

**VIRGINIA:**

A meeting of the Lancaster County Board of Supervisors was held in the Administrative Building Board/Commission Meeting Room of said county on Thursday, July 30, 2015.

- Members Present: Jason D. Bellows, Chair  
Ernest W. Palin, Jr., Vice Chair  
F. W. Jenkins, Jr., Board Member  
William R. Lee, Board Member  
B. Wally Beauchamp, Board Member
- Staff Present: Frank A. Pleva, County Administrator  
Don G. Gill, Planning and Land Use Director  
Crystal Whay, Building/Land Use Secretary

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

**PRESENTATION**

1. Lancaster High School Varsity Baseball Team Resolution

Mr. Bellows read the resolution and the team members and coaches came up to be recognized.

**Recognizing the 2015 Lancaster High School Varsity Baseball Team**

**Whereas**, the 2015 Lancaster High School Varsity Baseball Team consisted of players: **Matthew Abbott, Jay Bryant, Jamie Coates, Jordan Hodges, Noah Hook, Spencer Hook, Grant Long, Dari'k Reed, James Robertson, Dylan Rose, Jonathan Seal, Brandon Self, Dominique Taylor, Daniel Thomas, Kyle Thomas and Taylor Woolard**, with **Coaches Welby Saunders, Scotty George and William Saunders** and **Team Manager Ryan Cammarata**; and

**Whereas**, the 2015 Lancaster High School Varsity Baseball Team finished second in the Conference 43 Regular Season and Tournament, qualifying for the Region 1A East Tournament, ultimately winning the Region 1A East Tournament, qualifying for the Virginia High School League Division 1A State Tournament; and

**Whereas**, the 2015 Lancaster High School Varsity Baseball Team advanced to the Virginia High School League Division 1A State Championship Game and finished as State Runners-Up ending the season with a 20-win and 8-loss record; and

**Whereas**, the 2015 Lancaster High School Varsity Baseball Team earned Coaches Welby Saunders and Scotty George the 100th overall victory of their nine-year coaching career at Lancaster High School; and

**Whereas**, this being the fifth time in school history, and the fourth time in the last nine years, that a Lancaster High School Baseball Team made it to the State Tournament, the 2015 Lancaster High School Varsity Baseball Team was the first to advance to the State Championship Game as well as record a 20-win season;

**Now, Therefore Be It Resolved**, that the Board of Supervisors of Lancaster County hereby recognizes the exemplary dedication and determination of, and expresses its admiration to, the 2015 Lancaster High School Varsity Baseball Team for the laudatory accomplishments attained this season culminating as the Virginia High School League Division 1A State Runners-Up; and

**Be It Finally Resolved**, that a copy of this resolution expressing the sense of the Board of Supervisors of Lancaster County on this matter be conveyed to the Lancaster County School Board, the Lancaster High School Athletic Director and be spread upon the meeting minutes of said Board of Supervisors.

Mr. Jenkins made a motion to adopt the resolution.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	William R. Lee	Aye
	B. Wally Beauchamp	Aye

## **PUBLIC INPUT**

Mr. Bruce Sanders, an Irvington resident, stated that he wanted to thank the Board for the removal of the boat tax on larger boats and wanted to give an update on what has happened recently. He stated that there had been a recent marina meeting, in which they

developed a marketing plan due to the change in the tax on boats. He stated that Sonny Thomas was in attendance at the meeting and had spoken about the difficulties in classifying the boats. He stated that originally they had thought the documented boats would be the determining factor in who qualified for the tax break, but it turned out to be more complicated than that.

Mr. Sanders stated that he has already realized more business since the Board's decision and he thought it was going to work. He stated that other marina owners had picked up more business as well. He stated that they are not done yet and would like to see the boat tax at zero for all boats.

Mr. Palin thanked Mr. Sanders for his update.

Mr. Clay Holcomb, owner of the Chesapeake Boat Basin, stated that the Board's decision on the boat tax was a step in the right direction of revitalizing the working waterfront in Lancaster County, however he did not feel like they were there yet and that the tax should be zero for all boats. He stated that having no tax on just the larger boats could be seen as a tax break for the rich, it is harder to advertise and does not give as much benefit to the local marinas.

Mr. Holcomb stated that his company had sent out an email blast concerning the change in the boat tax and the response has been positive. He stated that while his business does service larger vessels, their primary focus is on boats thirty-five feet and under, so the tax rate at the present time will not translate into any new jobs at his business. He stated that smaller boats can have large values as well because of their features and technology. He stated he has heard from many boat owners who feel discriminated against because of the five ton weight criteria for the tax break.

Mr. George Bott, a District 1 citizen, stated that he attended the VMRC hearing concerning the Dominion Virginia Power application for transmission lines across the Rappahannock River. He stated that he was disheartened by the VMRC decision and it will take a lot of political clout to turn it around. He stated that the line across the Rappahannock is a secondary line and the County's main power line comes down from Fredericksburg. He stated that he understood that the power had been off on the bridge for most of the year while it was being painted.

Mr. Bott referred to the boat tax and stated that he would like to see the tax on all boats reduced to zero. He referred to the ordinance and stated that it sets up inequities. He referred to the issue of weight and stated that not all manufacturers provide the displaced weight and it leaves a lot of gray areas. He stated that the two rates make it unclear for boat owners and that the cost to add all remaining boats to the zero category would be \$245,000.

Mr. Charlie Costello, a District 2 citizen, referred to the proposed transmission line on the Rappahannock River Bridge and stated that the lines need to be underwater.

Mr. Costello referred to the boat tax and stated that the way the new ordinance reads, he benefits, but he did not think he should. He stated that non boat owner taxpayers will eventually pick up the bill and have been forgotten, so he would still pay his boat tax. He presented his check to the Board.

Mr. Carl Smith, who stated he was the President of the Dymer Creek Environmental Preservation Association, showed a computer generated picture of the proposed Norris Bridge transmission line. He stated that Dominion Virginia Power is proposing a grotesque structure to run along the side of the bridge which should be offensive to every Virginian. He stated that it does not belong on the Rappahannock River and wanted to see the VMRC decision appealed.

Mr. Palin referred to the boat tax issue and stated that he had listened to both sides before the public hearing and had thought the five ton criteria was a compromise, so that was why he voted the way he had. He stated that, had he known that people would be coming back the next month and saying they were not satisfied with the decision, he would have voted against any reduction at all. He stated that he voted that way to grow the industry and not to relieve the boat owners of their taxes. He thanked Mr. Costello for paying his boat tax.

## **PRESENTATION**

### **Belle Isle State Park Update**

Mr. Tim Shrader, Belle Isle State Park Ranger, stated that Belle Isle offers education, resource protection, employment and hospitality. He stated that the land was purchased in 1993 and narrated a powerpoint presentation of the development of the park. He spoke about the many activities that are provided by the park, such as camping, fishing, biking, boating, hiking, educational programs and rentals.

Mr. Shrader was thanked by the Board for his service. He is leaving Belle Isle because of an employment promotion.

## **VIRGINIA DEPARTMENT OF TRANSPORTATION**

Mr. David Brown, the VDOT Northern Neck Residency Administrator, stated that VDOT has been mowing and cutting back vegetation in the area with road resurfacing to begin in the next couple of weeks and the County will receive that schedule when it is finalized.

Mr. Lee stated that there was a pothole near the Lancaster Community Library's entrance on School Street in Kilmarnock that needed attention.

Mr. Jenkins referred to the old clerk's office and stated that the drainage issue still needed to be addressed. He stated that the contractor should be starting renovations on that building in August.

**PUBLIC HEARING**

None.

**CONSENSUS DOCKET**

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

1. Minutes for June 18<sup>th</sup> Budget and Tax Levy Public Hearings and June 25<sup>th</sup> Regular Meeting

Recommendation: Approve minutes as submitted

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	William R. Lee	Aye
	B. Wally Beauchamp	Aye

**CONSIDERATION DOCKET**

The Board considered the following items on its Consideration Docket:

1. Approval of July 2015 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for July 2015 in the amount of \$280,187.81 and invoice listings for July 2015 in the amount of \$1,257,923.23\*.

- \*Capital Improvements - \$200,474.06
- \*Greentown/Gaskins Project - \$30,024.60
- \*Loan Interest - \$83,793.99

VOTE:	Jason D. Bellows	Aye
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Ernest W. Palin, Jr.	Aye
F. W. Jenkins, Jr.	Aye
William R. Lee	Aye
B. Wally Beauchamp	Aye

2. Revenue Anticipation Note Request

Mrs. Bonnie Haynie, County Treasurer, stated that after the next day's expenditures, they will have approximately \$3.5 million in savings and that will get them through August and September. She stated that the tax bills are due out in October and some funds will be coming in, but she does not want to play it that close. She stated that this year's request at \$1.5 million is a smaller request than last year.

Mr. Jenkins asked how the greater amount of "carry-over" affected the request.

Mrs. Haynie replied that it would mean there would be more money in the bank as of June 30<sup>th</sup>. She stated that they would be cutting it very close without the revenue anticipation note.

Mr. Pleva stated that it was more of an insurance policy.

Mr. Beauchamp made a motion to Approve the Revenue Anticipation Note Request.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	William R. Lee	Aye
	B. Wally Beauchamp	Aye

3. Sheriff's Office Roof Replacement Bid Award

Mr. Pleva stated that two bids had been received in response to the invitation to bid on the Sheriff's office roof replacement. He stated that the lowest bidder was Martin Roofing Company with a base bid of \$22,223 plus a unit cost of \$45.00 per sheet of

wood replaced, if needed. He stated that the capital improvements plan had budgeted \$25,760 for this project and the funding was included in the lease bond issue last fall.

Mr. Pleva stated that the staff recommends awarding the bid and contract to replace the existing shingle roof and associated work to Martin Roofing Company, LLC in the base contract amount of \$22,223 plus a unit cost of \$45.00 per sheet of wood replaced, if needed and authorize the county administrator to execute a contract on the Board's behalf.

Mr. Jenkins made a motion to Accept the Bid from Martin Roofing Company, LLC.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	William R. Lee	Aye
	B. Wally Beauchamp	Aye

## **BOARD REPORTS**

Mr. Bellows stated that he attended the VMRC hearing on the Dominion Virginia Power issue and there is huge opposition against it. He stated that those lines should be put underwater and there will be discussion in the upcoming closed meeting.

Mr. Bellows stated that he would support an appeal of the VMRC decision and thought they should fight the overhead lines because it is not in keeping with Lancaster County's rural character.

Mr. Bellows referred to the boat tax issue and stated that he thought the tax should be eliminated on all boats. He stated that he thought the County was looking good financially and he did not think it was fair to separate the boat tax into two categories. He stated that would make it simpler for the Commissioner of Revenue's office and it would be easier for businesses to advertise. He suggested readvertising the issue.

Mr. Palin stated that a boat is not a necessity, it is a luxury. He stated that the average taxpayer will eventually bear the tax burden that has been taken off of the boat owners. He stated that it does not take long to go through a five million dollar surplus, especially looking at long term needs, such as if the County has to go to an all paid rescue staff. He stated that if the boat tax issue is revisited, he would not agree with eliminating

it altogether. He stated that it was not right for boat owners not to have to pay their taxes and put it on the backs of taxpayers who are not boat owners.

Mr. Beauchamp stated that they had overlooked the commercial watermen during the boat tax issue. He stated that, according to VMRC, there are approximately 112 commercial watermen in the county. He stated that he had been working with Mr. Thomas on the issue and it is estimated that the County would lose approximately \$20,000 if the taxes were eliminated on the commercial boats. He stated that if they were going to give a break to the wealthy, they need to also look at the commercial watermen. He stated that he brought up the issue just for the Board's information and they could consider it in more detail at a later date. He suggested a resolution in the fall.

Mr. Lee stated that he had also heard from the watermen and they are saying that the wealthy citizens got a break, but they did not.

Mr. Bellows stated that he had heard the same thing and that is why their best option is to eliminate all of the boat tax. He stated that it was the fairest thing to do. He stated that the County has the money to invest in it without raising taxes.

Mr. Beauchamp stated that he is concerned about making decisions based on projections and guesstimates. He stated that he was concerned about how much expense the County will have to pay for emergency services in the future. He stated that he was not concerned about the volunteer fire departments, but he was concerned about the volunteer rescue squads. He stated that he agreed with Mr. Palin, that a boat is a luxury unless someone makes their living with it.

Mr. Bellows stated that he thought they had heard tonight that the elimination of the boat tax on the larger vessels does seem to be working.

Mr. Pleva suggested a resolution concerning the intent of removing the boat tax on commercial vessels.

Mr. Bellows asked Mr. Thomas to explain some of the issues surrounding the criteria for the tax break.

Mr. Thomas referred to the second page of his hand-out, where it stated that "most vessels more than 25 feet in length will weigh five net tons or more" and stated that he had found that most boats under 30 feet do not meet the five ton requirement. He stated that his office uses the ABOS Marine Blue Book and he can find a great number of weights there. He stated that NADA and other sources are used as back-up. He stated that the first year with the two rates will be the most difficult, but they will get there and they will accomplish it to the best of their ability.

Mr. Jenkins stated that he had a hypothetical question. He asked if the personal property tax on commercial boats that are five tons and under was eliminated, how much grief that would cause Mr. Thomas' office.



Mr. Thomas replied that his office is working the boats for a second time this year, so if the commercial boat tax rate was changed, they would be working the boats a third time. He stated that if it is the Board's intention to eliminate the commercial boat tax, it could pass a resolution stating the intention of eliminating it in the tax year 2016.

Mr. Pleva suggested including something in the tax bills this year concerning the commercial boats.

Mr. Thomas suggested including a notice in the personal property forms that will go out next February to give his office time to research the commercial vessels.

Mr. Thomas stated that he would probably need to obtain an affidavit or schedule C to make sure that they adhere to the ordinance, which states for business purposes only.

The consensus of the Board was to consider a resolution in the coming months.

**COUNTY ADMINISTRATOR**

None.

**CLOSED SESSION**

Motion was made by Mr. Beauchamp to enter into closed session to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act. The subject matters to be discussed in the closed meeting are Legal Consultation, § 2.2-3711.A.7 and Personnel Matters, § 2.2-3711.A.1 of the Code of Virginia, 1950, as amended. The purposes of the closed meeting are to discuss legal consultation and personnel matters. The subject and purpose falls within the following exemption(s) under § 2.2-3711.A.7 (for briefings by staff members pertaining to actual or probable litigation, where such briefings in open meeting would adversely affect the negotiating or litigating posture of the public body) and § 2.2-3711.A.1 (for the discussion and consideration of specific prospective candidates for employment by the public body.)

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	William R. Lee	Aye
	B. Wally Beauchamp	Aye

**RECONVENE**

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

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	William R. Lee	Aye
	B. Wally Beauchamp	Aye

**CERTIFICATION**

**WHEREAS**, the Lancaster County Board of Supervisors convened in a closed meeting on July 30, 2015 pursuant to an affirmative recorded vote on the motion to close the meeting to discuss Legal Consultation, § 2.2-3711.A.7 and Personnel Matters, § 2.2-3711. A.1 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. Jenkins 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. Bellows called the question. A roll call vote was taken:

ROLL CALL

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	William R. Lee	Aye
	B. Wally Beauchamp	Aye

This certification resolution is adopted.

Mr. Bellows made a motion to direct Jim Cornwell, County Attorney, to file an appeal of the VMRC decision concerning the proposed Dominion Virginia Power transmission line project on the Norris Bridge.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	William R. Lee	Aye
	B. Wally Beauchamp	Aye

### **ADJOURNMENT**

Motion was made by Mr. Jenkins to adjourn.

VOTE:	Jason D. Bellows	Aye
	Ernest W. Palin, Jr.	Aye
	F. W. Jenkins, Jr.	Aye
	William R. Lee	Aye
	B. Wally Beauchamp	Aye