

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, April 27, 2017.

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

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

PUBLIC INPUT

None.

PRESENTATIONS

None.

VIRGINIA DEPARTMENT OF TRANSPORTATION

1. Work Session-Six Year Plan-Secondary System of Highways

Mr. Carter White, Assistant Residency Administrator for the Northern Neck, stated that he had provided a draft plan and an unpaved roads list to the Board. He stated that it was similar to the plan that they worked on five or six months ago when funds needed to be obligated. He stated that there are twelve roads on the unpaved roads list and the first nine roads will be paved this year starting in late May. He stated that there are three sources of funding including the CTB Formula for unpaved roads, Telefees, which are from utility companies and District Grant unpaved road funds. He stated that the first roads to be paved will be Pine Circle, Coleman Lane, Courtney Road, Smith Lane, Dyer Beach Drive, Daniel Drive, Holly Circle, Cedar Circle and Forest Haven Drive. He stated that the last three roads, which are Hudnall

Lane, Green Road and Norris Road will be funded in 2019, 2021 and 2022 respectively.

Mr. Jenkins referred to Oak Hill Road and stated that where the road turns, it may need widening. He stated that it had been brought to his attention recently that when there is traffic in both directions, the road is too narrow and he asked if that project might fit in the VDOT plan.

Mr. White replied that if it is a project where right of way is needed, then it should be added to the plan.

Mr. Robert Harper, VDOT Superintendent for the Brookvale Headquarters, stated that the project would need right of way as it only has a thirty-foot right-of-way on that road. He further stated that the utility poles would probably need to be relocated as well.

Mr. White stated that they would look into the issue.

Mr. Harper stated that they would begin mowing on May 15th with trash pick-up completed prior to the mowing.

Mr. Bellows made a motion to set the Public Hearing for the Lancaster County Secondary Six-Year Plan for Fiscal Years 2018-2023 for Thursday, May 25, 2017 at 7:00 p.m.

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

PUBLIC HEARING

1. Application for Special Exception – Shamika M. Johnson

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

Mr. Gill stated that the issue was an application for special exception by Shamika M. Johnson to place an individual manufactured home on a recently subdivided 1.259-acre portion of Tax Map #22-6 “O”. He stated that this property is zoned R-1, Residential General and is located behind 341 Devils Bottom Road in District 2.

Mr. Gill stated that Article 5-1-3 of the Zoning Ordinance requires a special exception for the placement of individual manufactured homes such as this, which is a 14 x 66 feet single wide. He stated that previous similar approvals by the Board of Supervisors have been based on whether any legitimate concerns could be raised by adjacent property owners.

Mr. Gill stated that this property has approved septic and well sites permitted with the Virginia Department of Health and all front, rear and side setbacks can be met. He stated that similar types of manufactured homes exist in this neighborhood.

Mr. Gill stated that this issue had been advertised and adjoining property owners notified as required by law. He stated that to date, there had 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 Shamika Johnson to place an individual manufactured home on the recently subdivided portion of Tax Map #22-6 "O".

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 – David J. and Pauline R. Dudley

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

Mr. Gill stated that the issue was an application for special exception by David J. and Pauline R. Dudley to place an individual manufactured home on a 2.895-acre parcel described as Tax Map #27-22A. He stated that this property is zoned R-1, Residential General and is located off Haypit Lane off Moran Creek Road in District 5.

Mr. Gill stated that Article 5-1-3 of the zoning ordinance requires a special exception for the placement of individual manufactured homes such as this, which is a 16 x 76 feet single wide. He stated that previous similar approvals by the Board of Supervisors have been based on whether any legitimate concerns could be raised by adjacent property owners.

Mr. Gill stated that the property has approved septic and well sites permitted with the Virginia Department of Health under HDID #151-06-0164. He stated that all front, rear and side setbacks can be met.

Mr. Gill stated that the applicants have entered into a contract to sell this parcel to Darren and Rosha Cook, who intend to make this their primary residence. He stated that successfully obtaining the special exception for the single wide manufactured home is a contingency of the sale.

Mr. Gill stated that this issue had been advertised and adjoining property owners notified as required by law and to date, there had been three responses from adjoining property owners who did not support the request. He stated that one of the written responses questioned whether or not there was a deed restriction on single wide homes. He stated that he had researched all of the deeds and could not find that restriction. He stated that does not mean that it doesn't exist, since it could have been a separate agreement that was recorded later. He stated that the Dudleys were present if there were any questions that the Board wanted to ask them.

Mr. Lee opened the public hearing.

Mr. David Dudley, the property owner, stated that he was hoping to get permission for the placement of the single-wide home. He stated that the property is set back from the other homes in the area that have objected to his application. He stated that there was no language in his deed about single-wide restrictions. He stated that the couple who want to live there are planning on putting the home on a foundation, so it would be a permanent structure. He stated that the couple have children and are limited in what they can afford. He stated that he doubted his closest neighbor would be able to see the home.

Mr. Lee closed the public hearing.

Mr. Palin asked how close the people were that opposed the request.

Mr. Gill replied that he had provided an aerial photograph of all of the adjoining property owners and explained where the neighbors in opposition lived.

Mr. Beauchamp stated that he visited the site and the property is well removed from the nearest neighbor. He stated that he had numerous phone calls from people with objections to the request. He stated that one of his concerns is that he has been

told that this property is part of a homeowner's association that prohibits mobile homes and if the process moves forward, it may become a civil matter. He stated that he would ask the Board to table the request until it can be determined factually if it is part of a homeowner's association to protect everyone involved.

Mr. Jenkins stated that the concern is, if the Board were to approve this request from an ordinance standpoint, it would not exempt them from civil liability to a homeowner's association if it is found out later that the restriction does exist.

Mr. Dudley stated that he appreciated the Board's concerns, but he had owned the property for eight years and had never been told about a homeowner's association.

Mr. Gill stated that a homeowner's association was not referenced in any of the deeds he had researched.

Mr. Beauchamp stated that he had also seen homeowner's association agreements done separately, which can be difficult to find.

Mr. Gill suggested contacting the adjoining property owners to see if they had documentation of the homeowner's association or deed restrictions.

Mr. Lee stated that he would be in agreement with that for everyone's protection.

Mr. Dudley stated that he appreciated the Board looking out for his interests.

Mr. Beauchamp made a motion to Table the Application for Special Exception by David J. and Pauline R. Dudley to place an individual manufactured home on Tax Map #27-22A until the Board of Supervisors' Regular Meeting in May.

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 – Connie K. and Henry M. Jett, 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 A-2, Agricultural, General to C-2 Commercial Limited by Connie K. and Henry M. Jett, Jr. for a 0.763-acre parcel described as Tax Map #16-60D. He stated that this parcel is the authorized non-conforming site of Connie's Florist and is located at 10639 Mary Ball Road in District 2. He stated that the Planning Commission had unanimously forwarded this request to the Board of Supervisors recommending approval.

Mr. Gill stated that this parcel was originally zoned A-2 Agricultural General when zoning was enacted in Lancaster County on June 1, 1975, even though the current use as a florist shop existed since 1972. He stated that this parcel also had other commercial uses, such as a gas station before it became a florist shop. He stated that, as a result, the florist shop has and continues to be an authorized non-conforming use. He stated that, as such, the parcel can continue to be a florist shop regardless of its zoning, but it can have no other commercial uses under the current A-2 zoning. He stated that the applicants are away from Lancaster County most of the time now due to family obligations and are looking to rent or possibly sell this parcel in the future. He stated that the one allowable commercial use as a florist shop under the current A-2 zoning severely limits the rental or sale possibilities for this parcel, so the applicants seek to rezone it to C-2 Commercial Limited to more accurately reflect its commercial history.

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 rezoning request can be considered reasonable and appropriate given this parcel's history of various commercial uses and its proximity to other commercially zoned parcels. He mentioned other parcels that are zoned commercial nearby such as Brookvale Mini-Storage.

Mr. Gill stated that the applicants have not provided any voluntary proffers to make this a conditional rezoning, but they did choose to seek the C-2 Commercial Limited zoning instead of the broader C-1 General Commercial zoning. He stated that the C-2 limits structures to 4,000 square feet of floor area with a requirement for everything to be under roof with no outside storage. He stated that these limits, as well as the small size of the parcel, further limit potential uses of the property. He stated that more intense permitted uses in the C-2 district require a special exception from the Board of Supervisors, so those more intense uses could only be allowed after a public hearing before the Board of Supervisors, which could also place conditions on any special exception approval further limiting it.

Mr. Gill stated that adjoining property owners had been notified and advertising conducted as required by law and to date, other than the discussion at the Planning Commission meeting, there had 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 Change of Zoning District Classification by Connie K. and Henry M. Jett, Jr. from A-2, Agricultural, General to C-2 Commercial Limited for Tax Map #16-60D.

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

4. Proposed Amendments to the Lancaster County Subdivision Ordinance – Sections 6-6(b) and Section 6-6(l)

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

Mr. Gill stated that the issue was the proposed amendments to the Subdivision Ordinance-Section 6-6(b) to add a notation on final plats that “an undisturbed and vegetated 100-foot wide buffer area must be retained. Development in the RPA is limited to water dependent facilities or redevelopment.” He stated that the second amendment is Section 6-6(l) to add a notation on final plats that “on site sewage treatment systems must be pumped out every 5 years.”

Mr. Gill stated that this is basically a “housekeeping” issue required by the Virginia Department of Environmental Quality (DEQ) after its most recent review of Lancaster County’s Chesapeake Bay Act Program. He stated that, every five years, DEQ reviews all counties’ Chesapeake Bay Act Programs and makes recommendations as to how each county can better implement the state law regarding the preservation of the Chesapeake Bay. He stated that DEQ’s most recent review was completed in October 2016 and listed four recommendations. He stated that this subdivision ordinance revision is the only recommendation requiring action by the Planning Commission and Board of Supervisors. He stated that the other three recommendations will be addressed administratively.

Mr. Gill stated that the proposed amendment language “*An undisturbed and vegetated 100-foot wide buffer area must be retained. Development in the RPA is limited to water dependent facilities or redevelopment. On site sewage treatment systems must be pumped out every 5 years*” is not new and is already included in

Virginia's Chesapeake Bay Act law as well as Lancaster County's Chesapeake Bay Preservation Ordinance, but DEQ requires that this text also be printed in the notes on all final subdivision plats that are submitted for review and approval by the County. He stated that since our subdivision ordinance did not specifically require that language to be printed on all final plats, DEQ is now requiring that we amend our subdivision ordinance to include those required notations on all final plats.

Mr. Gill stated that the Planning Commission conducted its public hearing of these proposed amendments on March 16, 2017 and has unanimously forwarded these Sections, as amended, to the Board of Supervisors recommending approval.

Mr. Gill stated that advertising had been conducted as required by law and to date, other than the discussion at the Planning Commission meeting, there had been no input from the public.

Mr. Lee opened the public hearing.

There was no public input.

Mr. Lee closed the public hearing.

Mr. Beauchamp made a motion to Approve the Proposed Amendments to the Subdivision Ordinance-Sections 6-6(b) and 6-6(l).

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. Bellows to approve the Consensus Docket and recommendations as follows:

1. Minutes for March 30, 2017 Joint Meeting with the School Board and Regular Meeting

Recommendation: Approve minutes as submitted

2. Declaration of Local Emergency for the April 6, 2017 Storm

Recommendation: Approve declaration as submitted

DECLARATION OF A LOCAL EMERGENCY FOR THE COUNTY OF LANCASTER, VIRGINIA, DUE TO IMPACTS FROM A TORNADO AND STRAIGHT LINE WINDS

On this date, April 7, 2017, I do hereby declare that a state of emergency exists in the County of Lancaster based on the impacts experienced in the County of Lancaster, resulting from a severe thunderstorm, including a tornado, damaging winds and hail. As the Director of Emergency Management of the County of Lancaster I do hereby find:

1. That due to the impacts experienced by County residents on April 6, 2017, resulting from a severe thunderstorm, including a tornado, hail and damaging winds, and;
2. That due to damages resulting from the severe weather and the ongoing impacts from the storm, residents will continue to experience hardship;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that an emergency does now exist throughout said Jurisdiction; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency, the powers, functions, and duties of the Emergency Management Organization of Jurisdiction shall be prescribed by State Law and the Ordinances, Resolutions, and approved plans of Jurisdiction in order to mitigate the effects of said emergency; and,

IT IS FURTHER ORDERED that during the existence of said emergency, the Emergency Coordinator or County Administrator is authorized to commit County funds, in sums sufficient and not to exceed fifty thousand dollars (\$50,000) in the said emergency, and that such funds are hereby appropriated in the amount of fifty thousand dollars (\$50,000) to the *Disaster Response* account.

3. Resolutions of Commendation to Lancaster County Sheriff's Office, White Stone, Kilmarnock, Upper Lancaster and Fairfields Volunteer Fire Departments, Kilmarnock-Lancaster and Upper Lancaster Volunteer Rescue Squads, York County Department of Life Safety, York-Poquoson Sheriff's Office, Essex County Emergency Services Chief James Brann, Middlesex County Building Official David Selph and the Virginia Departments of Emergency Management, Fire Programs, State Police and Transportation for their Assistance with the April 6, 2017 Storm

Recommendation: Approve resolutions as submitted

A RESOLUTION

**ADOPTED BY THE LANCASTER COUNTY
BOARD OF SUPERVISORS**

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, the incident overwhelmed the resources of Lancaster County, and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, Lancaster County received assistance from the **County of Middlesex** to assist with the damage assessment and building inspections, to supplement building personnel in Lancaster County, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery, and;

Whereas, the timely resolution of this incident would not have been possible without the assistance and cooperation of neighboring jurisdictions, and;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends **Mr. David Selph** for his valuable assistance during this significant and stressful weather event.

**A RESOLUTION
ADOPTED BY THE LANCASTER COUNTY
BOARD OF SUPERVISORS**

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, the first responding agencies in Lancaster County responded to numerous reports of downed trees and power lines, and assisted the Office of Emergency Management with the canvassing of damaged properties to determine the extent of damage and to determine the presence of victims, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, the incident overwhelmed the resources of Lancaster County, and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery, and;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends the **Upper Lancaster Volunteer Fire Department**, and especially the individual volunteers for their dedicated service to the residents of Lancaster County on a daily basis, and especially during this significant and stressful weather event.

A RESOLUTION ADOPTED BY THE LANCASTER COUNTY BOARD OF SUPERVISORS

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, the first responding agencies in Lancaster County responded to numerous reports of downed trees and power lines, and assisted the Office of Emergency Management with the canvassing of damaged properties to determine the extent of damage and to determine the presence of victims, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, there were damages sustained to Bon Secours Rappahannock General Hospital, resulting in patients requiring transportation to Tappahannock or Gloucester, and;

Whereas, although there were no reported injuries related to the storm, volunteers provide additional staff in anticipation of injuries and transportation of patients outside of Lancaster County, and;

Whereas, the incident overwhelmed the resources of Lancaster County, and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends the **Upper Lancaster Volunteer Rescue Squad**, and especially the individual volunteers for their dedicated service to the residents of Lancaster County on a daily basis, and especially during this significant and stressful weather event.

A RESOLUTION ADOPTED BY THE LANCASTERCOUNTY BOARD OF SUPERVISORS

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, the first responding agencies in Lancaster County responded to numerous reports of downed trees and power lines, and assisted the Office of Emergency Management with the canvassing of damaged properties to determine the extent of damage and to determine the presence of victims, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, there were damages sustained to Bon Secours Rappahannock General Hospital, resulting in patients requiring transportation to Tappahannock or Gloucester, and;

Whereas, although there were no reported injuries related to the storm, volunteers provide additional staff in anticipation of injuries and transportation of patients outside of Lancaster County, and;

Whereas, the incident overwhelmed the resources of Lancaster County, and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends the **Kilmarnock-Lancaster Volunteer Rescue Squad**, and especially the individual volunteers for their dedicated service to the residents of Lancaster County on a daily basis, and especially during this significant and stressful weather event.

A RESOLUTION ADOPTED BY THE LANCASTER COUNTY BOARD OF SUPERVISORS

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, **White Stone Volunteer Fire Department** provided the initial response and began the process of incident stabilization, in cooperation with other Lancaster County fire departments, rescue squads, and County personnel, and;

Whereas, the first responding agencies in Lancaster County responded to numerous reports of downed trees and power lines, and assisted the Office of Emergency Management with the canvassing of damaged properties to determine the extent of damage and to determine the presence of victims, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, the incident overwhelmed the resources of Lancaster County and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends the **White Stone Volunteer Fire Department** and especially the individual volunteers for their dedicated service to the residents of Lancaster County on a daily basis and especially during this significant and stressful weather event.

**A RESOLUTION
ADOPTED BY THE LANCASTER COUNTY
BOARD OF SUPERVISORS**

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, there were damages sustained to Bon Secours Rappahannock General Hospital, resulting in patients requiring transportation to Tappahannock and Gloucester, and;

Whereas, although there were no reported injuries related to the storm, volunteers provide additional staff in anticipation of injuries and transportation of patients outside of Lancaster County, and;

Whereas, the incident overwhelmed the resources of Lancaster County, and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, Lancaster County received assistance from agencies of the **Commonwealth of Virginia**, to assist with the damage assessment, building inspections, incident management and stabilization, situational awareness and emergency operations center management, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery, and;

Whereas, the timely resolution of this incident would not have been possible without the assistance and cooperation of neighboring jurisdictions, and;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends the **Virginia Department of Emergency Management, Virginia**

Department of Fire Programs, Virginia Department of State Police, and Virginia Department of Transportation for their valuable assistance during this significant and stressful weather event.

**A RESOLUTION
ADOPTED BY THE LANCASTER COUNTY
BOARD OF SUPERVISORS**

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, the first responding agencies in Lancaster County responded to numerous reports of downed trees and power lines, and assisted the Office of Emergency Management with the canvassing of damaged properties to determine the extent of damage and to determine the presence of victims, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, the incident overwhelmed the resources of Lancaster County, and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, Lancaster County received assistance from **Essex County Emergency Services** to assist with the management of the Emergency Operations Center, to supplement emergency management personnel in Lancaster County, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery, and;

Whereas, the timely resolution of this incident would not have been possible without the assistance and cooperation of neighboring jurisdictions, and;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends **Chief James Brann** for his valuable assistance during this significant and stressful weather event.

A RESOLUTION

**ADOPTED BY THE LANCASTER COUNTY
BOARD OF SUPERVISORS**

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, the first responding agencies in Lancaster County responded to numerous reports of downed trees and power lines, and assisted the Office of Emergency Management with the canvassing of damaged properties to determine the extent of damage and to determine the presence of victims, and;

Whereas, stabilization of the incident required the closure of several roads, including the entry and exit points to the Town of Irvington, and;

Whereas, perimeter security provided by the **Lancaster County Sheriff's Office** was vital to the management of the incident, to ensure the safety and security of residents, and;

Whereas, the incident overwhelmed the resources of Lancaster County, and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery, and;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends the **Lancaster County Sheriff's Office**, and especially the individual volunteers for their dedicated service to the residents of Lancaster County on a daily basis, and especially during this significant and stressful weather event.

**A RESOLUTION
ADOPTED BY THE LANCASTER COUNTY
BOARD OF SUPERVISORS**

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, the incident overwhelmed the resources of Lancaster County, and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, Lancaster County received assistance from **Fairfields Volunteer Fire Department** to respond to calls, including a house fire, and to supplement the available fire department personnel in Lancaster County, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery, and;

Whereas, the timely resolution of this incident would not have been possible without the assistance and cooperation of neighboring jurisdictions, and;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends the **Fairfields Volunteer Fire Department** for their valuable assistance during this significant and stressful weather event.

**A RESOLUTION
ADOPTED BY THE LANCASTER COUNTY
BOARD OF SUPERVISORS**

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage to Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, the incident overwhelmed the resources of Lancaster County, and resources from neighboring jurisdictions and the Commonwealth of Virginia were required to assist with the response, and;

Whereas, Lancaster County received assistance from **York County Department of Life Safety and York-Poquoson Sheriff's Office** to assist with the damage assessment and situational awareness, with the deployment of their drone team, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery, and;

Whereas, the timely resolution of this incident would not have been possible without the assistance and cooperation of other jurisdictions, and;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends the **York County Department of Life Safety and York-Poquoson Sheriff's Office** for their valuable assistance during this significant, and stressful, weather event.

**A RESOLUTION
ADOPTED BY THE LANCASTER COUNTY
BOARD OF SUPERVISORS**

Whereas, Lancaster County experienced a severe thunderstorm on April 6, 2017, including a tornado beginning at Crab Point and traveling through the Town of Irvington and continuing to Hills Quarter, and damaging winds resulting in damage from Hills Quarter through the Town of Kilmarnock, and;

Whereas, the tornado and wind damage resulted in structural damage to 49 properties, resulting in \$2.8 million in damage, and;

Whereas, the first responding agencies in Lancaster County responded to numerous reports of downed trees and power lines, and assisted the Office of Emergency Management with the canvassing of damaged properties to determine the extent of damage and to determine the presence of victims, and;

Whereas, there were two storm related house fires occurring during the response to the tornado and wind damage, and;

Whereas, the response phase of this incident was able to be resolved within a matter of hours, allowing residents to begin the process of recovery;

Now, Therefore, Be It Resolved, that the Lancaster County Board of Supervisors commends the **Kilmarnock Volunteer Fire Department**, and especially the individual volunteers for their dedicated service to the residents of Lancaster County on a daily basis, and especially during this significant, and stressful weather event.

4. Resolution Commemorating World War I Remembrance Day

Recommendation: Approve resolution as submitted

World War I Remembrance Day

Whereas, April 6, 2017 marks the centennial of America's declaration of war against Imperial Germany and America's entry into the First World War; and

Whereas, men and women from Lancaster County have served with distinction in the Armed Forces for the Great War and the wars to follow, and they continue to serve in defense of our freedoms in the Wars against Terrorism; and

Whereas, there were citizens of who registered for the draft who were called to serve their country in uniform and killed in battle and others who gave their lives to defend freedom in the world and make The Great War the war to end all wars; and

Whereas, Lancaster County is home to patriots and countless military veterans of all military services; and

Whereas, the United States Congress has officially created the World War One Centennial Commission to educate, commemorate and honor this event in our history, and the Commonwealth of Virginia has created The World War I and WWII Commemoration Commission to do the same, and

Whereas, more than four million American families sent their sons and daughters to serve in uniform during the Great War, with 116,516 U. S. soldiers giving their lives in combat and another 200,000 were wounded.

Whereas, we, The Daughters of the American Revolution, Cobbs Hall Chapter wish to recognize this important centennial day, and those who served from Lancaster County, Commonwealth of Virginia.

Now, Therefore, I, William R. Lee, by the authority vested in me as the Chairman of the Lancaster County Board of Supervisors, together with the entire Board do hereby encourage all citizens to remember and commemorate America's entry in the Great War and the great sacrifices that awaited its citizens 100 years ago, and do hereby proclaim April 6, 2017 as World War Remembrance Day in Lancaster County.

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 April 2017 Salaries and Invoice Listings

The motion was made by Mr. Palin to approve the salaries for April 2017 in the amount of \$262,654.14 and invoice listings for April 2017 in the amount of \$635,346.73*.

*Capital Improvements - \$56,033.91

*Greentown/Gaskins Road - \$52,374.39

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

2. Resolution Appointing a Fire Marshal for Lancaster County

Chief McGregor stated that this issue came to his department at the request of the fire departments about two and a half years ago. He stated that, according to code, whenever there is a fire, a fire investigation must be conducted. He stated that, in many cases, it is a fairly simple task. He stated that, however, when the cause is not immediately known or if arson may be suspected, it requires that a fire investigation be done by someone with certain qualifications. He stated that the Virginia State Police do the fire investigations at the present time and it can take several hours for someone to get to the fire site. He stated that the fire departments felt that this extra time was a hardship on them and had approached the previous sheriff and the current sheriff about an alternative. He stated that the Sheriff's department does not have staff with the appropriate credentials for fire investigation at the present time. He stated that the EMS department has employees with the proper training. He stated that the resolution enacts Section 27-30 of the Code of Virginia that allows localities to appoint a Fire Marshal. He stated that transfers the investigations responsibility from the volunteer fire departments to the Department of Emergency Services. He stated that the goal is to determine the cause and origin of the fire and if it is determined that

arson is suspected or a crime has occurred, to then involve the Sheriff's office. He stated that this proposal does not require any additional funding or any initial training so it will be budget neutral.

Chief McGregor introduced Skip Hall and stated that beginning the following week, he would be a full-time employee of Lancaster County. He stated that he had been working with the County on a part-time basis and is a retired fire fighter and investigator from other localities.

Chief McGregor stated that the proposed resolution does not enact the fire prevention code and does not authorize his department to conduct fire inspections and does not provide any enforcement authority, other than to carry out an investigation. He stated that the chiefs from the three local volunteer fire departments were also in attendance.

Mr. Lee stated that he was glad to see that there was support from all of the volunteer fire departments and the Sheriff's department. He stated that he would like to table the resolution for thirty days so the Board can go over the language in the resolution.

Mr. Palin stated that the resolution names Chief McGregor as the Fire Marshal. He asked Chief McGregor if he would be supervising Mr. Hall.

Chief McGregor replied yes.

Mr. Bellows asked Chief McGregor if he had the credentials for the Fire Marshal position.

Chief McGregor replied that he did not have all of the credentials of an arson investigator and the "heavy lifting" would be done by Mr. Hall.

Mr. Beauchamp stated that he thought this step needed to be taken and he knew the volunteer fire departments were urging that this be done.

Mr. Bellows asked if there was a situation that could not be handled "in-house", would the department reach out to the Virginia State Police.

Chief McGregor replied yes.

Mr. Lee made a motion to table the proposed Resolution to Appoint a Fire Marshal for 30 days.

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

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

3. Consideration of Adoption of the FY 2017-18 Lancaster County Public Schools Budget

Mr. Pleva stated that last Thursday night the Board of Supervisors conducted a public hearing on the proposed FY 2017-18 Lancaster County Public Schools Budget. He stated that there had been no written comments from the public and two people spoke in favor of the budget at the public hearing. He stated that, by law, the Board must wait seven days before acting on the budget. He stated that typically when the Board approves the budget, they also appropriate the budget funds.

Mr. Jenkins made a motion to Adopt the FY 2017-18 Lancaster County Public Schools Budget.

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

Mr. Bellows made a motion to Appropriate the FY 2017-18 Lancaster County Public Schools Budget According to the listed Categories.

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

4. Lancaster County Public Schools Proposed Capital Project

Mr. Pleva stated that Dr. Robert Westbrook, Chairman of the Lancaster County School Board, had sent an email asking to be included on the Board of Supervisors' agenda for tonight's meeting. He stated that Dr. Westbrook asked that the Board of Supervisors consider three items, 1) a request to consider increasing the real property tax rate by \$.01 per \$100 assessed value for FY 2017, 2) a request for the Board of Supervisors to apply for a USDA Rural Development loan to take advantage of current interest rates before the end of the fiscal year and 3) a request for permission for the School Board to publish a Request for Proposals for the design phase of the proposed school facilities.

Mr. Jenkins asked how could they increase a tax rate after it has already been set and collected.

There was some discussion on the difference between the fiscal year and the calendar year when speaking about the tax rate.

Dr. Westbrook stated that it was his understanding that the request was for this year, but if it has to be next year, then that is the way it would have to be. He stated that this process has gone on for the last nineteen months and they have tried to get this issue to the Board of Supervisors as quickly as they could, while bringing the public along and educating the public on these measures. He stated that the Schools Facilities Committee has brought its recommendations to the School Board. He stated that the School Board had a public hearing and the School Board has voted to accept the recommendations. He stated that they have tried very hard to do this the right way and he appreciated the leadership of Jimmie Carter. He stated that George Bott has done a wonderful job of figuring out how this County can afford to have the best schools possible. He stated that it was his understanding that a one cent tax increase would be this year and a two cent tax increase next year. He stated that the most critical point is that they keep going with the process and that requires the completion of the application for the loan. He stated that they have to get in the queue and nobody knows what is going to happen with interest rates.

Mr. Jenkins stated that the Board can only do what the Code of Virginia allows. He stated that the tax rate had already been set and taxes collected for the year. He asked Ms. Dickson about the tax rate.

Bonnie Dickson, County Treasurer, stated that the County is currently in tax year 2016 and she thought what the Schools Facilities Committee was requesting was to add a penny to tax year 2017 when the Board of Supervisors sets its tax rate this budget cycle.

Dr. Westbrook agreed.

Mr. Jenkins stated that the Board of Supervisors has barely started the budget considerations and does not know at this point, how much, if any, the tax rate will need to be changed.

Dr. Westbrook stated that he may have misspoken, but the request would be to consider the one cent tax rate as soon as possible, which would mean for the upcoming fiscal year.

Mr. Jenkins stated that it seemed to him that there was no need for action on item one because the Board of Supervisors is at the beginning of the budget considerations.

Dr. Westbrook stated that what is pressing is the application for the loan which costs nothing and allowing the School Board to issue a Request for Proposals for the design phase. He stated that no one would be signing contracts that involve money until that part of the process has evolved. He stated that they don't know which parcel of land would be selected and a sub-committee is looking into that.

Mr. Lee asked Mr. Pleva about the application process.

Mr. Pleva replied that he had spoken to Tara Delaney with the USDA and she has volunteered to come down and speak about their funding programs for community facilities. He stated that because of the amount of the loan, Ms. Delaney said that the loan would be processed through the national office. He stated that Ms. Delaney would come down to talk to the School Board and the Board of Supervisors and suggested a time after May 15th because of on-going budget considerations. He stated that Ms. Delaney said there was a good chance that lease revenue bonds would be needed, which means the Economic Development Authority would be the borrowing entity, similar to the new courthouse a few years ago.

Mr. Jenkins referred to the proposed Request for Proposals that deals with building design and asked if that would be for all three schools or would there be options, where they could look at phases that could be funded instead of the whole project of three schools at once.

Dr. Westbrook replied that the Request for Proposals is going to follow the recommendations of the Schools Facilities Committee, which are a combined high school/middle school and the existing middle school being renovated to become an elementary school and all facilities would be "net zero" schools, meaning no costs for electricity. He stated that the Request for Proposals will have some "wiggle room" with language such as "contingent upon funding". He stated that depending on the financial situation at that time, there may need to be modifications.

Mr. Jenkins stated that we know we have needs to improve our school facilities and one is more critical than the others. He stated that it would be better to make a decision on behalf of all of the taxpayers if we had options. He stated that it felt like a "slippery slope" towards a \$70 million dollar price tag.

Dr. Westbrook stated that they want to continue with the process, which means that a few firms will be chosen after the Request for Proposals process is done and then interviews will be conducted. He stated that after that choice is made, they will have to come back to the Board of Supervisors with the price of that firm's design work in order to continue. He stated that he didn't want to dither on the matter and wait until the Board of Supervisors decides what the Request for Proposals should say when the Schools Facilities Committee has been working on the issue for nineteen months and involved the community with all eighteen members saying that this is what they want to see.

Mr. Jenkins stated that he thought the Board of Supervisors should have more options besides yes or no and a plan how to meet the schools needs in stages.

Mr. Pleva stated that until the scope of the project is known, a design fee cannot be given.

Mr. Bellows stated that going forward on the Request for Proposals process does not require any fiscal expenditures at all. He stated that the way he sees it, this is just the beginning of the process and they should keep going forward.

Mr. Jenkins asked if the Request for Proposals could be broken out for each of the facilities.

Dr. Westbrook replied that he thought that could be possible.

Mr. Lee stated that he saw no reason why the School Board could not proceed with items two and three of the request.

Mr. Beauchamp stated that there is no question that the schools facilities need improvement.

Mr. Bellows made a motion to Approve Items B and C and Consider Item A when the tax levy is set during future budget considerations.

Mr. Jenkins asked if the Board clearly understands that any actions being taken now do not place any burden or liability on them.

Everyone agreed.

Mr. Pleva stated that there is nothing binding, at this point, on expenditures. He stated that one thing to consider is when application is made to the USDA, a figure for the proposed loan will be needed. He asked if the figure would be \$70 million knowing that they can always come down from that amount.

Mr. Lee stated that he did not have a problem with that because \$70 million does not have to be approved.

Mr. Bellows stated that, at the end of the day, they would only get charged for what was actually used.

Dr. Westbrook asked who would attend the meeting with Ms. Delaney from the USDA.

Mr. Pleva replied that having both boards in attendance would be appropriate.

Mr. Bellows stated that he appreciated the process that the Schools Facilities Committee has gone through. He stated that it has been very “above board” and there have been many opportunities for the public to be engaged in the process. He thanked Steve Parker and Dr. Westbrook for what they had done for the school system and the County. He stated that, if there is going to be any economic development future for the County, improving our schools should be priority number one.

Mr. Bellows restated his motion to Approve Items B and C and Consider Item A when the tax levy is set during future budget considerations and added that if the figure of \$70 million is used in the paperwork for the USDA loan, it is not a committed figure.

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. Palin made a motion to reappoint Sharon Waddy-Foster as the District 2 representative to the Historic Resources Commission.

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

B. Wally Beauchamp Aye

Mr. Bellows stated that he had testified last week at the SCC hearing and had provided fellow Board members with his remarks. He stated that he wanted to thank all of the citizens and the Rappahannock Coalition that have really engaged and helped the Board of Supervisors in this process. He stated that he also wanted to thank the other four members of the Board for supporting this issue for the last eighteen months.

Mr. Lee stated that he wanted to thank Mr. Bellows for giving all of his time and for representing the County well.

COUNTY ADMINISTRATOR

None.

ADJOURNMENT

Motion was made by Mr. Bellows 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