

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, June 30, 2005.

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

Others

Present: Charles Costello, Friends of Lancaster County; Jack Larson, Planning/Land Use; Dave Ogle, Clifton Balderson and Robert Harper, Virginia Department of Transportation; Steve Waterfield, Northern Neck News; Robb Hoff, Rappahannock Record

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

**PUBLIC INPUT**

None

**PRESENTATIONS**

None

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

Mr. Balderson stated Mr. White was on vacation and he will be giving the monthly report.

VDOT is in the process of getting a preliminary study for the Merry Point Ferry, in order to determine the actual cost of replacement.

Mr. Balderson stated the second mowing should be completed by July 18, 2005.

Mr. Ogle stated there would be a change in the Resident Engineer title, which has changed to Residency Administrator. The duties have been split between two individuals, because there is a great deal of work.

### **PUBLIC HEARINGS**

1. Kenneth W. Deutsch – Request for Bay Act Waiver – Mr. Larson stated the applicant requested a Bay Act Waiver to construct an addition to an existing dwelling thereby adding approximately 50 square feet of impervious cover inside the 50' seaward component of the 100' protective buffer. The subject property is described as Tax Map #27-30B which is located off VSH 630, Taylor's Creek Road, near Weems, VA in Voting District 5.

Mr. Larson stated of the total 600 square feet of additional impervious cover, approximately 50 square feet is inside the 50' seaward component of the 100' protective buffer; the remaining 550 square feet is in the landward component. The proposed addition would encroach as close as 43' to tidal wetlands; the existing house encroaches as close as 43'. A bio-retention basin is proposed to mitigate the stormwater runoff from the addition. With respect to past requests where the encroachment is the same or less than existing and adequate mitigation is provided, the Board of Supervisors has viewed the requests favorably.

Mr. Larson said this request has been advertised and adjoining property owners or property owners directly across an intervening body of water were

notified as required by law. To date there has been no response in opposition or support from adjoining property owners or other interested member of the public concerning this request.

Chairman Jenkins opened the public hearing.

Mr. Anker Madsen stated a 100' buffer is close enough to the water and asked if this was a pre-bay act lot.

Mr. Geilich stated the house is older than the bay act.

Chairman Jenkins closed the public hearing.

Mr. Beauchamp made a motion to approve the Request for Bay Act Waiver for Kenneth W. Deutsch

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

2. Howard and Patricia Kyzer – Request for Bay Act Waiver – Mr. Larson stated applicants requested a Bay Act Waiver to construct an addition to an existing dwelling thereby adding approximately 190 square feet of impervious cover inside the 50' seaward component of the 100' protective buffer. The subject property is described as Tax Map #35-59"O" which is on Aquilla Point Drive, off VSH 648, Poplar Neck Road, near White Stone, VA in Voting District 3.

Mr. Larson stated of the total 256 square feet of additional impervious cover, approximately 190 square feet is inside the 50' seaward component of the

100' protective buffer; the remainder is in the landward component. The addition would encroach as close as 38' to tidal wetlands; the house already encroaches as close as 34'. An infiltration trench, adequate to mitigate runoff from the addition is proposed. As noted on the site plan, mitigation already is provided for the original part of the house. With respect to past requests where the encroachment is the same or less than existing and adequate mitigation is provided, the Board of Supervisors has viewed the requests favorably.

Mr. Larson said this request has been advertised and adjoining property owners or property owners directly across an intervening body of water, notified as required by law. To date one adjoining property owner has voiced objection to granting of the request, citing a nonspecific and unrelated exchange of property issue. A property owner across Georges Cove from the subject property, Dana Gilmour, has cited concerns with the request in an email, to which Mr. Larson replied and sent a copy of the email and reply to the members of the board.

Chairman Jenkins opened the public hearing.

Mr. Madsen stated a 100' buffer is close enough to the water and asked if this was a pre-bay act lot.

Mr. Jenkins said because this was pre-bay act, the owners did not know that the rules would change.

Mr. Kyzer stated they are not encroaching any closer than where the corner of the existing house.

Chairman Jenkins closed the public hearing.

Mr. Geilich made a motion to approve the Request for Bay Act Waiver for Howard and Patricia Kyzer.

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

3. Repeal of Article 6, R2 Zoning District, Lancaster County Zoning Ordinance – Mr. Larson stated that public necessity, convenience, general welfare and good zoning practice require that the zoning ordinance of Lancaster County be amended to delete the R-2 zoning classification.

Mr. Larson said this issue has been advertised as required by law. To date there has been no response in opposition or support from interested members of the public concerning this hearing on the request. However, the Planning Commission public hearing discussions and concerns from the president of the Friends of Lancaster, LLC were submitted for the board’s review.

Chairman Jenkins opened the public hearing.

Mr. Costello, Friends of Lancaster County, stated in a letter given to the Planning Commission that there was a place for R-2 but not on the waterfront. That’s basically the decision to which the Planning Commission came, as he understood the recommendation to the Board of Supervisors. This was a compromise worked out by the Planning Commission from the input given from the citizens who attended the meeting and he believes it is a fair and appropriate recommendation. He would recommend that R-2 not be repealed but be changed in the waterfront overlay. It currently states that R-2 is exempt from the waterfront overlay and he actually requests to put it under the waterfront overlay so that W-1 would apply to R-2. Basically, R-2 would not be on the waterfront.

Mr. Jenkins asked Mr. Costello if he thought there would ever be any circumstances where it would be appropriate to have multi-family units on the waterfront.

Mr. Costello stated he would never say never, sometime, somehow there are appropriate places to do this and one of the reasons we are here because the county has had some bad experiences with this being applied.

Mr. Jenkins stated he had a concern that simply making R-2 subject to W-1 (waterfront overlay) regulations would give a false sense of security that we have tackled and solved the problem.

Mr. Costello stated the problem is, if you just take it out of the zoning ordinance there would be a lot of pressure to do something about this right now. This will start making more problems for the county than leaving it and watching how we are doing it and be very careful as we approach it.

Mr. Madsen said he is in favor of repealing R-2 and to especially make sure it cannot be used in the waterfront overlay. To replace it with something more appropriate, however it is very important to schedule the revision to the R-2 zone.

Mr. Jenkins said any lot put to record today automatically becomes apart of the waterfront overlay if is within 800' of the wetland. He stated R-2 zoned property is exempted from the W-1 overlay.

Chairman Jenkins closed the public hearing.

Mr. Geilich asked if the board were to repeal R-2, would we start immediately to work to rebuild the R-2 Ordinance and what would be the time frame.

Mr. Pennell stated he viewed this as being a part of the Comprehensive Plan revision plan process and by the end of the calendar year we should be close to completion.

Mr. Jenkins said the appropriate outcome would give us at least two, possibly three, separate zoning districts to deal with multiple family housing. Clearly, inland properties will allow for apartment buildings, condos, or those types of housing. Since one area with which most of us have a concern is cutting off a legitimate housing option for citizens. The most significant concern seems to be how will we protect our waterfront and yet not concede that we can never take advantage of better and significant land use at the waterfront.

Mr. Palin stated he agreed with Mr. Jenkins, but he would like R-2 removed from the waterfront, but leave R-2 in existence for the other areas.

Mr. Jenkins made a motion to Repeal of Article 6, R-2 Zoning District, Lancaster County Zoning Ordinance.

A roll call vote was taken:

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

4. Ordinance to Adopt Calendar Year 2005 Tax Levy – Mr. Pennell stated 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.

Chairman Jenkins opened the public hearing.

Mr. Kyzer stated he applauded the Board of Supervisors for keeping the tax rate down.

Mr. Madsen said he support the tax levy for 2005 and thanked the Board of Supervisors for the decrease. With the reassessment, we may pay a little more, however the tax rates are reasonable in Lancaster County.

Mr. Julian stated he would love to see taxes lower, but maybe some of that money could be put into the school budget as a number of items got dropped off the school budget.

Mr. Costello stated that the county had Capital Improvement debt. The Board of Supervisors could take money from the real estate property tax and pay down the loans. In reducing the taxes, we do have other taxes that are hidden to us, those are when people are asked to give money to the volunteer fire departments and rescue squads.

Mr. Jenkins stated the board of supervisors did not cause the reduction of a school bus. The School Board's total funding for the year is actually above last year. There was a reduction in local fund by \$224,000. The total funding for the schools is actually more than it was last year. There is a decreasing student population, the board of supervisors contributes the twelfth best per student funding in the state, and Lancaster schools are better funded per student in the entire Northern Neck and Middle Peninsula. The board of supervisors looked at the school board budget and believed that the additional requests were not necessary. Based on the end of the previous year they returned to the county in unspent fund in the amount of nearly \$390,000. This county has the best bus fleet



and schools buildings in this entire region of Virginia and the best-paid teachers in the Northern Neck and Middle Peninsula.

Mr. Costello asked about the cost of health insurance.

Mr. Jenkins stated that the cost of health insurance was not a concern the board of supervisors can control. It is an issue and should be addressed by the school board.

Mr. Hill said he believed that at an earlier budget meeting a motion was made to reduce the school board budget by 2%. And subsequently the Governor of the state found some money, which meant that the school board got additional funding. The Board of Supervisors had no way of knowing that these funds would be coming to the school board. The fact of the matter is that it was a reduction.

Mr. Geilich stated the motion made was to reduce the overall salary appropriation by 2%, but would not affect any individual on the school faculty. It was not a reduction of the overall budget. If the school board has a special need it is encouraged to come before the board of supervisors and present it.

Mr. Jenkins stated the request for local funding was reduced by \$224,000, but not in the overall budget. The superintendent has historically under estimated his ADM, such that each year the school has gotten more state funding.

Mr. Palin said that it is wise to under estimate ADM, because for those schools trying to be precise, unusually end up going under. The \$300,000 in local funding was not spent. The school board applied for a grant (federal funds) and was awarded approximately \$500,000. Those funds are to operate programs whereby employees are paid and a wise person would not spend all those funds in one year. The purpose of that is to make sure if a grant was not awarded that

supported employees, at least they would have a year to try to find another grant to replace the money and keep the program running and employees on board. The local funds are appropriated based on a source of federal funds. The local funds are spent first and then reimbursement request of federal funds are made, which is why the local funding was returned. When you said there was \$300,000 of local funds not spent, that may be true, however; that meant \$300,000 of federal funds, was not spent.

Mr. Jenkins said the grants did not come to match the entire \$390,000 and the \$390,000 was not spent, not one person in the school was fired, not one program was ended, and not one school bus not brought. He understands the need to budget for matching money for federal grants and also understands the responsibility of the school board to respect the tax payers' tax dollars and manage that down to as small a number as possible. The school board did not notify the board of supervisors of the unspent funds; the board of supervisors found out from the auditors report. He thanked Mr. Palin for going out and finding the federal funding.

Mr. Costello stated whether it's federal, state, or local is all taxpayers dollars collectively.

Chairman Jenkins closed the public hearing.

Mr. Beauchamp made a motion to adopt the following Ordinance for the Calendar Year 2005 Tax Levy:

**TAX LEVY FOR CALENDAR YEAR 2005**

Be it ordained by the Lancaster County Board of Supervisors:

Beginning January 1, 2005 until December 31, 2005, the following tax rates shall apply in Lancaster County:

Real Estate - \$0.41 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 - \$0.41 per \$100 of assessed value  
Personal Property - \$1.52 per \$100 of assessed value

A roll call vote was taken:

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

5. Public Hearing to Consider Granting an Easement and Interest in Property to Provide Water to the Social Services/Health Department Building – Mr. Pennell said during Sydnor Hydrodynamics' (d/b/a Aqua, Virginia) recent improvements in the water distribution system at Lancaster Courthouse, he had the opportunity to discuss options that would improve the service to the community as well as enhance Sydnor's ability to provide potable water in an efficient, cost-effective manner. One of these options would be to grant an easement to Sydnor to operate the existing public water system at the Social Services/Health Department building.

Mr. Pennell said a number of improvements have been added to the Lancaster Village water distribution system and the addition of a second well will have benefits:

- A new, higher yield pump has been installed at the pump site on Route 600.
- Once complete, the pump site will have a generator installed, thus providing for uninterruptible water supply to the village and jail.
- While the system is too small for a fire hydrant, there will be a location where fire trucks can refill albeit more slowly than from a full-fledge fire hydrant on a larger system.
- By granting this easement to Sydnor, the county will receive water at no charge at the Social Service/Health Department building for five years.
- By granting this easement, the county will no longer have to pay for monthly water tests at this site.
- This second well on the system will provide back-up and pressure stability to the entire system.
- The second well will be in place to provide domestic water services in the event the Poor House Tract is used for economic development purposes.
- The water line has been extended past the high school so that it may connect to the water main if necessary in the future.

Chairman Jenkins opened the public hearing.

Mr. Parker stated a new well was installed, new mains have been run through town, and there an emergency generator at the pump site. He thanks the board for considering the easement and hoped to continue the system growth and service to the village.

Chairman Jenkins closed the public hearing.

Mr. Palin made a motion to grant an easement to Sydnor Hydrodynamics to operate the existing well at the Social Services/Health Department building and connect the service to the existing Lancaster Courthouse system.

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

### **CONSENSUS DOCKET**

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

A. Minutes for May 24, 2005, May 26, 2005, June 1, 2005 and June 23, 2005

Recommendation: Approve the minutes

B. Abstract of Votes – June 14, 2005 Primary Election

Recommendation: Accept the Abstract of Votes from June 14, 2005 Primary Election as part of the minutes of the Board of Supervisors as required by state code.

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

### **CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of June 2005 Salaries and Invoice Listings

Motion was made by Mr. Hill to approve the Salaries for June 2005 in the amount of \$153,180.93 and Invoice Listings for June 2005 in the amount of \$427,281.57.

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

2. Local Real Property Taxing Authority – Mr. Pennell he received correspondence and a resolution from the Chairman of the Rockingham County Board of Supervisors and asked that the Lancaster County Board of Supervisors take whatever action it deems appropriate to support Rockingham’s position on local real estate taxing authority.

Mr. Palin made a motion to adopt the following resolution:

#### **LOCAL REAL PROPERTY TAXING AUTHORITY**

**WHEREAS**, in 1926, then Governor Byrd exchanged the Commonwealth’s right to impose a real estate tax for local government’s agreement to give up the right to impose an income tax; and

**WHEREAS**, the real estate tax is the primary source of local income, at an average of 48% of all local revenues collected statewide; and,

**WHEREAS**, as the principal source of income for local government, localities rely heavily on this source of income to meet federal and state mandates for services, especially education and public safety; and,

**WHEREAS**, two of the candidates in the 2005 election for Governor of the Commonwealth (former Attorney General Jerry Kilgore and Lt. Governor Tim Kaine) have stated as a high priority for their respective campaigns the imposition of an assessment or other limitations on the residential component of the real estate tax, which would severely restrict localities and would constitute a breach of trust from the agreement reached in 1926; and,

**WHEREAS**, the proposal from either candidate would weaken budget discipline, since support for services would not necessarily be linked to the responsibility to pay for them, and could potentially force a greater dependence on taxation of the business sector to support local services, thereby harming economic development in the Commonwealth; and,

**WHEREAS**, in 1997, in the campaign for Governor, then candidate James Gilmore used as the cornerstone for his campaign, the repeal of the personal property tax on non-business use motor vehicles, which is credited with his winning the office; and,

**WHEREAS**, the cost to the citizens was greatly underestimated, which has since led the General Assembly to place a cap on the commonwealth's commitment to make its payments to localities under this plan;

**NOW THEREFORE BE IT RESOLVED**, that the Lancaster County Board of Supervisors calls upon these two gubernatorial candidates, and upon all candidates for state and federal office, to refrain from establishing local tax policy at the state or federal level, due to the potential negative impact such action may have on the ability of local government to deliver local services; and,

**BE IT FURTHER RESOLVED**, should a candidate or legislator desire to impact tax policy as it relates to the real estate or other local tax, that the candidate or legislator use as the tool to address such policy tax credits or deductions to state or federal income taxes in lieu of enacting limitations on local taxing authority; and,

**BE IT FURTHER RESOLVED**, that it is imperative for local government to retain sole control over the decisions which determine equity of local taxation policy, if governing bodies are to effectively address local service needs.

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

3. Fuel Oil Bids – Award Contract - Mr. Pennell said the county received two bids for motor vehicle fuel and heating oil fuel service contract for the Courthouse Building, Sheriff’s Department, and School Board for 2005 – 2006.

Mr. Pennell recommends award of the contract to Noblett Oil and Propane, P.O. Box 426, Kilmarnock, VA 22482, the lowest bidder.

Noblett Oil #2 Fuel Oil @ 1.95 per gallon  
Diesel Fuel @ 1.99 per gallon  
Unleaded Gas @ 1.87 per gallon

Mr. Geilich made a motion to Award the 2005 – 2006 Fuel Contract to Noblett Oil and Propane, P.O. Box 426, Kilmarnock, VA 22482, the lowest bidder.

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



4. Resolution to Participate in LEOS Retirement Supplement for Deputy Sheriffs – Mr. Pennell stated at the public hearing on the Fiscal Year 2006 annual budget, the Board of Supervisors approved the county’s participation in supplemental retirement plan for deputy sheriffs.

Mr. Pennell said in order to participate in the LEOS retirement supplement for deputy sheriffs; the Board of Supervisors must inform the Virginia Retirement System by virtue of adopting a resolution supporting the plan.

Mr. Geilich made a motion to adopt the following Resolution to Participate in LEOS Retirement Supplement for Deputy Sheriffs:

**LEOS RETIREMENT SUPPLEMENT FOR  
DEPUTY SHERIFFS**

**Be it hereby resolved** that the County of Lancaster, Virginia, a political subdivision currently participating in the Virginia Retirement System under Title 51.1, Chapter 1, Article 5 of the Code of Virginia, as amended, acting by and through its Board of Supervisors, does hereby elect to have such employees of the County who are employed in positions as full time salaried Law Enforcement Officers and whose tenure is not restricted as to temporary or provisional appointment, to become eligible, effective July 1, 2005, to be provided benefits in the Virginia Retirement System equivalent to those provided for State police officers of the Department of State Police, as set out in Section 51.1-138 of the Code of Virginia, in lieu of the benefits that would otherwise be provided as such code has been or may be amended from time to time, and the County agrees to pay the employer cost for providing such employees such benefits.

**Be it further resolved** that the County Administrator is hereby authorized and directed in the name of the County to execute any required contract in order that the above described employees of the County may become entitled to

retirement benefits equivalent to those provided for state police officers of the Department of State Police.

In execution of any contract which may be required, the seal of the County shall be affixed and attested by the Clerk and, said officers of the County are hereby authorized and directed to do any other thing, or things, incident and necessary in the lawful conclusion of this matter.

The Treasurer of the County is hereby authorized and directed and pay over to the Treasurer of Virginia from time to time such sums as are to be paid by the County and its employees for this purpose.

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

5. Appropriations Resolution Fiscal Year 2006 - Mr. Pennell stated the FY06 county budget must be adopted by July 1, 2005. The Board of Supervisors has historically adopted an appropriations resolution at the same time the county budget has been adopted. The final School Board adopted budget for FY06 is included.

Mr. Pennell said adopting the resolution serves to approve the fiscal year 2006 annual budget and appropriate funds to the various cost centers.

Mr. Beauchamp made a motion to adopt the following appropriations resolution:

**FISCAL YEAR 2005/2006 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 2005/2006 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	\$ 45,015
County Administration	242,775
County Attorney	20,000
Independent Auditor	21,200
Commissioner of the Revenue	248,496
Treasurer	240,174
Information Technology Services	99,677
Electoral Board	22,843
Registrar	79,139
Circuit Court	15,297
General District Court	6,850
Magistrate	600
Juvenile & Domestic Relations Court	1,791
Clerk of the Circuit Court	279,766
Victim/Witness Assistance	25,532
Commonwealth Attorney	306,242
Sheriff (Law Enforcement)	1,025,078

Dispatchers	103,379
School Resource Officer	41,794
Volunteer Fire Departments	190,000
Rescue Services	105,729
Paid Rescue Services	241,518
Forest Fire Service	\$ 2,602
Local Emergency Services	40,075
Sheriff (Corrections)	821,235
Juvenile Probation Office	46,863
Electronic Monitoring Program	5,000
Building Inspections	83,466
Animal Control	85,368
Medical Examiner	750
Refuse Disposal	888,104
General Properties	178,467
Health Department	178,700
Free Health Clinic	75,919
Community Services Board	30,900
Bay Aging	46,003
Group Home Commission	17,304
Rappahannock Legal Services	5,000
The Haven Crisis Shelter	1,500
Comprehensive Services Act	400,000
Social Services Board	1,266,191
Virginia Quality Life	20,000
Community College	5,096
YMCA Contribution	75,000
Mary Ball Washington Museum	5,000
Historic Resources Commission	500
Community Library	73,900
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	204,321
Resource Conservation and Development Area	600
Department of Housing	22,330
Indoor Plumbing/Rehabilitation	528,921
Greentown/Gaskins Road Planning Grant	25,000
FEMA Grant	280,000
Planning District Commission	10,000
Soil & Water Conservation District	10,000
Wetlands Board	10,993
Litter Control	4,000
Board of Zoning Appeals	6,493
Planning Commission	11,389
Extension Service	45,918
Landfill Closure Management	25,000
Enhanced Emergency Telephone System	88,245
Wireless 911	34,900
Lancaster Public Schools	13,020,770
School Cafeteria Fund	\$ 624,372
Law Library Fund	10,000
Short Term Debt Service	295,464
Long Term Debt Service	502,275
Total Operating Budget Appropriations	\$23,494,829

## **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, 2006 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, 2006.

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, 2006 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, 2006 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:	F.W. Jenkins, Jr.	Aye
	Peter N. Geilich	Aye
	B. Wally Beauchamp	Aye
	Lloyd N. Hill	Aye
	Ernest W. Palin, Jr.	Aye

## **BOARD REPORTS**

### **Appointments**

#### **Regional Disability Board**

Mr. Jenkins made a motion to reappoint Ms. Christy Crowther to the Regional Disability Board to represent Lancaster County District for a three-year term which ends July 31, 2008.

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

## **COUNTY ADMINISTRATOR**

Mr. Pennell asked anyone interested in attending the VACo Summer Conference to contact him so he can make reservations.



Mr. Pennell stated four engineering firms have been interviewed for the Courthouse Security and Space Need study. He said Wiley and Wilson would be contacted to continue negotiations. This firm has done work for both Richmond and Northumberland Counties and was highly recommended.

**ADJOURNMENT**

Motion was made by Mr. Beauchamp to adjourn.

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