

**VIRGINIA:**

An Organizational Meeting of the Lancaster County Board of Supervisors was held in the Board/Commission Meeting Room of said county on Thursday, January 11, 2018.

Members Present: William R. Lee, Chair  
Ernest W. Palin, Jr., Vice Chair  
Jason D. Bellows, Board Member  
Jack D. Larson, Board Member  
Robert S. Westbrook, Board Member

Staff Present: Frank A. Pleva, County Administrator  
Don G. Gill, Assistant County Administrator and  
Planning/Land Use Director  
Crystal Whay, Building/Land Use Assistant

Mr. Pleva called the 2018 Organizational Meeting to order at 6:00 p.m. He welcomed Dr. Westbrook and Colonel Larson as the new members of the Board.

**ELECTION OF OFFICERS**

Mr. Pleva opened the nominations for the election of the 2018 Chairman of the Board of Supervisors.

Mr. Palin nominated Mr. Lee to serve as Chairman.

Dr. Westbrook nominated Mr. Bellows to serve as Chairman.

There were no other nominations.

Mr. Pleva closed the nominations and asked for a vote on Mr. Lee continuing to serve as Chairman of the Board of Supervisors.

VOTE:	William R. Lee	Aye
	Ernest. W. Palin, Jr.	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye

Robert S. Westbrook                      Nay

Mr. Lee was elected Chairman for calendar year 2018.

Mr. Lee thanked the Board for its vote of confidence.

**Vice-Chairman** – Mr. Larson nominated Mr. Bellows to serve as Vice-Chairman of the Board of Supervisors for calendar year 2018.

There were no other nominations.

Mr. Lee made a motion to close nominations and elect Mr. Bellows to serve as Vice-Chairman of the Board of Supervisors for 2018.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

Mr. Bellows was elected Vice-Chairman for calendar year 2018.

Mr. Bellows thanked the Board for its vote of confidence.

### **MEETING DATES**

Mr. Palin made a motion to designate the following dates for the meetings of the Board of Supervisors in calendar year 2018. Each meeting will be held at 7:00 p.m. in the Board/Commission Meeting Room, 8311 Mary Ball Road, Lancaster, Virginia.

January 25	April 26	July 26	October 25
February 22	May 31	August 30	November 15
March 29	June 28	September 27	December 13

Prior to the aforementioned regular meeting time, the Board of Supervisors shall meet at 6:15 p.m. in the County Administrator's Office at 8311 Mary Ball Road in the Administrative Building to review and, if necessary, modify the tentative agenda for the regular meeting. This meeting shall be open to the public, except for those

portions that may be lawfully closed in conformance with the Virginia Freedom of Information Act.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

### **COMMITTEE APPOINTMENTS**

**Planning Commission** – Mr. Bellows nominated Mr. Lee to continue to serve as Board Representative to the Planning Commission.

There were no other nominations.

Mr. Bellows made a motion to elect Mr. Lee to continue to serve as Board Representative to the Planning Commission.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

**Northern Neck Planning District Commission** – Mr. Lee nominated Mr. Bellows and Mr. Palin to serve on the Northern Neck Planning District Commission.

Mr. Pleva stated that one member would need to be designated to serve on the Executive Committee.

Mr. Bellows stated that he would like to serve on the Executive Committee.

Dr. Westbrook nominated Mr. Bellows and himself to serve on the Northern Neck Planning District Commission. He stated that he would like to take Mr. Beauchamp's place.

There were no other nominations.

Mr. Lee called a roll call vote for the nomination of Mr. Bellows and Mr. Palin to serve jointly on the Northern Neck Planning District Commission.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Nay

Mr. Palin and Mr. Bellows were elected to serve on the Northern Neck Planning District Commission for calendar year 2018, with Mr. Bellows serving on the Executive Committee.

**Social Services Board** – Mr. Palin nominated himself to continue to serve on the Social Services Board.

There were no other nominations.

Mr. Lee made a motion to elect Mr. Palin to serve on the Social Services Board for calendar year 2018.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

Mr. Palin was elected to serve on the Social Services Board for calendar year 2018.

**Emergency Services Director** – Mr. Bellows nominated Dr. Westbrook for the Emergency Services Director position.

Mr. Palin nominated Mr. Lee for the position.

There were no other nominations.

Mr. Lee called for a vote for Dr. Westbrook being named the Emergency Services Director for calendar year 2018.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Nay
	Robert S. Westbrook	Aye

Dr. Westbrook was elected to serve as Emergency Services Director for the calendar year 2018.

**Historic Resources Commission** – Mr. Lee nominated Dr. Westbrook to serve on the Historic Resources Commission.

There were no other nominations.

Mr. Lee made a motion to elect Dr. Westbrook to serve on the Historic Resources Commission.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

Dr. Westbrook was elected to serve on the Historic Resources Commission for calendar year 2018.

**VACo Representative/Legislative Contact** – Mr. Palin nominated Mr. Bellows to serve as the VACo Representative/Legislative Contact.

There were no other nominations.

Mr. Palin made a motion to elect Mr. Bellows as the VACo Representative and Legislative Contact.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

Mr. Bellows was elected to serve as the VACo Representative/Legislative Contact for calendar year 2018.

**Finance Steering Committee** – Mr. Lee stated that the Chairman is designated as one member of this committee. He nominated Mr. Larson for the other position on the Finance Steering Committee.

There were no other nominations.

Mr. Lee made the motion to elect Mr. Larson to serve on the Finance Steering Committee.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

Mr. Larson was elected to serve on the Finance Steering Committee, along with Chairman Lee for calendar year 2018.

**Rappahannock River Basin Commission** – Mr. Palin nominated Mr. Bellows to continue to serve on the Rappahannock River Basin Commission.

There were no other nominations.

Mr. Palin made a motion to elect Mr. Bellows to continue to serve on the Rappahannock River Basin Commission.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye

Jack D. Larson	Aye
Ernest W. Palin, Jr.	Aye
Robert S. Westbrook	Aye

Mr. Bellows was elected to serve on the Rappahannock River Basin Commission for the calendar year 2018.

**Northern Neck-Chesapeake Bay Regional Partnership** – Mr. Bellows nominated Dr. Westbrook for a position on the Northern Neck-Chesapeake Bay Regional Partnership.

Mr. Lee nominated Mr. Palin for the other position.

Mr. Lee made a motion to elect Dr. Westbrook and Mr. Palin to serve as Board Representatives to the Northern Neck-Chesapeake Bay Regional Partnership for the calendar year 2018. He stated that the motion also included the election of Wally Beauchamp as a citizen member to replace Joe Curry.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

Dr. Westbrook and Mr. Palin were elected to serve as Board Representatives to the Northern-Neck Chesapeake Bay Regional Partnership for the calendar year 2018. Mr. Beauchamp will serve as a citizen member.

**Bay Consortium Workforce Development Board** – Mr. Pleva stated that Ken Knull had been a member of this Board for awhile and suggested that the Board of Supervisors reappoint him.

Dr. Westbrook stated, that after reading the email and speaking to Katlyn Moss, Administrative Assistant for the Bay Consortium Workforce Development Board, it was their desire to have the Chairman be a member.

Mr. Pleva stated that Mr. Parker had attended a recent meeting and it was stated that they would like the chief elected official with an alternate to make up the membership.

Steve Parker, School Superintendent for Lancaster Public Schools, stated that he was willing to serve as an alternate since the by-laws suggest someone from the school or other government division.

Mr. Lee asked if anyone had spoken to Mr. Knull.

Mr. Pleva replied not recently.

Dr. Westbrook made a motion to appoint Chairman Lee to serve on the Bay Consortium Workforce Development Board with Steve Parker to serve as the alternate member.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

Chairman Lee was elected to serve on the Bay Consortium Workforce Development Board and Steve Parker will serve as the alternate.

### **BY-LAWS AND RULES OF ORDER**

Mr. Bellows made a motion to adopt the by-laws and rules of order, as follows:

### **BY-LAWS AND RULES OF ORDER**

### **OF THE**

### **BOARD OF SUPERVISORS OF LANCASTER COUNTY, VIRGINIA**

1. By Laws and Rules of Order. In order to provide for the ease and manner in which the meetings of the Board of Supervisors of Lancaster County, Virginia, are conducted, the following by-laws and rules for internal organization and procedure are adopted. Reference is made to the Constitution of Virginia (1971), the Code of Virginia, 1950, as amended, and the Opinions of the Attorney General as they may apply. In matters of procedure not covered, the latest edition of Robert's Rules of Order shall apply.

The by-laws and rules of order of this Board may be amended by a majority vote of the Board and shall be adopted and re-adopted at the organizational meeting of the Board annually.

2. Resolutions and Ordinances. The business and powers of the Board shall be exercised through resolutions and ordinances duly adopted by the Board in compliance with the provisions of the statutes of the Commonwealth of Virginia and paragraph 7 of these By-Laws and Rules of Order.

Resolutions, or orders, shall be used for all county business that is essentially administrative, including internal or housekeeping matters and temporary concerns of the Board. Resolutions shall not be required to meet any strict standards as to their form and content, but they shall be clear enough to establish the intent of the Board. In most cases a public hearing shall not be required prior to the adoption of a resolution. Ordinances, which are more formal enactments than resolutions, shall be used for most governmental or legislative matters that control the lives, liberties or property of citizens, that have a permanent effect, or that deal with subjects of county-wide concern.

The procedure for enacting an ordinance shall require compliance with strict statutory rules. Descriptive notice of the Board's intention to propose an ordinance shall be published once a week for two successive weeks prior to passage. Emergency ordinances may be adopted without notice, but they may not be enforced for more than 60 days unless re-adopted in the manner required by law. Land use controls and certain tax ordinances shall be subject to more stringent procedural requirements than other ordinances.

3. Chairman and Duties. A chairman and vice-chairman of the Board shall be elected by the affirmative majority vote of the Board at the annual organizational meeting of the Board. Their term shall be for one year or until a successor is elected. It shall be the duty of the chairman to preside over all meetings of the Board and to discharge any other duties as become necessary and are permitted. The vice-chairman shall act in the absence or disability of the chairman. The chairman shall be authorized to administer oaths to persons concerning any matters submitted to the Board or connected with its powers and duties. The chairman and/or the vice-chairman are permitted to make motions at their discretion. The chairman may sign all orders issued by the Board, but the Board assigns this duty to the County Administrator. The chairman, or the county administrator as designated, shall sign the records of proceedings of the Board's meetings and the monthly list of salaries/invoices.

4. Meetings. The Board shall hold a regular meeting at least monthly on a day and at a time to be set at the annual organizational meeting. The regular meeting of the Board may be adjourned from day to day, from time to time and from place to place, but not beyond the date set for the next regular meeting, until all business is completed. The regular meetings of the Board shall be held at the County Administrative Building in Lancaster. If the Board finds it necessary to hold a regular meeting at a time or public place different from the County Administrative Building, such new time and place may be designated by duly passed resolution posted on the door of the County Administrative Building and advertised in a newspaper having general circulation in the County once a week for two successive weeks before such meeting.

Special meetings of the Board may be called by the Chairman or requested by two or more of the members of the board of supervisors. The call or request shall be made to the county administrator (clerk of the board) and shall specify the matters to be considered at the meeting. Upon receipt of such call or request, the county administrator, after consultation with the chairman of the board, shall immediately notify each member of the board of supervisors and the county attorney in writing delivered in person or to his place of residence or business to attend such meeting at the time and place stated in the notice. Such notice shall specify the matters to be considered at the meeting. No matter not specified in the notice shall be considered at such

meeting, unless all members are present. The notice may be waived if all members of the board of supervisors attend the special meeting or sign a waiver (§15.2-1418).

5. Open Meetings. All meetings of the Board shall be held pursuant to the provisions of the Virginia Freedom of Information Act, which provides explicit directions for holding open meetings. An "open meeting" or "public meeting" means a meeting at which the public may be present to observe the operations of government.

6. Closed Meetings. A "closed meeting" means a meeting from which the public is excluded. A closed meeting of the Board may be held only for those purposes specifically provided by law, as follows or as specifically provided for in the Code of Virginia (1950), as amended:

(1) Discussion or consideration of specific personnel cases, that is, of the employment, appointment, disciplining, performance, salary, dismissal or other related matters of particular governmental officials or employees of the public body;

(2) Discussion or consideration of the condition, acquisition, or use of real property for public purpose, or the disposition of publicly held property;

(3) The protection of the privacy of individuals and personnel matters not related to public business;

(4) Discussion concerning the prospective location of a business or industry prior to any announcement of its interest in locating in the community;

(5) Consideration of the investment of public funds when publicity might adversely affect the financial interest of the governmental unit involved;

(6) Consultation, with or without legal counsel and staff, with respect to actual or potential litigation or other legal matters in the public body's jurisdiction;

(7) Discussion or consideration of tests or examinations used by a public body to evaluate employee qualifications or aptitude for employment, retention, or promotion and evaluate qualifications for any license or certificate issued by the public body.

The substantive and procedural requirements established for closed meetings shall be strictly observed. Prior to each closed meeting, the Board of Supervisors shall vote in open meeting to hold a closed meeting. That vote, as well as a statement specifying precisely the statutory basis for the closed meeting, shall be recorded in the minutes of the open meeting. When in a closed meeting, the Board may consider only those specified matters. For any action agreed to in an executive session to become effective, the Board of Supervisors shall reconvene in an open meeting and take a vote of its membership on the particular action, the substance of which must be reasonably identified in the open meeting.

7. Quorum and Method of Voting. A majority of the members of the Board constitutes a quorum. Unless a greater requirement exists pursuant to the statutes of the Commonwealth, all questions submitted to the Board for decision shall be determined by a majority of the supervisors voting on a question by voice vote or by other method which sufficiently identifies the matter upon which a vote is being taken. Individual votes of the Board members shall be recorded. A motion by a member of the Board shall not require a second. Abstention from voting shall not constitute a negative vote. The

vote of a member of the Board shall become final once the decision of the question has been finally and conclusively pronounced by the chairman and cannot be changed except after adoption of a motion to reconsider the action. If one or more members of the Board is disqualified from voting under the provisions of the Virginia Conflict of Interest Act, leaving less than the number of Supervisors required for action, the remaining member or members may act by majority vote. A tie vote shall defeat the motion, resolution or issue voted upon.

8. Records. Minutes shall be taken of all actions taken during meetings of the Board of Supervisors, except during closed meetings, and shall be recorded in bound volumes. These minutes shall include a description of the issue being considered by the Board of Supervisors, any motion made regarding the issue and a record of the vote of each member of the Board of Supervisors. Incomplete volumes shall remain in the County Administrator's office; completed volumes shall be filed in the record room of the Clerk of the Circuit Court. Copies of the minutes shall be available to the public, at the normal charge for copying, after the minutes have been approved by the Board and signed by the County Administrator. The books, records and accounts of the Board of Supervisors, except those excluded by the Virginia Freedom of Information Act, shall be open to the examination of all persons and at all reasonable times.

9. Order of Business and Agenda. The order of business at all regular meetings shall be as follows unless changed by Board action:

1. Call to order
2. Public Input Session
3. Presentations
4. Public Hearings
5. Consensus Docket
6. Consideration Docket
7. Board Reports
8. County Administrator Report
9. Closed Meetings
10. Adjournment

A detailed agenda shall be distributed in advance of each regular meeting to the members of the Board. This shall include the minutes, salaries/expenditures and correspondence/reports for reading and review in advance of the meeting in an effort to conserve time during the meeting. A copy of the agenda shall be made available in the County Administrator's office for examination by the public and a copy shall be delivered to the local newspaper for publication whenever possible.

10. The Right to Require Information. The Board of Supervisors shall have the right to require monthly financial reports from any officer or office of the County or district thereof, may investigate bills and receipts thereof and may, for these purposes, require the production of books, papers and other evidence. For the purpose of preparing and approving the County's annual budget, the Board of Supervisors may require the heads, or other responsible representatives, of all offices, departments, divisions, boards, commissions, agencies and all other recipients of County funds or appropriations to furnish financial reports and such other information as may be deemed necessary and in such form as may be required in relation to their affairs and activities.

The Board may subpoena witnesses and administer oaths for the purpose of acquiring information for making financial decisions in line with its function and duties as the governing body.

11. County Administrator. The Board of Supervisors shall appoint an executive secretary, who shall be designated County Administrator and such appointment shall be evidenced by a resolution. The County Administrator shall not be appointed for a definite tenure, but shall be removable at the pleasure of the Board.

The County Administrator shall be the clerk to the Board and his/her duties shall be those as prescribed by law.

12. Legal Counsel. The Board of Supervisors may create the office of County Attorney and appoint an attorney to handle its legal affairs. The County Attorney shall serve at the pleasure of the Board and his/her salary shall be set by the Board.

His/her responsibility shall be in matters including but not limited to the following:

(1) Advising and representing the Board of Supervisors and its boards, departments, agencies, officials and employees.

(2) Drafting and preparing county ordinances, contracts and agreements.

(3) Defending or bringing actions in which the County or any of its boards, departments, agencies, officials, or employees is a party.

(4) Prosecuting violations of orders of the Board of Supervisors, resolutions or ordinances. In addition the Board may employ separate counsel when it deems it necessary in any suit against the County, in matters concerning County property, in collection of delinquent taxes, as well as in other matters concerning the County's interests.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

**CLOSED MEETING**

Motion was made by Mr. Bellows to enter into closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act. The subject matter to be discussed in closed meeting is Real Property, § 2.2-3711.A.3 of the Code of Virginia, 1950, *as amended*. The subject and purpose falls within the following exemption under § 2.2-3711.A.3 (for the discussion and consideration of the acquisition of real property for a public purpose (proposed school capital project), where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body.)

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

**RECONVENE**

Motion was made by Mr. Lee to reconvene the open meeting.

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

**CERTIFICATION**

**WHEREAS**, the Lancaster County Board of Supervisors convened in a closed meeting on January 11, 2018 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Real Property, § 2.2-3711.A.3 of the Virginia Freedom of Information Act;

**WHEREAS**, § 2.2-3712 of the Code of Virginia requires a certification by the board of supervisors that such closed meeting was conducted in conformity with Virginia law;

**NOW, THEREFORE BE IT RESOLVED** that the Lancaster County Board of Supervisors hereby certifies that, to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Motion was made by Mr. Palin to certify the closed meeting.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number 1 and number 2 above? If so, identify yourself and state the substance of the matter and why in your judgment it was a departure. There was no comment.

Hearing no further comment, Mr. Lee called the question. A roll call vote was taken:

**ROLL CALL**

VOTE:	William R. Lee	Aye
	Jason D. Bellows	Aye
	Jack D. Larson	Aye
	Ernest W. Palin, Jr.	Aye
	Robert S. Westbrook	Aye

This certification resolution is adopted.

No action taken on the closed meeting matters.

**ADJOURNMENT**

Motion was made by Mr. Bellows to adjourn.

VOTE:	William R. Lee	Aye
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Jason D. Bellows	Aye
Jack D. Larson	Aye
Ernest W. Palin, Jr.	Aye
Robert S. Westbrook	Aye