legislature. The Board of Supervisors can not come up with a new way to tax people without the commonwealth’s permission. As you have probably noticed we have a lot of delegates of both parties that have patted themselves on the back on how they keep from raising the state taxes. However, they pass the expenses down to localities without options other than to tax homes.

Linda Benson stated she has lived here for five years and purchased waterfront property. She said her assessment when up 91% and she did appeal and got a small relief. She said at the proposed tax levy she will receive a 33% tax increase and the increase is significant for working class citizens. She asked the board to reconsider the tax increase.

John Parker stated his father purchased five lots of waterfront on Windmill Point Road in 1945 at \$800.00 per lot. The lots have been assessed at \$150,000 each. He said its time to stop increasing taxes. The state gets 4.5% tax on materials for the two million dollar homes being built. He said his brother sold his lot and moved to South Carolina after the reassessment.

Roger Donaldson said he lives near Windmill Point and recently retired. He stated his grandfather gave him waterfront property, which was reassessed with an increase of 133% meaning his tax increase will be approximately 71% with the proposed tax levy. The reason for increase tax, because the taxes were too low for too long. It's the right thing to do and encouraged approval of the tax levy.

James Chase said he has lived in Lancaster County all his life. He stated as a former board member, he knows the county made cut backs and are now paying the price. He stated he moved to waterfront property seven years ago and he taxes will be increasing considerably.

Franklin Smith asked if there was anything the public could say to change the board's mind and stop the tax increase.

Doug Cook said he moved to Lancaster from Naples, Florida and with the tax increase, where does the funding go and where are the improvements.

Bruce King said he got a 400% increase on marsh land. The house did not go up, but the land did. The time frame for paying taxes and when the reassessment was done, did not allow enough time. He stated the legislature does what they think is best for us.

Mr. Pennell stated one fourth of a year was lost because of Hurricane Isabel.

Mr. Costello stated there no change in the budget for the last budget public hearing. He said no one goes to the school board meeting and which is 53% of the budget. The public need to start going to the school board budget meetings.

Sue Donaldson stated she is a life long resident and not employed by Lancaster School System, however; she, her husband and two children graduated from Lancaster School System. Where ever the retirees/new residents came from, someone paid taxes for their children's education, lunches, school buses, social services, deputies, teachers, etc. and by moving here they now have to pay for services here in Lancaster County. She stated she is an educator and the school system has received undeserved criticism and they have made many achievements and will continue to do so with the support of the local contributions. She stated the tax increase is needed in order to have Lancaster County continue to progress.

Tom Nottie said he understands this is the year for reassessment and the tax levy will be set at 44¢, but does not want to see the taxes go up 11.7% or more. He asked the board to budget and audit the operations of the county, staffing level, and methods of purchasing.

Howard Kyzer said the Board of Supervisors has heard some great comments and there is great representation from the county present. He asked the board not to increase the taxes.

Dave Peresula said the 11.7% is less than what some people will have to pay.

Bob Chamber said he has lived in Weems for five years and the state tax assessment system is income based from what he understood. He asked the board not to increase the taxes.

John Kinsey stated he was not sure about the taxes on his home currently being built. All waterfront is not equal and resale is not the same. He asked the board not to increase the taxes.

Mr. Frere closed the public hearing.

Mr. Geilich said he appreciated the comments from the citizens. He said the assessment procedure is set by law not by the Board of Supervisors. The board can do something about the budget and tax rate. He indicated that \$350,000 was for teacher salaries, \$300,000 for Virginia Retirement System, debt service is approximately \$300,000, one Sheriff's deputy and vehicle, and county employees will receive a three percent increase which is low. He stated he would vote for the increase and hopes it is a one time situation. There is a lot of building going on in the county and the tax increase is modest.

Mr. Beauchamp stated he does not agree with the tax increase. There was an average increase of 54% on the reassessment of properties in the county plus an increase in taxes.

Mr. Jenkins said he does not support the tax increase. There were a number of budget items increased and we did not question them during the work sessions. We are proud of our schools achievements and the county has never cheated the school system.

Mr. Geilich made a motion to adopt the Ordinance for the Calendar Year 2004 Tax Levy as follows:

Real Estate - \$0.44 per \$100 of assessed value
Personal Property - \$1.52 per \$100 of assessed value
Machinery and Tools - \$1.52 per \$100 of assessed value
Merchant's Capital - \$1.00 per \$100 of assessed value

PUBLIC SERVICE CORPORATIONS

Real Estate - \$0.44 per \$100 of assessed value
Personal Property - \$1.52 per \$100 of assessed value

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Nay
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Nay
	Ernest W. Palin, Jr.	Aye

CONSIDERATION DOCKET (Partial)

Because of the personal considerations of Mr. Jenkins' need to leave the meeting, the chairman agreed to take the following matter out of sequence:

Appropriations Resolution Fiscal Year 2005 – Mr. Pennell stated the FY05 county budget must be adopted by July 1, 2004. The Board of Supervisors has historically adopted. The final School Board adopted budget for FY05 is included.

Mr. Pennell said adopt the Resolution which serves to approve the Fiscal Year 2004/2005 annual budget and appropriate funds to the various cost centers.

Mr. Palin made a motion to adopt the following Appropriations Resolution which serves to approve the Fiscal Year 2004/2005 annual budget and appropriate funds to the various cost centers.

FISCAL YEAR 2004/2005 APPROPRIATIONS RESOLUTION

WHEREAS, the Lancaster County Board of Supervisors has heretofore prepared a budget for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate sufficient funds for the contemplated expenditures as are contained in the budget.

NOW, THEREFORE, BE IT RESOLVED, by the Lancaster County Board of Supervisors that the budget for fiscal year 2004/2005 is approved and appropriations for the aforementioned funds are made as follows, subject to terms and conditions outlined within this appropriation resolution:

Operating Budget

Board of Supervisors	\$ 44,391
County Administration	220,555
County Attorney	20,000
Independent Auditor	21,200
Commissioner of the Revenue	240,838
Treasurer	229,252
Information Technology Services	93,748
Electoral Board	22,421
Registrar	74,431
Circuit Court	14,937
General District Court	6,770
Magistrate	600
Juvenile & Domestic Relations Court	3,275
Clerk of the Circuit Court	268,526
Victim/Witness Assistance	25,225
Commonwealth Attorney	201,598
Sheriff (Law Enforcement)	962,123
Dispatchers	94,142
School Resource Officer	38,594
Volunteer Fire Departments	160,000
Rescue Services	105,729
Paid Rescue Services	217,266
Forest Fire Service	\$ 2,602
Local Emergency Services	8,220
Sheriff (Corrections)	718,786
Juvenile Probation Office	46,072
Electronic Monitoring Program	5,000
Building Inspections	50,037
Animal Control	114,543
Medical Examiner	750
Refuse Disposal	777,808
General Properties	159,845
Health Department	178,700
Free Health Clinic	40,000
Community Services Board	30,000
Area Agency on Aging	45,448
Group Home Commission	17,304
Rappahannock Legal Services	5,000
The Haven Crisis Shelter	1,000
Comprehensive Services Act	400,000
Social Services Board	1,194,329
Virginia Quality Life	10,000
Community College	4,962
YMCA Contribution	75,000
Mary Ball Washington Museum	5,000
Historic Resources Commission	500
Community Library	60,000
No. Neck/Ches. Bay Partnership	6,000
Gateway Travel Center	3,500
Northern Neck Travel Council	7,500
Rappahannock River Basin Commission	1,000
Land Use Administration	146,706
Resource Conservation and Development Area	600
Department of Housing	32,335

Indoor Plumbing/Rehabilitation	947,517
Planning District Commission	22,000
Soil & Water Conservation District	5,000
Wetlands Board	10,988
Litter Control	4,000
Board of Zoning Appeals	6,488
Planning Commission	11,452
Extension Service	36,125
Landfill Closure Management	50,000
Enhanced Emergency Telephone System	354,925
Wireless 911	34,032
Lancaster Public Schools	12,776,359
School Cafeteria Fund	566,560
Law Library Fund	10,000
Short Term Debt Service	\$ 295,107
Long Term Debt Service	539,932
 Total Operating Budget Appropriations	 \$22,884,653

TERMS AND CONDITIONS

1. 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 year ending June 30, 2005 for which appropriations are made, are sufficient to pay all of the appropriations in full; otherwise, the 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 year ending June 30, 2005.

2. 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.

3. The Board of Supervisors reserves the right to change at any time during the fiscal year ending June 30, 2005 compensation provided to any officer or employee and to abolish any office or position, except for such office or position as it may be prohibited by law from abolishing.

4. 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.

5. The amount appropriated to fund contemplated expenditures for the Lancaster County School Board is by total appropriation. As permitted by state statute, the School Board is authorized to transfer funds between categories.

6. 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.

7. 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.

8. 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.

9. All appropriations that are not encumbered or expended prior to June 30, 2005 will lapse and the balance shall become part of the General Operating Fund Balance.

10. 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.

11. 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.

12. 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 next fiscal year.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Nay
	Peter N. Geilich	Aye
	F. W. Jenkins, Jr.	Nay
	Ernest W. Palin, Jr.	Aye

Because of personal obligations at home, Mr. Jenkins left the meeting.

CONSENSUS DOCKET

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

A. Minutes for May 25, 2004, May 27, 2004, June 2, 2004, June 7, 2004, and June 15, 2004

Recommendation: Approve the minutes

B. Tax Anticipation Note

Recommendation: Authorize the county administrator to advertise for a Tax Anticipation Note and coordinate with the county attorney to finalize the borrowing.

C. Water Resource Planning Resolution

Recommendation: Adopt the following Resolution:

GUIDING PRINCIPALS FOR WATER RESOURCE PLANNING

WHEREAS, the Rappahannock River Basin Commission has been involved in a multi-year effort to develop a framework for basin-wide water supply and resource planning for the Rappahannock basin; and

WHEREAS, the Commission formed the Water Allocation Group in 2000 and directed them to develop recommendations for the Commission and its members; and

WHEREAS, based on the recommendations of the Water Allocation Group the Commission has made several recommendations to the Governor, the Secretary of Natural Resources, the General Assembly and the State Water Commission about improving water supply planning in the Commonwealth; and

WHEREAS, the Commission has developed Guiding Principles for Water Resource Planning in the Rappahannock Basin; and

WHEREAS, the Commission believes that water resource planning in the Rappahannock basin should include the concepts of proactive planning, supply side and demand side management, ground and surface water source development and protection, self-sufficiency and regional cooperation, public involvement and ecological integrity; and

WHEREAS, the Commission further believes that the broadest possible array of stakeholders must be empowered to participate from the earliest stages of any water resource planning effort; and

WHEREAS, the Lancaster County Board of Supervisors is an active member of the Rappahannock River Basin Commission and encourages the Commission's efforts to improve the spirit of cooperation within the Rappahannock basin in water resource planning.

NOW THEREFORE BE IT RESOLVED, that the Lancaster Board of Supervisors does hereby encourage the continued efforts of the Rappahannock River Basin Commission and its Water Allocation Group to improve the effectiveness water supply planning in the Rappahannock basin, and

BE IT FURTHER RESOLVED, that the Board of Supervisors supports the intent of the Rappahannock River Basin Commission's Guiding Principles for Water Resource Planning and encourages all involved in water resource planning in the Rappahannock basin to endeavor to follow these principles.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	Ernest W. Palin, Jr.	Aye

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of June 2004 Salaries and Invoice Listings

Motion was made by Mr. Palin to approve the Salaries for June 2004 in the amount of \$142,511.50 and Invoice Listings for June 2004 in the amount of \$400,761.60.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	Ernest W. Palin, Jr.	Aye

2. Repave High School Parking Lot – Bid Results – Mr. Pennell stated the School Board received bids for repaving of the parking lot at Lancaster High School. One company offered a bid price of \$89,900.00 for the project. The Lancaster County Board of Supervisors has authorized up to \$84,770.00 for the repaving project. The difference in the bid price and the available funds is \$5,130.00. The School Board requested that the Board of Supervisors approve an additional \$5,130.00 from the capital improvement account to fund this project.

Mr. Palin made a motion to approve an additional \$5,130.00 from the capital improvement account to fund the High School Parking Lot Repaving project.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	Ernest W. Palin, Jr.	Aye

3. Transfer Funds from Capital Improvement to General Fund – High School Roof Project - Mr. Pennell stated the Lancaster County Board of Supervisors directed that future expenditures from the Capital Improvement Account be specifically approved at a regular meeting of the Board of Supervisors.

Mr. Pennell said he has received the following request for payment from Dr. Latimore for final payment to MACTEC in the amount of \$2,500.00 for work performed on the high school roof.

Mr. Frere made a motion to approve the expenditures and appropriate \$2,500.00 from the Capital Improvement Account to the General Fund to cover the expenses.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	Ernest W. Palin, Jr.	Aye

BOARD REPORTS

Appointments

Mr. Frere made a motion to reappoint Donald M. McCann, III to the Planning Commission as an At-Large Representative for a four year term beginning July 1, 2004 and ending June 30, 2008.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	Ernest W. Palin, Jr.	Aye

Planning Commission

Mr. Frere said he would like to ask the Planning Commission to consider amending the zoning ordinance. Specifically, R-2, Residential Apartment District. As part of the amendment the county needs to change the intent of that article. Also, it needs to state it is not a free floating district that can be rezoned. Make changes to the permitted uses in the R-1 and A-2, Agriculture General District and add permitted uses, planned unit development on parcels of land 25 acres or greater in size with an approved master plan. The Planning Commission could clarify what the intent of the R-2 would be and the requirements.

Mr. Pennell stated this would be an appropriate discussion for Saturday's Board Retreat.

COUNTY ADMINISTRATOR

Mr. Larson said in the subdivision ordinance provides for a twelve month limit to begin the subdivision work with a six month extension. The county has performance bonds on subdivision roads that are 14 or 15 years old. The companies, property owners, addresses, and telephone numbers are no longer accurate and there is a considerable amount of work involved annually in order to track down the correct information. He wanted to inform the board of this situation and he would be coming back to the board with recommendations to close out some of the performance bonds.

ADJOURNMENT

Motion was made by Mr. Beauchamp to adjourn the meeting to Saturday, June 26, 2004 for the Board Retreat at the Bay Trust conference room.

VOTE:	Patrick G. Frere	Aye
	B. Wally Beauchamp	Aye
	Peter N. Geilich	Aye
	Ernest W. Palin, Jr.	Aye