

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Monday, November 24, 2008.

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

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

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

**PUBLIC INPUT**

None.

**PRESENTATIONS**

None.

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

**County Maintenance**

Mr. Trapani stated they were currently performing regular maintenance and trimming tree lines back from the edge of roadways.

Ferry Update

Mr. Trapani stated the Merry Point ferry continues to operate with a December delivery date for a new ferry.

VSH 637 James Wharf Road Speed Study

Mr. Beauchamp requested a speed study on VSH 637, James Wharf Road, and further stated there are no speed limit signs currently posted.

Mr. Trapani responded that the request would be processed.

1. Accept “Talon Court” in the State Secondary System of Highways – Mr. Gill requested that the Board of Supervisors add “Talon Court” in the Eagle Landing Subdivision in District 2 to the State Secondary System of Highways.

Mr. Gill stated he provided the Board of Supervisors with documentation verifying that “Talon Court” meets all the requirements for acceptance into the State Secondary System of Highways.

Mr. Palin made a motion to adopt the resolution to add “Talon Court” in the Eagle Landing Subdivision in District 2 to the State Secondary System of Highways.

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

**PUBLIC HEARINGS**

1. Zoning Ordinance Amendment – Mr. Gill presented a request to Amend the Zoning Ordinance, Article 8A, Commercial Limited District, C-2, by adding the following permitted use: ***8A-1-36 Churches***.

Mr. Gill said a recent rezoning request by the White Stone Church of the Nazarene made staff aware of the fact that churches are not a permitted use in the C-2, Commercial, Limited District. This represents an oversight, not previously detected, since all other zoning districts (except M-1, Industrial, Limited) allow churches as a permitted use. It would also seem logical for churches to be allowed in the C-2 zoning district since the more intensely commercial C-1 allows them.

Mr. Gill stated the Board of Supervisors, at its September regular meeting, directed the Planning Commission to advertise and hold a public hearing on the matter. This has been accomplished and the Planning Commission is forwarding the proposed amendment recommending approval.

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

Chairman Geilich opened the public hearing.

Hearing no public input, Chairman Geilich closed the public hearing.

Mr. Geilich made a motion to approve the Zoning Ordinance Amendment to Article 8A, Commercial Limited District, C-2 by adding the following permitted use: ***8A-1-36 Churches***.

VOTE:           Peter N. Geilich           Aye

Jack S. Russell	Aye
B. Wally Beauchamp	Aye
F. W. Jenkins, Jr.	Aye
Ernest W. Palin, Jr.	Aye

2. Application for Change of Zoning District Classification – Larry J. Dawson – Mr. Gill presented an Application for Change of Zoning District Classification from R-1, Residential General to A-2, Agricultural General by Larry J. Dawson for a 1.285-acre parcel described as Tax Map #22-5. This property is located at 510 Devil’s Bottom Road (VSH 614) in District 2.

Mr. Gill stated this parcel is an authorized non-conforming lot with two single-family residences. The applicant wishes to subdivide the parcel so each home can be situated on its own lot. That is not possible since the parcel does not have sufficient acreage to create two new lots that meet minimum lot size requirements. As a result, the applicant must add acreage to this parcel from adjoining parcels he also owns. However, the adjoining parcels are not zoned the same as this parcel (they are zoned A-2, whereas the subject parcel is zoned R-1). New lots cannot be created with more than one zoning classification. If this rezoning is granted, all three parcels will be zoned A-2, Agricultural General, and a boundary line adjustment can be made to add the necessary acreage to create the two new lots.

Mr. Gill said this request is a down zoning as A-2 is more restrictive than R-1, Residential, General. This parcel adjoins other A-2 and R-1 parcels and staff views this request as the best means possible to create the two new lots, thus eliminating a non-conforming parcel.

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.

Chairman Geilich opened the public hearing.

Hearing no public input, Chairman Geilich 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 A-2, Agricultural General by Larry J. Dawson for a 1.285-acre parcel described as Tax Map #22-5. This property is located at 510 Devil's Bottom Road (VSH 614).

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

### **CONSENSUS DOCKET**

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

A. Minutes for October 30, 2008

Recommendation: Approve minutes

B. Abstract of Votes – General Election – November 4, 2008

Recommendation: Accept Abstract of Votes as submitted

VOTE:	Peter N. Geilich	Aye
	Jack S. Russell	Aye
	B. Wally Beauchamp	Aye
	F. W. Jenkins, Jr.	Aye

Ernest W. Palin, Jr. Aye

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of November 2008 Salaries and Invoice Listings

Motion was made by Mr. Beauchamp to approve the Salaries for November 2008 in the amount of \$204,448.28 and Invoice Listings for November 2008 in the amount of \$532,398.39.

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

2. Statement of Investment Policy – Ms. Bonnie J. D. Haynie, County Treasurer, stated she has completed training for her certification and has submitted her application for certification consideration. One of the requirements is that the locality she serves has a statement of investment policy. This requirement also pertains for certification of her office that she is also pursuing. Even if this requirement did not exist, she believes an investment policy should be stated in writing so that there can be no misunderstanding on the part of those managing County finances. This policy would also be available to Lancaster County citizens to provide assurance that the invested principal of County funds would be protected to the maximum degree possible in these troubling times for public and private finances.

Ms. Haynie asked the Board of Supervisors to approve the Lancaster County Statement of Investment Policy as presented.

Mr. Jenkins made a motion to adopt the Lancaster County Statement of Investment Policy with the following amendments: 1) membership on the Investment Committee to consist of the two members of the Board of Supervisors Finance Committee and the County Treasurer; and 2) the frequency of reporting to be quarterly versus annually.

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

## **BOARD REPORTS**

### Appointments

Mr. Beauchamp made a motion to reappoint Donald Caskie to the Northern Neck Planning District Commission as an at-large representative for a four-year term beginning January 1, 2009 and ending December 31, 2012.

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

Mr. Beauchamp made a motion to reappoint Joseph Curry to the Northern Neck Planning District Commission as an at-large representative for a four-year term beginning January 1, 2009 and ending December 31, 2012.

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

**COUNTY ADMINISTRATOR**

Parks and Recreation Guidance Committee

Mr. Gill stated the Board of Supervisors recommended that the Planning Commission assemble a Parks and Recreation Guidance Committee. At their last regular meeting the Planning Commission appointed Tim Shrader, James Thomas, Sue Donaldson, Joe Smith, Cory Waddy, and Charles Brocklebank. Planning Commission member Thomas (“Ty”) Brent will chair the committee.

Personal Property Exemption Ordinance

Mr. Pennell stated the Commissioner of the Revenue brought to his attention the fact that the County does not have in place an ordinance required by State code if a locality intends to exempt certain personal property from taxation (i.e. bicycles, household furniture, piano, oil painting, diamonds, etc.). By consensus he would advertise such an ordinance and add it as a public hearing to the December 22, 2008 regular Board of Supervisors meeting.

By consensus of the Board of Supervisors the county administrator was authorized to advertise and docket a Personal Property Exemption Ordinance for the December 22, 2008 regular meeting.



Signatory on County Account

Mr. Pennell requested that the Board of Supervisors add Jack Larson, Assistant County Administrator, as a signatory on the County's financial account.

Mr. Jenkins made a motion to approve Jack D. Larson, Assistant County Administrator, as a signatory on the County's checking account.

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

**ADJOURNMENT**

Motion was made by Mr. Jenkins to adjourn the meeting.

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