

VIRGINIA:

A meeting of the Lancaster County Board of Supervisors was held in the courthouse of said county on Thursday, November 30, 2006.

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

Others

Present: Clifton Balderson and Robert Harper, Virginia Department of Transportation; Jack Larson, Planning/Land Use; Audrey Thomasson, Rappahannock Record; Starke Jett, Northumberland Echo

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

PUBLIC INPUT

Mike Fazzi stated that he has concerns about the 1000-gallon diesel spill at Irvington Marina on November 9, 2006. He said that the spill reached the Weems side of the Creek. He stated that no one from the Fire Department or Sheriff's Office respond to the site. He attempted to call the County and DEQ on November 10, 2006 but since it was a holiday no one answered. The DEQ did visit the site on November 27, 2006. Mr. Fazzi asked if a situation like this occurs again whom he should notify.

Mr. Pennell stated he has spoken to the Sheriff's Office concerning this matter. In the future the Sheriff's Office will call Mr. Beauchamp, Mr. Hudson or him if a problem

like this occurs again. Mr. Pennell also stated that his phone as well as Mr. Beauchamp's is in the phone book and citizens can call at anytime.

Mrs. Barbara Dietz stated her concerns were about the redevelopment of Windmill Point. She said that in the advertisement it did not mention the public being allowed to use the beach at the resort.

Mr. Jenkins stated that the public will be able to use the beach and it has not been overlooked.

Mr. Pennell stated that he will be meeting with the developers and he will make sure that he will relay her concerns.

PRESENTATION

1. Resolution Thanking Theresa W. Ransone- Mr. Jenkins stated that on September 30, 2006, Ms. Theresa W. Ransone served two full terms which is the maximum allowed as Lancaster County's Representative to Bay Aging. Mr. Jenkins thanked Mrs. Ransone for serving as a representative to Bay Agency Board of Directors.

Mrs. Ransone stated that she appreciates the opportunity to serve on the Board. She said that she will continue to help and she is still an At-Large Member on the Commonwealth Council.

Mr. Jenkins made a motion to adopt the following resolution in Gratitude to Theresa W. Ransone for serving two full terms as Lancaster County's Representative to Bay Agency Board of Directors:

IN GRATITUDE TO

THERESA W. RANSONE

WHEREAS, Lancaster County is always first or second in the Commonwealth for having the oldest average age of its citizens; and

WHEREAS, Theresa W. Ransone, in both her professional and volunteer life, has dedicated herself to the well-being of Lancaster County’s mature adult community; and

WHEREAS, Theresa W. Ransone has served commendably as Lancaster County’s representative to Bay Aging, the region’s area agency on aging; and

WHEREAS, Theresa’s six-year tenure on Bay Aging’s Board of Directors extended from October 1, 2000 through September 30, 2006, a total of the maximum statutorily allowed two full terms.

NOW THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors hereby commends Theresa W. Ransone for her exemplary service to Lancaster County’s aging community; and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors warmly thanks Theresa for her service and hopes she will consider similar positions in the future.

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

2. Middle Peninsula/Northern Neck Community Services Board - Mr. Jenkins welcomed Alice T. Coates who is the retiring Lancaster County Representative to the Middle Peninsula/Northern Neck Community Services Board. He thanked Mrs. Coates for her services.

Mrs. Coates stated that she has enjoyed working on the Board and she thanked the Supervisors for this opportunity. Mrs. Coates stated that she will continue to help in any way possible.

Mr. Jenkins made a motion to adopt the following resolution in Gratitude to Alice T. Coates for serving three full terms as Lancaster County's Representative to the Middle Peninsula/Northern Neck Community Services Board:

IN GRATITUDE TO

ALICE T. COATES

WHEREAS, all levels of government have the responsibility to care for the most vulnerable members of their society; and

WHEREAS, the Commonwealth of Virginia has established Mental Health, Mental Retardation and Substance Abuse services through local Community Services Boards; and

WHEREAS, Alice T. Coates has been the Lancaster County representative to the Middle Peninsula/Northern Neck Community Services Board; and

WHEREAS, Alice T. Coates has served commendably as Lancaster County's representative to the MP/NN CSB; and

WHEREAS, Alice served a three-term, nine-year tenure on the Middle Peninsula/Northern Neck Community Services Board of Directors from January 1, 1998 through December 31, 2006.

NOW THEREFORE BE IT RESOLVED, that the Lancaster County Board of Supervisors hereby commends Alice T. Coates for her exemplary service to Lancaster County's mental health, mental retardation and substance abuse community; and

BE IT FURTHER RESOLVED, that the Lancaster County Board of Supervisors warmly thanks Alice for her service and hopes she will consider similar positions in the future.

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

3. Northern Neck Soil and Water Conservation District - Mr. Pennell introduced Derwin Booker, Northern Neck SWCD Director from Lancaster County.

Mr. Booker thanked the Board for the opportunity to make his presentation. Mr. Booker introduced Craig Brann, Conservation Specialist who will update the Board on past eleven months of progress.

Mr. Brann stated that last year's funded BMP acres were 1,253 and this year it has increased to 2,238 acres. He said the funding is available to erect 3,030 linear feet of fencing to help restrain farm animals.

Mr. Booker asked for the Board's support on the position paper before the VASWCD Association to reinstate funding for the SEAS program, expanding the BMP program for shoreline and consider reinstating the funding to NNSWCD in the amount of \$ 2,500.00.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Balderson stated that the Taylor's Creek program is basically finished. The only thing remaining is to pave two areas of the road that connect near the church.

Mr. Balderson stated that the Blueberry Road speed limit signs will be erected this week.

Mr. Balderson stated the traffic study for Weems is almost complete.

Mr. Balderson stated that they are still working on the request for a traffic signal at the intersection of VSH 688/James Jones Memorial Highway and VSH 200/Irvington Road.

Mr. Balderson stated that general maintenance will be performed soon on the Robert O. Norris Bridge.

Mr. Geilich thanks Mr. Balderson for the work on VSH 695/Windmill Point Road.

PUBLIC HEARINGS

1. Application to Amend the Comprehensive Plan – Virginia Quality of Life- Mr. Larson presented an application by Virginia Quality of Life to Amend the Comprehensive Plan to allow the extension of Kilmarnock water and wastewater treatment lines to the Wiley Childcare and Development Center. This facility is

on property identified as Tax Map #28-110E which is on VSH 1036, Harris Road, near Kilmarnock, Virginia and is in Voting District 4.

Mr. Larson stated Planning Commission is forwarding this request recommending approval. Vote 6-0, 1 Abstention.

Mr. Larson stated that the purpose of this application is to provide municipal water and wastewater treatment hookups from the town of Kilmarnock for the Wiley Childcare and Development Center. As indicated in the minutes of the October 19, 2006 Planning Commission meeting, the application was supported by an adjoining property owner, other interested members of the public, and members of the Planning Commission. Advertising has been conducted as required by law and adjoining property owners (APOs) notified of this public hearing matter. To date there has been no input from adjoining property owners or interested members of the public.

Chairman Jenkins opened the public hearing.

Hearing no public comments, Chairman Jenkins closed the public hearing.

Mr. Russell made a motion to Approve the Application by Virginia Quality of Life to Amend the Comprehensive Plan to allow the extension of Kilmarnock water and wastewater treatment lines to the Wiley Childcare and Development Center. This facility is on property identified as Tax Map #28-110E which is on VSH 1036, Harris Road, near Kilmarnock, Virginia and is in Voting District 4.

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

2. Expansion of a Nonconforming Use – Donal Turkal/Sentry Associates - Mr. Larson presented a request by Sentry Associates to expand a nonconforming use, self-storage, by another 100 units on property described as Tax Map #34-404. This property is on VSH 3, Mary Ball Road, near White Stone, Virginia and is in Voting District 4. Staff recommends approval contingent on screening of all units.

Mr. Larson stated the conditional use, self-storage, approved on June 28, 1976 was for Tax Map #'s 34-403 and 34-404. As such, this request for expansion of the existing units on #34-403 to additional units on #34-404 can be made. The recommendation for approval of this request is based on what appears to be an unfilled need for these services and an opportunity to require screening for existing units in addition to those proposed. There is significant existing natural buffering that may be adequate to screen proposed storage units. However, the proposed screening on the front of the existing units should be wrapped around the property to provide total screening from VSH 3. Advertising as required by law has been conducted and adjoining property owners notified. To date there has been no input from adjoining property owners or other interested members of the public concerning this request.

Mr. Russell asked what type of screening would be required.

Mr. Larson stated mostly it would be Leyland Cyprus because of their quick growth rate. The new units will not be able to be seen since they will be constructed behind the old units. He stated that he suggested screening in the front and the edges of the property lines.

Mr. Geilich stated that on the plat given to the Board there is a label for an office and actually there is an office with living quarters for the supervisor of the

units. He also suggested that some attention be given to the sign in front of the units.

Mr. Turkal stated that the sign is being redone.

Mr. Russell stated that he does not understand the great need for storage.

Mr. Turkal stated that people need space to store stuff and the need for more units is needed at this time.

Chairman Jenkins opened the public hearing.

Hearing no public comments, Chairman Jenkins closed the public hearing.

Mr. Russell made a motion to Approve a Request by Sentry Associates to expand a nonconforming use, self-storage, by another 100 units on property described as Tax Map #34-404. This property is on VSH 3, Mary Ball Road, near White Stone, Virginia and is in Voting District 4.

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

CONSENSUS DOCKET

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

A. Minutes for October 26, 2006

Recommendation: Approve the minutes as submitted.

B. Abstract of Votes – General Election – November 7, 2006

Recommendation: Adopt the Abstract as submitted.

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

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of November 2006 Salaries and Invoice Listings

Motion was made by Mr. Geilich to approve the Salaries for November 2006 in the amount of \$179,230.33 and Invoice Listings for November in the amount of \$ 495,892.85.

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

2. Additional Funding – Virginia Department of Health - Mr. Pennell stated that he has provided the Board members a copy of letter from Tom Bernard, Administrator, and Three Rivers Health District. In this letter, Mr. Bernard is

soliciting an additional \$4,948.00 from the Lancaster Board of Supervisors to fund fiscal year 2006 Health Department operations in Lancaster County.

Mr. Bernard stated he was the new administrator for Three River Health District. He said the Board earlier this year Lancaster County allocated \$183,685 to the local health department for fiscal year 2006-07. This number was based on his best estimate of what state funding levels would be. The health department had to estimate those funds and as a result of an increase in state funding, Lancaster County allocation needs to be increased \$ 4,948.00 to support local Health Department operations.

Mr. Geilich stated that he was confused about some of the content of the letter.

Mr. Bernard stated that he could understand how confusing this can be. The Health Department's Budget is comprised of state funding and county funding. The amount of the State's contribution determines the County's contribution. The health department in early spring has to provide the State with its budget requests. The State determined that more money was needed from the county in order to receive the funding from the state, the county needs to provide more funding.

Mr. Russell asked if in order for the health department to receive funding from the state, the county needs to provide \$4,948.00 in additional funding.

Mr. Bernard stated that is correct.

Mr. Jenkins asked what the citizens of Lancaster County would get for this additional funding.

Mr. Bernard it is difficult to pinpoint a certain area where the funding would be used.

Mr. Jenkins asked so is it possible that none of the additional money would be used in Lancaster County.

Mr. Bernard stated that all the money would be used in Lancaster County.

Mr. Russell made a motion to Approve a Request by Tom Bernard, Administrator for Three River Health, for an additional \$4,948.00 from the Lancaster County Board of Supervisors to fund fiscal year 2006 Health Department operations in Lancaster County.

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

3. Expansion of a Nonconforming Use – Donahue Properties LLC – Mr. Larson stated that Mr. Donahue asked to withdraw his request.
4. Town of Kilmarnock – Boundary Line Adjustment - Mr. Pennell stated that the Lancaster county Board of Supervisors has had regular communication with the Kilmarnock Town Council over the past several months regarding the boundary line adjustment between the town and county.

Mr. Pennell stated that he provided all the Board members the proposed boundary line adjustment between Lancaster County and the Town of Kilmarnock includes the specifics of the joint Board/Council meeting on October 5, 2006. The

current proposal, approved by the Town Council, takes in just enough land around the Kilmarnock Wastewater Treatment Plant to bring the facility into the Town of Kilmarnock. In addition, the part of the boundary line adjustment from old Oakwood Fitness Center to Irvington Road extends 400' deep along that side of Harris Road instead of the 200' originally proposed. He has discussed this most recent proposal with Mr. and Mrs. Warren Sellew, who are satisfied that their concerns have been addressed. They no longer oppose the boundary line adjustment as it appears in the Board's package.

Mr. Beauchamp stated personally he would like to see of four corners of Harris Road and Irvington Road to be included in the Boundary Line Adjustment.

Mr. Jenkins asked if we can include this addition into tonight's motion.

Mr. Pennell explained that the board cannot add anything more to the Boundary Line Adjustment but could decrease it. At the meeting the board need to decide on what is before them this evening. At a later date it can decide on additional areas.

Mr. Beauchamp made a motion to Approve the Boundary Line Adjustment as presented and to continue to look at the possibility of the addition as discussed tonight.

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

BOARD REPORTS

Mr. Jenkins stated that on December 31, 2006 Alice Coates’ statutorily limited term, as Lancaster County’s representative to the Community Serve Board of Directors will expire. Mr. Jenkins suggested that the Board of Supervisors consider the appointment of Mr. James W. Philbrick whose name was suggested by Mr. Chuck Walsh, Executive Director of the Community Services Board.

Mr. Geilich made a motion to appoint Mr. James W. Philbrick to serve as Lancaster County’s representative to the Middle-Peninsula Northern Neck Community Services Board of Directors.

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

COUNTY ADMINISTRATOR REPORT

Mr. Pennell stated he would like to have a consensus with the Board of Supervisors to conduct the Organizational Meeting immediately after the adjournment of the December Board of Supervisors meeting.

By consensus of the board, they would conduct the Organizational Meeting immediately following the December meeting of the Board of Supervisors.

Mr. Pennell stated if any board member would like to participate in a VACO Steering Committee he has applications available.

Mr. Pennell stated that the January meeting of the Planning District Commission is always held in Lancaster County. They need a place to meet and they are trying to hold the meeting at the Tides Inn. The Tides Inn might be closed in January therefore the new owner of the Upper Deck Restaurant has expressed interest in hosting the meeting. Mr. Pennell stated he does not need a motion just a consensus of the Board Members.

By consensus of the board, consider the Upper Deck Restaurant as an alternate.

Mr. Pennell stated that he and Mr. Larson received a letter from DEQ and they are getting ready to take action on the Fisher Pit. The DEQ has served the Fishers notice to comply.

Mr. Pennell stated that on January 4, 2007, the Annual “Dutch Treat” Legislative Dinner that Essex County host each year will be held at Lowery Seafood Restaurant. Mr. Pennell asked if any board members that would like to attend please let me know.

ADJOURNMENT

Motion was made by Mr. Beauchamp to adjourn.

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