

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, October 28, 2010.

Members Present: Ernest W. Palin, Jr., Vice Chair
Peter N. Geilich, Board Member
B. Wally Beauchamp, Board Member
F.W. Jenkins, Jr., Board Member

Staff Present: William H. Pennell, Jr., County Administrator
Don G. Gill, Planning and Land Use Director

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

PUBLIC INPUT

None

PRESENTATIONS

None

VIRGINIA DEPARTMENT OF TRANSPORTATION

VSH 774/Granville Bay Road Project

Mr. Jenkins asked about the status of the VSH 774/Granville Bay Road project.

Clifton Balderson stated VSH 774/Granville Bay Road project will begin on Monday, November 8, 2010 and it is expected to be completed by the end of the week.

Countywide Maintenance

Mr. Balderson said mowing operations are ongoing on the primary roadways and is expected to be completed within the next few days.

County-line Project

Mr. Balderson stated a light as been installed and turned on today on the project at the county-line at Chinn's Mill Pond, which means the project will probably start next week. This is a design-build project to be completed by April 2011. Because it is a design-build this project has been handed over to the contractor and for them to determine time frame to proceed.

VSH 789/Hadlea Drive

Mr. Balderson said they are waiting to get traffic data back on VSH 789/Hadlea Drive from the engineering department, hopefully the data will be favorable to be put on the list to be constructed.

VSH 3/Mary Ball Road and VSH 201/Courthouse Road Intersection

Mr. Balderson stated the site distance problems at the intersection of VSH 201/Courthouse Road and VSH 3/Mary Ball Road should be cleared up soon. Some of the trees have already been trimmed back and the sign will be moved.

VSH 641/Mosquito Point Road Speed Study Request

Mr. Beauchamp requested that VDOT do a speed study on VSH 641/Mosquito Point Road after receiving concerns from the residents about excessive speeding.

PUBLIC HEARING

1. Revisions to the Zoning Ordinance Article 23 – Floodplain Overlay District – Mr. Gill presented the Revisions to the Zoning Ordinance Article 23 – Floodplain Overlay District required for compliance with the National Flood Insurance Program.

Mr. Gill stated Lancaster County’s current floodplain ordinance, Article 23 – Floodplain Overlay District, was reviewed and revised in May 2010 for compliance with FEMA guidelines by Alison Meehan, Floodplain Program Planner for the Virginia Department of Conservation and Recreation. The Board of Supervisors approved those revisions and amended the floodplain ordinance on July 29, 2010. The revised, adopted ordinance was then sent to FEMA in Philadelphia, PA for final approval. On September 23, 2010, FEMA advised the county by letter (provided to the Board of Supervisors for their review) that there were still a few changes that needed to be made. Mr. Gill incorporated the appropriate changes. The few and minor changes were highlighted and in bold print.

Mr. Gill said advertising has been conducted as required by law. To date, there has been no response from the public.

Mr. Palin opened the public hearing.

Hearing no comments, Mr. Palin closed the public hearing.

Mr. Jenkins made a motion to approve the Revisions to the Zoning Ordinance Article 23 – Floodplain Overlay District required for compliance with the National Flood Insurance Program.

ROLL CALL

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

2. Application for Change of Zoning District Classification – Dorine Mahan – Mr. Gill said an Application for Change of Zoning District Classification from R-

1, Residential, General to C-1, Commercial (Conditional) by Dorine Mahan for a 0.582-acre parcel described as Tax Map #15-92D. This property is located at 8545 Mary Ball Road in the Lancaster Courthouse Village Area in District 2.

Mr. Gill said the applicant intends to relocate her hair salon to this parcel from its present location just down the street adjacent to the registrar's office. This, by itself, is allowable as the prior owners had previously sought and received the Special Exception from the Board of Supervisors for a professional office on this R-1 zoned parcel. The applicant also wishes to rent the upstairs for an additional professional office which is not allowed under the current zoning. She does not want the structure to be used for residential purposes.

Mr. Gill stated he advised Ms. Mahan that she had two options to accomplish her goals:

- 1) Rezone to R-3 Residential Medium General and then seek the Special Exception to have a professional office complex which would cost \$900 (\$500 for rezoning and \$400 for the Special Exception), or
- 2) Rezone to C-1 Commercial (Conditional) which would cost \$500.

Ms. Mahan opted for the least costly option. To help her application, she has also taken the list of permitted uses in C-1 and lined through the unwanted ones (a copy has been provided to Board of Supervisors for review). She indicated that she will present a signed and notarized copy to the Board of Supervisors to formalize this conditional rezoning request.

Mr. Gill said this request is considered reasonable and appropriate given the property's history and its location in the Lancaster Courthouse village area. For several years, this property served as the office for a local insurance agent. It is adjacent to the old post office building, which is a commercial property that has housed many

professional offices through the years, as well as in close proximity to the Quarles convenience store and RAK's Sports Bar, which are also located on C-1 properties.

Mr. Gill also included the rezoning application, the GIS map and survey of the parcel, a letter from the applicant, a letter from the health department verifying that the existing septic and drainfield will handle the proposed uses, the rezoning plat/site plan showing a proposed parking layout to achieve the required number of parking places and the list of applicable permitted uses requested with this proposal.

Mr. Gill stated adjoining property owners have been notified and advertising conducted as required by law. To date, there has been no input from the public other than that expressed at the Planning Commission meeting.

Mr. Palin opened the public hearing.

Hearing no comments, Mr. Palin closed the public hearing.

Mr. Palin made a motion to Approve the Application for Change of Zoning District Classification from R-1, Residential, General to C-1, Commercial (Conditional) by Dorine Mahan for a 0.582-acre parcel described as Tax Map #15-92D. This property is located at 8545 Mary Ball Road in the Lancaster Courthouse Village Area.

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

CONSENSUS DOCKET

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

A. Minutes for September 30, 2010

Recommendation: Approve minutes as submitted

B. Department of Social Services Request for Budget Adjustment

Recommendation: Approve Request for Budget Adjustment
“Should appropriation become necessary”

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

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of October 2010 Salaries and Invoice Listings

Motion was made by Mr. Beauchamp to approve the salaries for October 2010 in the amount of \$215,247.00* and Invoice Listings for October 2010 in the amount of \$867,448.25*.

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

*Judicial Center Expenses \$84,642.23

*Capital Improvements \$299,453.00

2. Request for Exemption of Real Estate and Personal Property Taxes – Mr. Pennell stated he received correspondence from Ms. Linda J. Stoneham, CPA, Chief Financial Officer, Heart Havens, Incorporated, asking the Board of

Supervisors to schedule a public hearing required by §58.1-3651 of the Code of Virginia for consideration of an exemption of real estate and personal property taxes for a property owned by the charity at 311 Gilbert Avenue, Kilmarnock, Virginia.

The Board of Supervisors agreed, by consensus, not to authorize a public hearing on this request.

BOARD REPORTS

Appointments

Historic Resources Commission

Mr. Jenkins made a motion to reappoint Louise Jesse to the Historic Resources Commission to represent Lancaster County District 1 for a three year term beginning January 1, 2011 and ending December 31, 2014.

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

Mr. Geilich made a motion to appoint Donna Davis to the Historic Resources Commission to represent Lancaster County District 3 for a three year term beginning January 1, 2011 and ending December 31, 2014.

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

Industrial Development Authority

Mr. Beauchamp made a motion to reappoint Alexander McD. Fleet to the Lancaster County Industrial Development Authority as a representative for District 5 for a four year term beginning November 12, 2010 and ends November 11, 2014.

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

Mr. Beauchamp made a motion to reappoint Jeffrey M. Szyperski to Lancaster County Industrial Development Authority as an At-Large representative for a four year term to begin November 12, 2010 and expires November 11, 2014.

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

COUNTY ADMINISTRATOR

Mr. Pennell stated he received an invitation for the Board of Supervisors to attend the open house of the Northern Neck Food Bank Warehouse on Thursday, November 4, 2010 behind Mac's Auto World in White Stone.

Mr. Pennell asked the Board of Supervisors to schedule the dedication of the new judicial center on Monday, November 29, 2010 at 5:00 p.m. and following the dedication

ceremony proceed with the regular Board of Supervisors meeting at the new judicial center.

By consensus of the Board of Supervisors, schedule the dedication of the new judicial center for Monday, November 29, 2010 at 5:00 p.m. followed by the regular Board of Supervisors meeting.

ADJOURNMENT

Motion was made by Mr. Beauchamp to adjourn.

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