

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, August 25, 2016.

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

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

Mr. Lee stated that Mr. Pleva was absent due to a family emergency.

PUBLIC INPUT

None.

PRESENTATIONS

1. VACO Award for the River Realm Branding Program

Mr. Lee stated that he would like to commend everyone involved with the program and he liked to see the collaboration of the counties of Lancaster and Middlesex. He stated that there are great things to come from these efforts.

Mr. Jenkins stated that he thought the cooperation between Lancaster and Middlesex has been extraordinary.

Mr. Beauchamp and Mr. Palin agreed.

Mr. Bellows stated that they were building and capitalizing on our natural assets which epitomizes what they are trying to defend and market for this area.

Mrs. Susan Cockrell, Assistant Town Manager for Kilmarnock, stated that she wanted to thank the Board of Supervisors for their support in the branding program. She stated that she wanted to recognize some people who have contributed to the branding and marketing effort. She recognized Michelle Brown, Economic Development Director for Middlesex County, Tom Saunders, Kilmarnock Town Manager, and Kilmarnock Town Council members, Dr. Curtis Smith, Emerson Gravatt, Betsy Crowther, and Vice Mayor Becky Nunn.

Mrs. Cockrell stated that Virginia's River Realm is a branding and marketing effort that is designed to bring more people to the area who will stay longer and spend more money. She stated that they want people to come as visitors and then perhaps come back as residents. She stated that they have created a website which went live in March. She gave statistics about the website and how many people have visited the site including people from Virginia Beach, Richmond, Portsmouth, Tappahannock and other local areas.

Mr. Larry Land, Director of Policy Development at VACO, stated that he was present to give an award for the Virginia River Realm Branding Program. He stated that his organization, the Virginia Association of Counties, was a statewide organization that served all counties in the state. He stated that about fourteen years ago, they established a program for awarding counties that have developed model programs. He further discussed the awards process and presented a plaque.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Robert Harper, the Brookvale Headquarters Superintendent, stated that the last mowing for the season will begin on September 12th for the secondary and primary roads. He stated that they will begin the sweeping of the curbs and gutters on October 3rd and it will take about two weeks to complete. He stated that they are finishing the paving schedule and are currently working on Taylors Creek Road.

Mr. Carter White, Acting Northern Neck Residency Administrator, stated that there will be a bridge painting project on the Norris Bridge. He stated that a contract has been awarded to MJ Painting for \$8.872 million dollars. He stated that there is a fixed completion date of March 23, 2018, with incentives for an earlier completion. He stated that they are still in discussion about how traffic control will be handled. He stated that there will be a public meeting on September 28th at the Lancaster Middle School to discuss the project in more detail.

Mr. Bellows asked about an approximate start date.

Mr. White replied that he thought the start date would follow quickly after the public meeting in September.

Mr. Palin stated that he wanted to say that VDOT does a good job for the County.

Mr. White stated that he wanted to offer condolences to Mr. Pleva and his family.

PUBLIC HEARING

1. Application for Change of Zoning District Classification-John W. Hollowell, Jr.

Mr. Lee asked Mr. Gill to present the issue.

Mr. Gill stated that the issue was an application for Change of Zoning District Classification from R-1, Residential, General to A-2, Agricultural, General by John W. Hollowell, Jr. for a 3.17-acre parcel described as Tax Map #9-60D and a 3.66-acre parcel described as Tax Map #9-60F. He stated that these adjacent parcels are located at 1813 Davis Mill Road in District 2.

Mr. Gill stated that the applicant wishes to build and operate a dog boarding facility/kennel on these parcels where his home is located, but cannot do so under the current R-1 zoning, since “kennel” is not a permitted use in the R-1 District. He stated that at its May 26, 2016 meeting, the Board of Supervisors amended the A-2 Agricultural General Zoning District to, among other things, allow kennels with a special exception. He stated that, as a result, the applicant seeks to first rezone these parcels to A-2, Agricultural General, so he can then request the special exception for the kennel use. He stated that should the rezoning to A-2 be granted by the Board of Supervisors, the applicant will immediately request the special exception for the permitted kennel use under Article 4-1-57.

Mr. Gill stated that the applicant has provided a preliminary site plan drawn to scale from prior surveys of the properties depicting the location of the proposed kennel building as well as the existing stands of timber which will serve as natural buffers from adjoining properties. He stated that Mr. Hollowell had also provided a narrative explaining the proposed home-based business which also addresses potential concerns such as noise, traffic, visual impact and waste disposal.

Mr. Gill stated that this rezoning request can be considered reasonable and appropriate given these parcels’ location. He stated that all adjoining properties are unimproved: Davis Mill Pond adjoins to the north, a 3.2-acre forested parcel to the east, a 2.8-acre forested parcel to the west and a 58-acre forested parcel to the south. He stated that there are only two homes within a half mile radius of the parcels proposed for rezoning. He stated that this also would be a downzoning, as uses in the A-2 District are generally considered to be less intense than those of the R-1 District.

Mr. Gill stated that the major theme expressed during the last two revisions of the Comprehensive Plan was to retain the rural character and heritage of Lancaster County and staff believes a home-based dog boarding facility located on 9-plus acres surrounded by large acreages of unimproved land conforms to that theme.

Mr. Gill stated that the Planning Commission conducted its public hearing on this matter on July 21, 2016 and has unanimously recommended approval. He stated that adjoining property owners have been notified and advertising conducted as required by law and to date, other than the discussion at the Planning Commission meeting, there has been no response from the public.

Mr. Lee opened the public hearing.

Mr. Hollowell stated that he would like the Board of Supervisors to grant his request. He stated that he had spoken with both of his neighbors and they are in agreement with the proposed project. He stated that most everything around him is agricultural and when he purchased the property it was zoned agricultural.

Mr. Lee 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 John W. Hollowell, Jr. for Tax Map #9-60D and #9-60F.

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

2. Application for Special Exception – John W. Hollowell, Jr.

Mr. Lee asked Mr. Gill to present the issue.

Mr. Gill stated that the issue was an application for special exception by John W. Hollowell, Jr. to operate a kennel/pet boarding business on a 3.17-acre parcel described as Tax Map #9-60D and a 3.66-acre adjoining parcel described as Tax Map #9-60F. He stated that these adjacent parcels are located at 1813 Davis Mill Road in District 2.

Mr. Gill stated that since the preceding public hearing to rezone Tax Maps #9-60D and #9-60F from R-1 to A-2 has been acted upon by the Board of Supervisors, this special exception request can now be considered. He stated that this request is the second step in the two-step process to allow the applicant to build and operate a dog boarding facility/kennel on these parcels.

Mr. Gill stated that Article 13-3 of the Zoning Ordinance allows the Board of Supervisors to place conditions on Special Exceptions and states, “These special exceptions shall be subject to such conditions as the Board of Supervisors deems necessary to carry out the intent of this ordinance. The special exception shall be approved only if it is found that the location is appropriate and not in conflict with the land use plan, that the public health, safety, morals and general welfare will not be adversely affected, that adequate utilities and off-street parking facilities will be provided, and that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.”

Mr. Gill stated that staff views this special exception request as reasonable and appropriate and does not recommend further conditions based on the applicant’s narrative provided in the rezoning package explaining the proposed home-based business which also addresses potential concerns such as noise, traffic, visual impacts and waste disposal.

Mr. Gill stated that adjoining property owners have been notified and advertising conducted as required by law and to date, there has been no response from the public.

Mr. Lee opened the public hearing.

There was no public input.

Mr. Lee closed the public hearing.

Mr. Palin made a motion to Approve the Application for Special Exception by John W. Hollowell, Jr. to operate a kennel/pet boarding business on Tax Map #9-60D and #9-60F.

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

3. Application for Change of Zoning District Classification – Michael L. Nonnemacker

Mr. Lee asked Mr. Gill to present the issue.

Mr. Gill stated that the issue was an application for change of zoning district classification from R-1, Residential, General to C-1, Commercial, Conditional by Michael L. Nonnemacker for a 6.998-acre parcel described as Tax Map #28-20B. He stated that the property is located off Irvington Road across from the Dreamfields Ballpark in District 4.

Mr. Gill stated that the applicant wishes to build and operate a service/repair shop on this unimproved parcel, but cannot do so under the current R-1 zoning. He stated that as a result, the applicant seeks to rezone the parcel to C-1 Commercial. He stated that, to help his request, he has also taken the list of permitted uses in the C-1 District and lined through the unwanted ones and a signed and notarized copy (proffer) has been provided to formalize this conditional rezoning request.

Mr. Gill stated that this rezoning request can be considered reasonable and appropriate given the fact that nearby parcels have business or commercial uses. He stated that this parcel is located within a half-mile of two commercial properties: a C-2, Commercial Limited property-Nationwide Insurance Office and a C-1 Commercial property-Moubray/Savoy Boat Repair/Service Shop which was recently rezoned to C-1 on July 31, 2014. He stated that in addition, the Dreamfields Ballpark and the King Carter Golf Course are located across Irvington Road from the proposed rezoning parcel. He stated that it is also located in close proximity to the Lewis General Repair Shop, which is an authorized non-conforming use on an R-1 parcel, and Shear Pleasure and Progressive Insurance, which are R-1 parcels which received Special Exception approvals for professional offices. He stated that it is also located in close proximity to the County Refuse Site for the Kilmarnock area and Ransone's Nursery and Maintenance Headquarters, which is an authorized non-conforming use on an A-2 parcel. He stated that there are other C-1 Commercial properties at the intersection of Weems Road and Irvington Road as well as two C-1 parcels off Harris Road.

Mr. Gill stated that the Comprehensive Plan suggests that commercial activity be located in or near the towns and in or near traditional village areas. He stated that this parcel is less than a mile from the Kilmarnock town limits and is adjacent to the county's Primary Growth Area, the triangular shaped area between the three incorporated towns of Kilmarnock, Irvington and White Stone.

Mr. Gill stated that the applicant will need to have an engineered site plan prepared and VDOT approval for a low volume commercial entrance off of Irvington Road, but that next step will cost additional money and it would not be prudent for the applicant to expend that money if this first step of rezoning is not approved.

Mr. Gill stated that the applicant's plan, including the narrative, site sketch and building sketch have been included in the Board's packages. He stated that his plan does not utilize the entire 6.998-acre parcel, so if approved, would leave half or

more of the parcel zoned C-1 with no clear plan for the future development of that remainder acreage. He stated that, however, most of the remainder acreage lies in a ravine at the back of the property, which would be extremely difficult to develop.

Mr. Gill stated that the applicant could conceivably accomplish what he wants to do under the current R-1 zoning if he were to build a house and reside on the property and operate his service/repair shop as a home occupation, but he lives in the Town of Kilmarnock and does not wish to follow that route and has applied for rezoning.

Mr. Gill stated that the Planning Commission conducted its public hearing on this matter on July 21, 2016, but could not reach a majority to recommend approval or denial and has forwarded this request to the Board of Supervisors with no recommendation.

Mr. Gill stated that adjoining property owners have been notified and advertising conducted as required by law. He stated that for the Board of Supervisors' public hearing, he has heard no comment from the public. He stated that for the Planning Commission's public hearing, he heard from an adjoining property owner, who stated that she had no problem with Mr. Nonnemacker's plans.

Mr. Palin asked what uses Mr. Nonnemacker had asked for to be permitted if the rezoning is granted.

Mr. Gill replied the four uses that are stated in the proffer are 1) office buildings, business offices and banks, 2) service stations-with major repair under cover, 3) auto sales and service and 4) retail, wholesale and processing activities not objectionable because of dust, noise or odors.

Mr. Lee opened the public hearing.

Mr. Nonnemacker stated that he hoped the Board of Supervisors would grant his rezoning request.

Mr. Lee closed the public hearing.

Mr. Lee stated that he wanted to thank Mr. Gill for pointing out the parcel's terrain, because he did have a concern about rezoning the entire parcel, not knowing what could be put on the rest of the parcel at a later date. He stated that the parcel is in an area where growth is expected.

Mr. Lee made a motion to Approve the Application for Change of Zoning District Classification from R-1, Residential, General to C-1, Commercial, Conditional by Michael L. Nonnemacker for Tax Map #28-20B.

VOTE: William R. Lee Aye

Ernest W. Palin, Jr.	Aye
F. W. Jenkins, Jr.	Aye
Jason D. Bellows	Aye
B. Wally Beauchamp	Aye

CONSENSUS DOCKET

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

1. Minutes for the July 28th Regular Meeting

Recommendation: Approve minutes as submitted

2. EDA Revenue Bond Resolution for Williamsburg Landing, Inc.

Recommendation: Approve the resolution as submitted

RESOLUTION OF THE
BOARD OF SUPERVISORS OF LANCASTER COUNTY, VIRGINIA,
APPROVING THE ISSUANCE OF A REVENUE BOND
BY THE ECONOMIC DEVELOPMENT AUTHORITY
OF LANCASTER COUNTY, VIRGINIA, AS A CONDUIT ISSUER
FOR WILLIAMSBURG LANDING, INC.

WHEREAS, the Board of Supervisors of Lancaster County, Virginia (the “Board”), has been advised that there has been described to the Economic Development Authority of Lancaster County, Virginia (the “Authority”), the application of Williamsburg Landing, Inc. (the “Company”), whose principal place of business is located in James City County, Virginia, at 5700 Williamsburg Landing Drive, Williamsburg, Virginia 23185, for the Authority to issue its Revenue Bond in a principal amount not to exceed \$10,000,000 (the “Bond”) to assist the Company in financing a portion of the cost of (i) the construction, renovation and equipping of expanded memory care, assisted living and rehabilitation units and facilities at the Woodhaven health complex owned by the Company and located at 5700 Williamsburg Landing Drive in James City County, Virginia, and the acquisition of certain real property in connection with the same, (ii) the payment of costs of issuance of the Bond, (iii) the payment of capitalized interest during construction, and (iv) the funding of any reasonably required reserve fund for the Bond (collectively, the “Plan of Finance”);

WHEREAS, the Board has been advised that the Company, in its appearance before the Authority, described the benefits to the County of Lancaster (the “County”) to be derived from the Plan of Finance and has requested that the Authority agree to issue the Bond pursuant to the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the “Act”), and loan the proceeds from the sale of the Bond to the Company for the purposes described above;

WHEREAS, the Board has been advised that a public hearing with respect to the Bond, as required by the Act and the Internal Revenue Code of 1986, as amended (the “Code”), was held by the Authority at its meeting on August 2, 2016, and that after such hearing the Authority agreed to assist the Company by issuing the Bond;

WHEREAS, Section 15.2-4906C of the Act provides that the Board shall, within sixty (60) calendar days from the public hearing with respect to the issuance of bonds of the Authority, either approve or disapprove the issuance of such bonds; and

WHEREAS, a copy of the Authority’s resolution approving the issuance of the Bond, subject to terms to be agreed upon, a reasonably detailed summary of the comments expressed at the public hearing with respect to the Bond, and a fiscal impact statement in the form prescribed by Section 15.2-4907 of the Act have been filed with the Board, together with the Authority’s recommendation that the Board approve the issuance of the Bond;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LANCASTER COUNTY, VIRGINIA:

1. The foregoing recitals are hereby incorporated in, and deemed a part of, this Resolution.
2. The Board approves the issuance of the Bond by the Authority to assist in the Plan of Finance for the benefit of the Company, to the extent required by the Code and the Act.
3. The Board designates the Bond as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code for calendar year 2016.
4. The approval of the issuance of the Bond, as required by the Code and the Act, does not constitute an endorsement to a prospective purchaser of the Bond of the creditworthiness of the Company and, as required by the Act, the Bond shall provide that neither the County nor the Authority shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor by the Company and that neither the faith or credit nor the taxing power of the Commonwealth of Virginia or the County shall be pledged thereto.
5. This Resolution shall take effect immediately upon its adoption.

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The undersigned hereby certifies that the above resolution was duly adopted during an open meeting by an affirmative vote of a quorum of the members of the Board of Supervisors of Lancaster County, Virginia, at a regular meeting duly called and held on August 25, 2016, and that such resolution is in full force and effect on the date hereof.

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

CONSIDERATION DOCKET

The Board considered the following items on its Consideration Docket:

1. Approval of August 2016 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for August 2016 in the amount of \$254,298.43 and invoice listings for August 2016 in the amount of \$688,495.53*.

*Capital Improvements - \$115,414.64

*Greentown/Gaskins Road - \$57,956.50

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

2. Request for Approval of the Middle Peninsula Northern Neck Community Services Board FY 17/18 Performance Contract

Mr. Charles R. Walsh, Jr., Executive Director of the Middle Peninsula Northern Neck Community Services Board, stated that his purpose was two-fold. He stated that he comes in front of the Board of Supervisors every spring asking for funds for his organization and the request is always granted and he thanked the Board for its continuing support. He stated that he is asking for approval of their performance contract tonight. He stated that the performance contract used to be on an annual basis, but now it is every two years. He discussed the history of the organization and recent statistics.

Mr. Lee made a motion to Approve the Middle Peninsula Northern Neck Community Services Board FY 17-18 Performance Contract.

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

3. Award of Bid and Resolution Authorizing the Revenue Anticipation Note

Mr. R. T. Taylor, Associate Vice President of Davenport and Company, discussed the Request for Proposals process that was used to solicit bids to obtain financing for a short-term note for working capital needs. He stated that the note would be on a taxable basis and be a general obligation of the County. He stated that the amount would be up to \$1,750,000 with an approximate closing date of September 15th. He stated that the note will be due at the end of the calendar year, with no prepayment penalties.

Mr. Taylor stated that six proposals were received and Davenport and Company is recommending accepting the proposal from Bank of Lancaster, as they had the lowest rate.

Mr. Bellows made a motion to Approve the Award of Bid to Bank of Lancaster and Resolution Authorizing the Revenue Anticipation Note.

A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO

**\$1,750,000 PRINCIPAL AMOUNT OF A TAXABLE REVENUE ANTICIPATION
NOTE
OF THE COUNTY OF LANCASTER, VIRGINIA, AND PROVIDING
FOR THE FORM, DETAILS AND PAYMENT THEREOF**

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Be it Resolved by the Board of Supervisors of the County of Lancaster, Virginia:

Section 1 - Definitions Unless the context shall clearly indicate some other meaning, the following words and terms shall for all purposes of the Resolution and of any certificate, resolution or other instrument amendatory thereof or supplemental thereto for all purposes of any opinion or instrument or other documents therein or herein mentioned, have the following meanings:

“**Act**” shall mean the Public Finance Act, Chapter 26, Title 15.2 of the Code of Virginia of 1950, as amended.

“Board” shall mean the County Board of Supervisors.

“Bond Counsel” shall mean Sands Anderson PC or another attorney or firm of attorneys nationally recognized on the subject of municipal bonds selected by the County.

“Business Day” shall mean any Monday, Tuesday, Wednesday, Thursday or Friday on which commercial banks generally are open for business in the Commonwealth of Virginia.

“Chairman” or “Chair” shall mean the Chairman or Vice Chairman of the Board.

“Clerk” shall mean the Clerk of the Board.

“Closing Date” shall mean the date on which the Note is issued and delivered to the Noteholder.

“Commonwealth” shall mean the Commonwealth of Virginia.

“County” shall mean the County of Lancaster, Virginia.

“Interest Account” shall mean the Interest Account in the Note Fund established by Section 6.

“Interest Payment Date” shall mean the Maturity Date.

“Maturity Date” shall mean a date designated by the Chairman but not later than December 31, 2016.

“Note Fund” shall mean the Note Fund established by Section 6.

“Note or Notes” shall mean the taxable revenue anticipation note of the County, Series 2016, in the aggregate principal amount of up to \$1,750,000 authorized to be issued hereunder.

“Note Period” shall mean the period beginning on the Closing Date and ending on the Maturity Date.

“Noteholder” or “Holder” shall mean Bank of Lancaster, as registered owner of the Note.

“Outstanding” when used in reference to the Note shall mean, as of a particular date, the Note authenticated and delivered under this Resolution except:

- (i) any Note cancelled by the County at or before such date;

- (ii) any Note for the payment of which cash equal to the principal amount thereof, with interest to the date of maturity, shall have been deposited with the Paying Agent prior to maturity;
- (iii) any Note for the redemption or purchase of which cash or noncallable direct obligations of the United States of America, equal to the redemption or purchase price thereof to the redemption or purchase date, shall have been deposited with the Paying Agent, for which notice of redemption or purchase shall have been given in accordance with the Resolution;
- (iv) any Note in lieu of, or in substitution for, which another Note shall have been authenticated and delivered pursuant to this Resolution; and
- (v) any Note deemed paid under the provisions of Section 9, except that any such Note shall be considered Outstanding until the maturity or redemption date thereof only for the purposes of actually being paid.

“Paying Agent” shall mean the County Treasurer acting as Paying Agent hereunder as designated and authorized under Section 3 or its successors or assigns serving as such hereunder.

“Principal Account” shall mean the Principal Account in the Note Fund established by Section 6.

“Proceeds Fund” shall mean the Proceeds Fund established by Section 4.

“Registrar” shall mean the Paying Agent, or its successors or assigns serving as such hereunder.

Section 2 - Findings and Determinations

The Board hereby finds and determines that (i) the County is in need of funds to meet appropriations made for the current fiscal year which began on July 1, 2016 in anticipation of the collection of tax and other revenues during the same fiscal year, to be paid for by such revenues (ii) the obtaining of such funds will be for the welfare of citizens of the County for purposes which will serve the County and its citizens, (iii) the most effective and efficient manner in which to provide such funds to the County is by a revenue anticipation note issued by the County to be sold to the Noteholder and (iv) the issuance of the Note is in the best interests of the County and its citizens.

Section 3 - Authorization, Form and Details of the Note

There is hereby authorized to be issued a taxable revenue anticipation note of the County in the aggregate principal amount of up to \$1,750,000. The Note authorized herein

shall be designated "Taxable Revenue Anticipation Note, Series 2016," shall be issuable as a fully registered note, without coupons, in denominations of \$5,000 or any whole multiple thereof, shall be dated the Closing Date, shall be numbered R-1 upwards, shall bear interest payable on the Maturity Date at a rate per annum not to exceed 0.79% and the Note shall mature on the Maturity Date. The Note may be prepaid, without penalty, in whole or in part, at any time, upon 10 days notice to the Noteholder.

The Note is hereby authorized to be issued under the Act. The Note shall bear interest from the date on which it is authenticated. Interest on the Note shall be computed on an accrual basis of actual days elapsed over a 30-day month/360-day year.

Principal of, premium, if any, and interest on, the Note shall be payable in lawful money of the United States of America. Interest on the Note shall be payable on the Maturity Date (December 31, 2016) by check or draft from the County to the Holder of the Note at its address as it appears on the registration books kept by the Registrar as of the 10th day of the month on which an Interest Payment Date occurs. Principal of the Note shall be payable at the principal office of the Paying Agent upon presentation and surrender of the Note on the Maturity Date. Upon written request in form satisfactory to the County and the Registrar, signature guaranteed, by the registered Holder of at least \$500,000 aggregate principal amount of Note and upon receipt of such Note by the County, principal and/or interest shall be payable by wire transfer in immediately available funds.

The Note shall be printed, lithographed or typewritten and shall be substantially in the form hereinbelow set forth, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution, including such variations, insertions and omissions as shall be necessary to issue the Note under a system of book-entry for recording the ownership and transfer of ownership of rights to receive payments of principal of and interest on the Note and may have endorsed thereon such legends or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

If any principal of, or interest on, the Note is not paid when due (whether at maturity, by acceleration or call for redemption, or otherwise), then, to the extent permitted by law, the overdue installments of principal shall bear interest until paid at the same rate as set forth in such Note.

The Note shall be signed by the facsimile or manual signature of the Chairman. The facsimile of its seal shall be printed thereon or manually impressed thereon and attested by the facsimile or manual signature of the Clerk. In case any officer whose signature or facsimile of whose signature shall appear on any Note shall cease to be such officer before delivery of the Note, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he remained in office until such delivery.

The Note shall bear a certificate of authentication, in the form set forth below, duly executed by the Registrar. The Registrar shall authenticate each Note with the signature of an authorized officer of the Registrar, but it shall not be necessary for the same officer to

authenticate all of the Notes. Only such authenticated Note shall be entitled to any right or benefit under this Resolution, and such certificate on any Note issued hereunder shall be conclusive evidence that the Note has been duly issued and is secured by the provisions hereof.

The Paying Agent shall act as Registrar and shall maintain Registration Books for the registration and the registration of transfer of the Note. The County Treasurer is hereby designated and authorized to act as Paying Agent and Registrar hereunder. The transfer of any Note may be registered only on the books kept for the registration and registration of transfer of the Note upon surrender thereof to the Registrar together with an assignment duly executed by the registered holder in person or by his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar. Upon any such transfer, the County shall execute and the Registrar shall authenticate and deliver, in exchange of such Note, a new registered Note registered in the name of the transferee of the same series, maturity and interest rate as the Note so exchanged in any denomination or denominations authorized by this Resolution.

The Registrar shall not be required to make any such registration or registration of transfer during the ten (10) days immediately preceding the Maturity Date or a redemption date. Prior to due presentment for registration of transfer for any Note, the Registrar shall treat the registered holder as the person exclusively entitled to payment of principal of, premium, if any, and interest on, such Note and the exercise of all other rights and powers of the Holder.

If any Note has been mutilated, lost or destroyed, the County shall execute and the Registrar shall authenticate and deliver a new Note of like date and tenor in exchange or substitution for, and upon cancellation of, such mutilated Note or in lieu of and in substitution for such lost or destroyed Note; provided, however, that the County and the Registrar shall execute, authenticate and deliver such Note only if the Holder has paid the reasonable expenses and charges of the County and the Registrar in connection therewith and, in the case of a lost or destroyed Note, has furnished to the County and the Registrar (a) evidence satisfactory to them that such Note was lost or destroyed and the Holder was the Owner thereof and (b) indemnity satisfactory to them. If any Note has matured, instead of issuing a new Note, the Registrar may pay the same without surrender thereof upon receipt of the aforesaid evidence and indemnity.

Any Note which has been paid (whether at maturity, by acceleration or otherwise) or delivered to the Paying Agent for cancellation shall not be reissued and the Registrar shall, unless otherwise directed by the County, cremate, shred or otherwise dispose of such Note. The Registrar shall deliver to the County a certificate of any such cremation, shredding or other disposition of any Note.

CUSIP identification numbers may be printed on the Note, but such numbers shall not be deemed to be a part of the Note or a part of the contract evidenced thereby and no liability shall hereafter attach to the County or any of the officers or agents thereof because or on account of said CUSIP numbers.

The Note, the Certificate of Authentication and the provision for the assignment to be inserted in the Note shall be substantially in the following forms, to-wit:

“FORM OF NOTE”

No. N-1

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA, LANCASTER COUNTY
TAXABLE REVENUE ANTICIPATION NOTE, SERIES 2016**

Dated: **September __, 2016**
Maturity Date: **December 31, 2016**

Registered Holder: Bank of Lancaster

Principal Sum: **UP TO ONE MILLION SEVEN HUNDRED FIFTY THOUSAND
AND
00/100 DOLLARS (\$1,750,000.00)**

Interest Rate: 0.79%

KNOW ALL MEN BY THESE PRESENTS, that the County of Lancaster, Virginia (**hereinafter sometimes referred to as the “County”**), a county and political subdivision of the Commonwealth of Virginia, for value received hereby promises to pay to the registered holder (named above), or assigns, on the Maturity Date (specified above), subject to prior redemption as hereinafter provided the Principal Sum advanced hereunder (specified above) upon presentation and surrender of this Note at the principal corporate office of the Lancaster County Treasurer, Lancaster, Virginia, (**the “Paying Agent”**), and to pay interest on said Principal Sum on the Maturity Date (**an “Interest Payment Date”**), at the rate per annum (specified above).

Both principal of, premium, if any, and interest on, this Note are payable in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts.

No registration, transfer or exchange of this Note shall be permitted within ten (10) days of an Interest Payment Date or the Maturity Date or the date of redemption of this Note.

This Note is an authorized series in the aggregate principal amount of up to \$1,750,000 of like date and tenor herewith, except for number and denomination and is

issued under and pursuant to and in compliance with the Constitution and laws of the Commonwealth of Virginia, including Chapter 26, Title 15.2 of the Code of Virginia of 1950, as amended, the same being the Public Finance Act, and the resolution duly adopted under said Chapter by the Board of Supervisors of the County on August 25, 2016 (**the “Resolution”**).

This Note shall bear interest from the date on which this Note is authenticated. Interest on this Note shall be computed on an accrual basis of actual days elapsed over a 30-day month/360-day year. This Note may be prepaid, without penalty, in whole or in part, at any time upon 10 days notice to the Noteholder.

This Note is transferable only upon the registration books kept at the office of the Registrar by the registered holder hereof, or by his duly authorized attorney, upon surrender of this Note (together with a written instrument of transfer, satisfactory in form to the Registrar, duly executed by the registered holder or his duly authorized attorney, which may be the form endorsed hereon) and subject to the limitations and upon payment of the charges, if any, as provided in the Resolution, and thereupon as provided in the Resolution a new Note or Notes, in the aggregate principal amount and in the authorized denominations and of the same series, interest rate and maturity as the Note surrendered, shall be issued in exchange therefor. The County and the Registrar shall deem and treat the person in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon and for all other purposes whatsoever.

THIS NOTE AND THE ISSUE OF WHICH THIS IS ONE IS A GENERAL OBLIGATION OF THE COUNTY FOR THE PAYMENT OF WHICH THE COUNTY’S FULL FAITH AND CREDIT ARE IRREVOCABLY PLEDGED. THE COUNTY BOARD OF SUPERVISORS IS AUTHORIZED AND REQUIRED TO LEVY AND COLLECT ANNUALLY AT THE SAME TIME AND IN THE SAME MANNER AS OTHER TAXES OF THE COUNTY ARE ASSESSED, LEVIED AND COLLECTED, A TAX UPON ALL TAXABLE PROPERTY WITHIN THE COUNTY, OVER AND ABOVE ALL OTHER TAXES AUTHORIZED OR LIMITED BY LAW AND WITHOUT LIMITATION AS TO RATE OR AMOUNT, SUFFICIENT TO PAY WHEN DUE THE PRINCIPAL OF AND PREMIUM, IF ANY, AND INTEREST ON THE NOTE, TO THE EXTENT OTHER FUNDS OF THE COUNTY ARE NOT LAWFULLY AVAILABLE AND APPROPRIATED FOR SUCH PURPOSE.

Reference is hereby made to the Resolution and to all of the provisions thereof to which any holder of this Note by his acceptance hereof hereby assents, for definitions of terms; the description of and nature and extent of the security for the Note; the conditions upon which the Resolution may be amended or supplemented without the consent of the holder of any Note and upon which it may be amended only with the consent of the holder of the Note affected thereby; the rights and remedies of the holder hereof with respect hereto; the rights, duties and obligations of the County; the provisions discharging the Resolution as to this Note and for the other terms and provisions of the Resolution.

This Note shall not be valid or obligatory for any purpose unless the certificate of authentication hereon has been duly executed by the Registrar and the date of authentication inserted hereon.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this Note and the series of which it is a part, do exist, have happened and have been performed in regular and due time, form and manner as required by law; that the series of which this Note is a part does not exceed any constitutional, statutory or charter limitation of indebtedness; and that provision has been made for the payment of the principal of, and interest on, this Note and the series of which it is a part, as provided in the Resolution.

IN WITNESS WHEREOF, the County of Lancaster, Virginia, by its Board of Supervisors has caused this Note to be signed by the Chairman and attested by the Clerk of said Board, by their manual or facsimile signatures, and its seal to be impressed or imprinted hereon, and this Note to be dated as set forth above.

(SEAL)

Clerk of the Board of Supervisors
of the County of Lancaster, Virginia

Chairman of the Board of Supervisors
of the County of Lancaster, Virginia

CERTIFICATE OF AUTHENTICATION

This Note is the Note described in the within-mentioned Resolution.

REGISTRAR - LANCASTER COUNTY

TREASURER

By: _____
Lancaster County Treasurer

VOTE:	William R. Lee	Aye
	Ernest W. Palin, Jr.	Aye

F. W. Jenkins, Jr.	Aye
Jason D. Bellows	Aye
B. Wally Beauchamp	Aye

4. Request for Appropriation of Unexpended County Funds Used for Payment of EDA Bond Administration Fees

Ms. Bonnie Dickson, County Treasurer, stated that it has come to the County Administration’s attention that administrative service fees for issued bonds to the County had not been paid for several years. She stated that she and the County Administrator have calculated the fees from bonds issued in 2003, 2008 and 2014, which total \$65,290. She stated that there is another bond from 2001, but they have not located that bond book yet.

Ms. Dickson stated that the requested funds have been budgeted, so the funds have been reverted back in the General Fund each year. She stated that she is requesting that those funds be appropriated so the EDA can get paid.

Mr. Lee asked if she wanted to wait until the fees from the 2001 bond issue was known.

Ms. Dickson replied that they would like to move ahead, so the EDA can have the money as soon as possible.

Mr. Beauchamp made a motion to Approve the Request to Appropriate Unexpended County Funds for Payment of EDA Bond Administration Fees.

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

5. Request for Appropriation of EMS Grant Funds from the Virginia Department of Emergency Management

Chief McGregor presented a hand-out that outlined all grants his department has received in the last four years, including local fund matches.

Chief McGregor stated that the current grant has been awarded by the Virginia Department of Emergency Management through the Local Emergency Management Performance Grant. He stated that Lancaster County has been awarded \$15,000, of which \$7,500 comes from federal funds passed through the state and the other \$7,500 is an in-kind local match, which means his department can get credit for other emergency management related activities. He stated that there is no additional cash contribution from the County other than his department's already budgeted activities.

Mr. Jenkins asked if the volunteer's work would apply towards this grant.

Chief McGregor replied not in this case because it has to be emergency management related activities as opposed to emergency medical services.

Mr. Palin made a motion to Approve the Appropriation of EMS Grant Funds from the Virginia Department of Emergency Management.

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

6. Award of Bid for the Social Services Building Roof Replacement

Mr. Gill stated that in accordance with the Virginia Public Procurement Act, an invitation to bid was issued for the replacement of the existing shingle roof for the Lancaster County Human Services Building. He stated that the replacement of that roof was in the approved Capital Improvement Budget for FY 17.

Mr. Gill stated that four sealed bids were received and ranged in price from \$34,895 to \$48,988. He stated that Martin Roofing Company, LLC was the lowest and most responsible bidder with a bid of \$34,895, plus a unit cost of \$50 per sheet of plywood replaced, if needed. He stated that Martin Roofing also replaced the roof on the Sheriff's Office last year.

Mr. Gill stated that staff recommends that the Board of Supervisors award the bid to replace the roof and associated work at the Social Services Building to Martin

Roofing Company, LLC and authorize the County Administrator to execute the contract.

Mr. Lee made a motion to Award the Bid to Martin Roofing Company, LLC in the base contract amount of \$34,895 plus a unit cost of \$50 per sheet of plywood replaced, if needed for the Lancaster County Human Services Building, and authorize the County Administrator to execute the contract.

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

7. Proposed Amendment to Lancaster County Code of Ordinances Section 2-53 for the Restitution Procedure Instead of the Civil Remedy Procedure for Reimbursement of Expenses Incurred in Responding to DUI and Related Incidents

Mr. Jan Smith, Commonwealth’s Attorney, stated that it is difficult to capture the costs associated with the emergency and police response during a DUI stop. He stated that he had been in contact with those departments and their best guess is approximately two hours for both law enforcement and emergency services. He stated that the labor expense is around \$300. He stated that he thought a change was warranted with the civil penalty remedy procedure. He stated that the best test would be to draft a new ordinance specifically for second and subsequent DUI offenses. He estimated approximately ten of those cases a year.

Mr. Lee stated that he had spoken with the County Administrator concerning the \$300 fee and about the Board having concerns about imposing the fee on first offenders.

Mr. Bellows asked if Mr. Smith was working on the ordinance language.

Mr. Smith replied that the County Attorney will need to be consulted on the ordinance language.

Mr. Bellows stated that he would feel more comfortable with the second and subsequent offenders having the proposed fee applied to their cases. He stated that public services are paid for by taxpayers and he was concerned about “piling on”.

Mr. Palin stated that he was more comfortable with the second and subsequent offenses stipulation as well.

Mr. Lee stated that he would like to see the ordinance language before the issue moves to the public hearing phase.

Mr. Smith stated that they could use the Westmoreland County ordinance as their model for the ordinance.

The consensus was to review proposed ordinance language when it becomes available, prior to scheduling a public hearing.

8. Commonwealth's Attorney Request for Transfer and Appropriation of Federal Forfeiture Funds to FY 2017 Budget

Ms. Dickson stated that the Commonwealth's Attorney's Office received federal forfeiture funds last fiscal year. She stated that those funds are in a savings account and there is a request to use those funds for purchase of equipment. She stated that those funds will need to be transferred to the general checking account to reimburse for the expenditure and a subsequent appropriation made.

Mr. Palin made a motion to Transfer and Appropriate Federal Forfeiture Funds for the Commonwealth's Attorney's Office to the FY 17 Budget.

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

9. Virginia Juvenile Community Crime Control Act Resolution

Mr. Gill stated that this resolution is done every two years and is basically a housekeeping issue. He stated that the Department of Juvenile Justice allocates money to Lancaster County and asks that the County submit a local plan certifying that it will participate in the Virginia Juvenile Community Crime Control Act. He

stated that there is \$10,229 budgeted for this item in the FY 17 Lancaster County Budget.

Virginia Juvenile Community Crime Control Act

BE IT RESOLVED, that the Lancaster County Board of Supervisors will participate in the Virginia Juvenile Community Crime Control Act and accept funds appropriate for the purpose set forth in this Act for FY2017 and FY2018.

BE IT FURTHER RESOLVED, that Lancaster County will participate in the Virginia Juvenile Community Crime Control Act with the governing bodies of Essex, Northumberland, Richmond and Westmoreland Counties and that Westmoreland will act as fiscal agent for these localities.

BE IT FURTHER RESOLVED, that the County Administrator is hereby authorized to execute a local plan on behalf of the County of Lancaster.

Mr. Bellows made a motion to Approve the Virginia Juvenile Community Crime Control Act.

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

BOARD REPORTS

Mr. Lee stated that the Lancaster County School Board and the Facilities Committee met with four architects last week for the school study. He stated that more information will be forthcoming once a selection of a firm has been made.

COUNTY ADMINISTRATOR

None.

ADJOURNMENT

Motion was made by Mr. Beauchamp to adjourn.

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