

AT A WORK SESSION OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS
AND THE ROCKBRIDGE COUNTY PUBLIC SERVICE AUTHORITY HELD IN THE
ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, FEBRUARY 26, 2018 AT 4:30 P.M.

BOARD MEMBERS PRESENT: DAVID W. HINTY, JR. (CHAIRMAN)
 JOHN M. HIGGINS (VICE-CHAIRMAN)
 RONNIE R. CAMPBELL
 DANIEL E. LYONS
 A.J. "JAY" LEWIS, II.

COUNTY ADMINISTRATOR
AND CLERK TO THE BOARD: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

PUBLIC SERVICE AUTHORITY
MEMBERS AND STAFF: GRIGG MULLEN, JOE SOKOLOWSKI,
 ALBERT "BUSTER: LEWIS, JR.
 JAY MELVIN (ARRIVED AT 4:53 P.M.)

*Please take notice that David Hinty, Jr. serves
on both the Board of Supervisors and the Public
Service Authority. For the purposes of this
meeting, he acted in his capacity of the Board of
Supervisors.*

CALLED TO ORDER:

Chairman Hinty called the Work Session to order at 4:30 p.m.
The Board of Supervisors, County Administrator, and County Attorney left
the dais and joined the Public Service Authority (PSA) members in the
audience chairs.

The PSA's continued meeting was then called to order.

Joint Meeting with the Public Service Authority (PSA) to discuss potential Rt. 60E Water/Sewer Upgrades- Presentation on financing options by the County's Financial Advisor Davenport & Company:

County Administrator Spencer Suter briefly reviewed the Board Report:

"Over the past 90 days, the Board and PSA have worked to explore the potential to improve and expand the water/sewer infrastructure in the US 60E corridor. Currently, these services extend approximately 0.7 miles along the corridor in the County, and the sewer capacity is fully utilized, with no capacity for future expansion as built. Additionally, the County has identified the intersection of US60 and I81 (currently unserved by water and sewer) as an area of future development. Anderson and Associates, a 3rd-party engineer, has completed preliminary engineering for a two phase project. Costs are:

Phase 1 - Increasing sewer capacity in the currently served area - Cost: Est. \$2.4M

Phase 2 - Extending both water and sewer to the I81/US 60 interchange - Cost: Est. \$9.6M

As discussed in past meetings, the PSA is not prepared to fund either phase. Thus, the Board of Supervisors would need to assume responsibility for any associated debt service in a PSA borrowing.

At the Board's December 11, 2017 meeting the County's financial Advisor, Davenport and Company, presented a detailed analysis of financing options and projected impacts to the County's financial position. At the Board's direction, staff and Daniel Lauro (Bond Counsel) subsequently worked with Davenport to solicit financing proposals from both the private bank market and predict potential rate structures with the Virginia Resources Authority (VRA). Multiple options were solicited including a short term construction loan (to later be rolled into a long term loan), and variations of fixed rate term loans for both Phase 1 and Phase 1/2 combined.

Davenport has received and reviewed the proposals and is prepared to offer recommendations to the Board and PSA. The goal of the work session would be to hear and discuss the varying options (to include annual debt service payments), and determine:

- 1) If, based on the proposed costs, the Board and PSA are willing to move ahead with the project, and
- 2) If so, which financing option makes the most sense

As this is a work session, the Board would not be asked to make any motions or decisions. However, an item will be placed on the Board's regular meeting at 5:30 PM, so that it could act if it deems appropriate. An action during that meeting would extend the process to the next step, which would take place during the regular meeting on March 12. At that point, the Board would consider adoption of a resolution authorizing the project to include a PSA support agreement."

He then made the following recommendations:

- 1) Receive Davenport's presentation and recommendations, posing questions you may have to Davenport and staff.
- 2) Discuss as necessary with all parties to include PSA Board members.
- 3) If, after discussion the Board is in agreement with recommendations, determine to continue discussion at during the regular meeting, to direct staff to move ahead with final resolution and authorizing agreement, if in agreement."

Mr. R.T. Taylor, representing the County's financial advisor (Davenport and Company) presented a PowerPoint presentation which explained that, per the Boards authorization, an RFP for bank financing was issued and as a result six (6) proposals were received. Mr. Taylor advised that, in addition to issuing the RFP, Davenport submitted an application to potentially participate in the VRA Spring Pooled Financing Program. After review of the PowerPoint comparing interest rates of a bank loan and debt service structuring, Davenport recommends implementing a direct bank loan funding approach with BB&T for the funding of Phase I. He added that in doing so, the County/PSA will lock-in a fixed rate for 15 or 20 years; obtain the lowest interest rate; and preserve flexible prepayment terms. He explained that this recommendation was ultimately a result of Davenport's review along with the County's and PSA's.

PSA Board Member Jay Melvin arrived at 4:53 p.m.

Mr. Suter reiterated that the PSA could take action at this meeting and the Board could take action during its regular meeting at 5:30. He noted that both could make an appropriate motion, should the recommendations be supported.

PSA Board Member Joe Sokolowski moved for staff to proceed with Phase I financing at approximately \$2.5M with BB&T Bank for 15 years, subject to final approval by Board of Supervisors resolution on March 12th and PSA resolution on March 13th. PSA Board Member Jay Melvin provided the second, and the motion carried by unanimous vote by the PSA Board, with Mr. Hinty abstaining, as he was representing the Board of Supervisors and not the PSA.

On a motion by PSA Board Member Joe Sokolowski, seconded by PSA Board Member Buster Lewis, the PSA Meeting was adjourned by unanimous vote by the PSA Board.

Chairman Hinty closed the Work Session at 5:03 p.m.

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS
HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, FEBRUARY 26, 2018 AT 5:30 P.M.

BOARD MEMBERS PRESENT: DAVID W. HINTY, JR. (CHAIRMAN)
 JOHN M. HIGGINS (VICE-CHAIRMAN)
 RONNIE R. CAMPBELL
 DANIEL E. LYONS
 A.J. "JAY" LEWIS, II.

COUNTY ADMINISTRATOR
AND CLERK TO THE BOARD: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Chairman Hinty called the meeting to order at 5:31 p.m. He stated that Supervisor Campbell would deliver the invocation for anyone who wished to participate.

Prayer and Pledge:

Per request, Supervisor Campbell delivered the invocation and led in the Pledge of Allegiance.

Recognitions and Presentations:

There were none.

Citizens Comments:

Steve Hart of the Kerrs Creek Magisterial District asked the Board to consider finding a way to extend broadband internet to rural areas in the County. He stated that, by doing so, the County could attract more people to rural areas.

Items to be added to the Agenda:

Chairman Hinty asked the Board to discuss Board pictures for the County's website and building entrances. After discussion, a majority of the members agreed that a group photo of the entire Board would be best instead of single photos.

Approval of the February 12, 2018 Called Work Session and Regular Meeting Minutes:

Supervisor Lyons moved to approve the February 12, 2018 Work Session and Regular Meeting Minutes. Supervisor Campbell provided the second, and the motion carried by the following roll call vote:

AYES: Lyons, Campbell, Lewis, Higgins, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

Consideration of the School Division Appropriation Resolution:

Finance Director Steven Bolster briefly reviewed the School's Appropriation Resolution noting that the line-item appropriations listed are the result of the School Division receiving additional revenues not budgeted for.

Supervisor Lyons asked for clarification that the line items were revenues and asked if they were federal or local.

Mr. Bolster confirmed that the items were revenues and that it was his understanding the majority were local sources.

Supervisor Lewis moved to approve the Schools Appropriation Resolution as shown below. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

AYES: Lewis, Higgins, Lyons, Campbell, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, FEBRUARY 26, 2018 AT 5:30 P.M.

On motion by Supervisor _____, seconded by Supervisor _____, the Board, by record vote adopted the following appropriation resolutions:

APPROPRIATION RESOLUTION

FUND 50

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby are made, for the period ending June 30, 2018 in FUND 50, SCHOOL FUND and expended as follows:

Additional Revenue Sources

4-50-62160-3290-902-100-000	Purchased Services.....	\$15,000.00
4-50-63200-1582-903-600-000	Salaries.....	\$10,256.00
4-50-63200-1582-915-603-000	Salaries.....	\$675.00
4-50-64200-6007-904-000-000	Maintenance Materials.....	\$44,261.00
4-50-68100-6050-908-000-000	Instructional Materials...	\$15,000.00
	Subtotal	\$85,192.00
TOTAL FUND 50 APPROPRIATIONS		\$85,192.00

Consideration of Rt60E Water/Sewer Improvements:

County Administrator Spencer Suter explained that, in the prior work session, the Board and PSA received a presentation by R.T Taylor of Davenport and Company on potential ways to fund this project. Following the presentation, the PSA unanimously approved for staff to proceed with Phase I financing at approximately \$2.5M with BB&T Bank for 15 years, subject to final approval by Board of Supervisor resolution on March 12th and PSA resolution on March 13th.

Supervisor Higgins moved for staff to proceed with Phase I financing at approximately \$2.5M with BB&T Bank for 15 years, subject to final approval by Board of Supervisor resolution on March 12th and PSA resolution on March 13th. Supervisor Lyons provided the second, and the motion carried by the following roll call vote:

AYES: Higgins, Lyons, Campbell, Lewis, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

Chairman Hinty called for a recess until 6:00 p.m. when Public Hearings could be heard.

Public Hearings at 6:00 p.m.:

Chairman Hinty rearranged order of the Public Hearings.

Special Exception for Big Springs Farm, Lodge/Resort in A-2:

Assistant Director of Community Chris Slaydon reviewed aerial photos of the location of the proposed site. He explained that in May 2014, the Board approved a Big Springs Event Special Exception Permit for a wedding venue. Since then, he explained, the venue has done remarkably well and the applicants are asking to amend their Special Exception Permit by adding a lodging component. He advised that the Planning Commission had held its public hearing and recommends approval with the following conditions:

1. Events will be limited to weddings and receptions with a maximum of 300 attendees.
2. Other than activities associated with overnight lodging, all site activities will be concluded by 11:00 p.m.
3. Adequate sanitation facilities for the numbers of guests (two port-a-johns per 100 guests).
4. Adequate off-street parking facilities and traffic controls with no more than 120 vehicles. No parking allowed on Big Spring Drive.
5. Required license for alcohol per ABC regulations and alcoholic beverages will not be self-served.
6. All trash shall be taken directly to the landfill and not a collection center or green box site.
7. Any amplified music must be within an enclosed structure.
8. Approval is contingent on VDOT's and the Building Department's approval.
9. The lodge/resort cottages shall be consistent with the plans entitled "The Cottages at Big Spring Farm", on file in the office of Community Development, with up to 8 cottages constructed for overnight guests.

Applicant Buddy Powers reiterated that the Big Springs wedding venue has done remarkably well, hosting roughly 200 events thus far. He advised that the added lodging component came about from numerous inquiries from event attendees. Mr. Powers stated that the location of the proposed lodges would be screened very well and that no associated activities would be seen by neighbors due to the distance from the grade to the ridge. He noted the importance of his property stating that he and his family do what is good for the land, for his family, and for the community. He shared his intentions to bring in more visitors, which ultimately brings more revenue to the County.

Chairman Hinty opened the public hearing at 6:12 p.m.

Neighboring property owner Steve Hart concurred that Mr. Powers himself tends to his land and has always done so with concern for what is good for the land, his family, and the community as mentioned. He shared his support of the request to add a lodging component.

Chairman Hinty closed the public hearing at 6:13 p.m.

Supervisor Campbell moved adopt the ordinance granting the special exception permit as shown below. Supervisor Lyons provided the second, and the motion carried by the following roll call vote:

AYES: Campbell, Lyons, Lewis, Higgins, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
FEBRUARY 26, 2018**

Ordinance Granting an Amended Special Exception Permit To James Powers/Powers Farm LLC for a Lodge/Resort, in Addition to Special Events, on Property in the Agricultural General District (A-2), Located on the North Side of Big Spring Drive at 1824 Big Spring Drive (Tax Map No. 47-A-50A) in the Kerrs Creek Magisterial District

WHEREAS, on May 27, 2014, a Special Exception Permit was granted to James Powers for operation of a special event destination business on the property known as Big Spring, at 1824 Big Spring Drive in the Kerrs Creek Magisterial District, identified on the Rockbridge County Land Records as Tax Map #47-A-50A; and,

WHEREAS, James Powers, the applicant, has applied for an amendment to said Special Exception Permit to allow for the addition of cottages to house overnight guests on the subject property, now owned by Powers Farm LLC; and,

WHEREAS, the subject property is located in the Agricultural General (A-2) zoning district; and,

WHEREAS, special events and a lodge/resort are uses requiring a special exception permit in the A-2 district; and,

WHEREAS, the Planning Commission held a public hearing on this application on February 14, 2018, and recommended approval with specified conditions to the Board of Supervisors; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing on this matter on February 26, 2018; and,

WHEREAS, legal notice has been provided in accordance with §15.2-2204 of the Code of Virginia (1950, as amended) and in accordance with the Rockbridge County Land Development Regulations; and,

WHEREAS, the Board of Supervisors has given due consideration to the factors set forth in Section 802.03-5 of the Rockbridge County Land Regulations, for issuance of a special exception permit.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Rockbridge County, Virginia, as follows:

1. That the Board of Supervisors finds that the granting of an amended special exception permit to James Powers/Powers Farms, LLC, for a lodge/resort of up to 8 cottages for overnight guests, in addition to operation of a special event destination business, on the property known as Big Spring, at 1824 Big Spring Drive in the Kerrs Creek Magisterial District, identified on the Rockbridge County Land Records as Tax Map #47-A-50A, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby granted and approved with and subject to the conditions set forth on Exhibit A attached hereto and incorporated herein by reference.

2. That this ordinance shall be effective on the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted this 26th day of February, 2018.

**EXHIBIT A
SPECIAL EXCEPTION PERMIT CONDITIONS
JAMES POWERS
POWERS FARM LLC
d/b/a Big Spring Events LLC**

- 1. Events will be limited to weddings and receptions with a maximum of 300 attendees.**
- 2. Other than activities associated with overnight lodging, all site activities will be concluded by 11:00 p.m.**

3. **Adequate sanitation facilities for the numbers of guests (two port-a-johns per 100 guests).**
4. **Adequate off-street parking facilities and traffic controls with no more than 120 vehicles. No parking allowed on Big Spring Drive.**
5. **Required license for alcohol per ABC regulations and alcoholic beverages will not be self-served.**
6. **All trash shall be taken directly to the landfill and not a collection center or green box site.**
7. **Any amplified music must be within an enclosed structure.**
8. **Approval is contingent on VDOT's and the Building Department's approval.**
9. **The lodge/resort cottages shall be consistent with the plans entitled "The Cottages at Big Spring Farm", on file in the office of Community Development, with up to 8 cottages constructed for overnight guests.**

Zoning Ordinance Amendment for Pilot Flying J, Sign Ordinance Amendment:

Mr. Slaydon reviewed aerial photos of the location of the proposed site. He then briefly reviewed the Board Report:

"Pilot Flying J has applied to amend Section 706.06, Raphine Interstate Signage, to allow for directional signs at each entrance to a business up to fifteen (15) square feet and six (6") feet tall to better direct truck traffic through the property. We met with them on site when they were doing the mock ups and photo simulations and support this amendment which will only be applied to the Raphine interchange which is outside of the Tourism Corridor and caters to the trucking community. As you may recall, when Pilot went through site plan review earlier with the Planning Commission, a lot of the discussion centered around how to better facilitate the truck traffic to reduce congestion on Oakland Circle and Raphine Road. As a result, Pilot constructed a fourth entrance further south off of Oakland Circle and has directed truckers to use that entrance which requires them to travel around the back of the facility and approach the pumps from the back instead of the front. This allows for more stacking room on their property. The purpose of the new signage is to facilitate these new internal traffic patterns. The Planning Commission has recommended approval of the enclosed amendment."

Russ Orrison of Perkins and Orrison advised that, compared to other interchanges in the area, this one is unique as for its need for signage.

Chairman Hinty opened the public hearing at 6:17 p.m. Hearing no comment, Chairman closed the public hearing.

Supervisor Campbell moved adopt the ordinance amending the Land Development Regulations as shown below. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

AYES: Campbell, Lewis, Lyons, Higgins, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
FEBRUARY 26, 2018**

Ordinance to Amend Section 706.00 – Signs of Article 7 – Use Regulations of the County of Rockbridge Land Development Regulations to Add Section 706.06-5 in Section 706.06 – Raphine Interstate Signage, to Allow for Directional Signs, Up to 15 Square Feet and 6 Feet in Height, at Each Entrance to a Business in the Raphine Interchange

WHEREAS, PFJ Southeast, LLC, is the current owner of a parcel of land consisting of 22.573 acres near the Raphine Interchange, located at 713 Oakland Circle in the Walkers Creek Magisterial District, and identified on the Rockbridge County Land Records as Tax Map #28-A-14C; and,

WHEREAS, said property is operated as the operated as the Pilot Flying J Truck Stop and has initiated directional changes for truck traffic to help alleviate traffic congestion around the interchange; and,

WHEREAS, PFJ Southeast has filed an application to amend Section 706.00 – Signs, to allow directional signs, up to 15 square feet and 6 feet in height, at each entrance to a business in the Raphine Interchange; and,

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this amendment to the Land Development Regulations on February 14, 2018, and recommended approval to the Board; and,

WHEREAS, the Rockbridge County Board of Supervisors held a public hearing on this amendment on February 26, 2018; and,

WHEREAS, legal notice has been provided in accordance with Section 15.2-2204 of the Code of Virginia (1950, as amended) and the County of Rockbridge Land Development Regulations; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, has determined that the provisions of this ordinance generally promote the health, safety and general welfare of the public, that the amendment is required by good zoning practice and accomplishes the objectives set forth in Va. Code Section 15.2-2200, and that the amendment serves one or more of the purposes set forth in Va. Code Section 15.2-2283 of the Code of Virginia.

NOW, THEREFORE, BE IT ORDAINED by the Rockbridge County Board of Supervisors:

1. That Section 706.06-5 be enacted and added to Section 706.06 – Raphine Interstate Signage, of Section 706.00 – Signs, Article 7 – Use Regulations of the Rockbridge County Land Development Regulations, as follows:

**ARTICLE 7
USE REGULATIONS**

706.00 SIGNS

706.06 **Raphine Interstate Signage.** The Raphine interchange has been recognized as unique from other interchanges and business districts in the County due to the influence of the trucking industry which has dominated the services in this area and has been well established for many years. In order to support the special needs of this industry, services within the B-1 and I-1 Districts whose property is located up to .5 miles from the Raphine interstate interchange as measured from the center of the overpass and within five hundred (500) feet of the right-of way of the interstate may be allowed one (1) additional on-premise, freestanding sign and an Electronic Message Center (EMC) as described below as approved during the site plan review process. It is the intent of this Section to assure that these interstate businesses draw the maximum possible customers while abiding by the overall spirit and other requirements of this Ordinance. (Sec. 706.06 Amended by Ord. of 8-23-10)

706.06-1 The additional on-premise, freestanding sign shall not exceed an area of two hundred fifty-eight (258) square feet with the height and square footage to be determined during the site plan review process but not to exceed one hundred (100) feet tall. The proportionality of the sign's height to square footage shall be considered during the review process.

706.06-2

Information Required. Each applicant requesting such a sign during the site plan review process shall submit the following information:

- (1) A scaled site plan showing location, height and square footage of the proposed sign on the property and other improvements.
- (2) A USGS 7.5 minute series quad map showing the location of the proposed sign and its elevation or other comparable elevation maps.
- (3) An elevation plan for the proposed sign showing the proposed height from the fronting road grade and from sixteen hundred (1600) feet prior to the gore of the appropriate exit ramp. Photographic simulation may be submitted to supplement this information.¹

706.06-3

Height and Square Footage Justification. The allowable sign height and square footage shall be determined by its visibility at a distance of sixteen hundred (1600) feet from the gore of the appropriate interstate exit ramp. The maximum height allowed shall be that which is necessary for the sign message to be visible ten (10) feet above any obstruction, not to exceed one hundred (100) feet. If the sign message cannot be viewed at this distance for reasons such as topography, surrounding vegetation or road alignment, the maximum height for this additional on-premise, freestanding sign shall be twenty-five (25) feet and sixty (60) square feet.

706.06-4

Electronic Message Center. An EMC as defined in [Section 302-183A](#) may be allowed under the following conditions:

- (1) The sign shall fit within the allowable height and square footage for the business or used as a means to reduce non-conforming square footage. In no case shall the sign exceed twenty (20) feet in height and fifty (50) square feet.
- (2) Displays shall be limited to messages that appear or disappear from the display and remain static with no movement or scrolling. In no case shall the display use the flash mode of operation.
- (3) Each message on the sign shall be displayed for a minimum of four (4) seconds.
- (4) The EMC shall only be in operation during the hours of operation of the business.
- (5) The EMC percentage of the overall square footage shall not exceed seventy-five percent (75%) of the sign structure.
- (6) The background of a message or area not associated with a product logo displayed on the EMC shall remain unlit.
- (7) Nighttime illumination shall be limited to one thousand (1000) NITs.
- (8) The display may only be used to advertise goods and services sold on the property, time and temperature and public service announcements. The owner must register with Amber Alerts.

- (9) For purposes of this [Section 706.06-4](#), electronic fuel pricing signs shall be exempt from the height and square footage requirements imposed on other EMCs and may be used to replace existing manual fuel pricing signs or may replace existing non-conforming signage. The pricing numbers shall remain static except when updated for new prices.
(Sec. 706.06-4(1-8) Added by Ord. of 8-23-10; Sec. 706.06-4(9) Added by Ord. of 8-22-11)

706.06-5 Directional signs up to fifteen (15) square feet and six (6) feet tall containing only the logo of the business and type of entrance for the purpose of directing traffic off of a main road and through the parking area. Only one (1) such sign per entrance shall be allowed on an individual lot.

2. That this ordinance shall be in full force and effect on and from the date of its adoption.

Adopted this 26th day of February, 2018.

Special Exception for RYT LLC, Robert Young Towing, for a holding yard in B-1:

Mr. Slaydon advised that the applicant could not make this meeting and has requested that the public hearing be deferred.

Chairman Hinty asked that possible deferment would be discussed later and asked to proceed with the next public hearing.

Special Exception for C&S Disposal, Scrap Metal Yard in I-1:

Mr. Slaydon briefly reviewed the Board Report:

"C&S has applied for a special exception permit for a scrap metal yard in the General Industrial District (I-1) per Section 607.03-7 of the Regulations. The former Campbell's Sawmill site in Natural Bridge Station is a perfect location for their operation which will be moved from its current location off of Arnolds Valley Road and below the Greenlee bridge. All of their activities are a permitted use in I-1 except for the collection of scrap metals which will be stored inside an existing building." Mr. Slaydon further explained that the Planning Commission has met and recommend approval without any conditions. However, Mr. Slaydon suggested that the Board could consider the following conditions be added upon is approval: (1) substantial compliance with the site plan and, or (2) that all scrap metal be required to be stored inside.

While awaiting Mr. Flint's arrival, Mr. Slaydon reviewed the zoning images via overhead projector.

Supervisor Campbell asked for more detail on the suggestion to require all scrap metal to be stored inside.

Mr. Slaydon indicated that there are several structures onsite, one of which could store the scrap metal.

Supervisor Campbell asked how applicant felt about having to store the scrap metal inside.

Community Development Director Sam Crickenberger indicated that Mr. Flint made the suggestion himself during the Planning Commission meeting and he assumes it was to keep it out of bad weather.

Mr. Flint then arrived.

Mr. Slaydon apprised Mr. Flint of the question Supervisor Campbell had pertaining to having to store all metal inside.

Mr. Flint advised that the building they plan to use for storage of the metal is not in good condition anyway and that keeping metal inside helps with being in compliance with DEQ storm water run off regulations.

Supervisor Campbell commended Mr. Flint for trying to do right by DEQ.

Supervisor Higgins asked if there would be a violation if a dump truck filled with scrap metal was sitting on the premises.

Mr. Slaydon stated that it would depend on the wording added to the conditions. For example, he stated that adding "majority of" would eliminate potential violation.

County Attorney Vickie Huffman was asked her thoughts about the proposed condition regarding storage of the metal indoors. She stated that the condition could just be left out.

Chairman Hinty concurred with Ms. Huffman stating that DEQ would handle any issues from metals lying outside.

Supervisor Lewis noted that the site is well screened.

Supervisor Lyons shared his concern about not adding some sort of stipulation, as the special conditions are permanent. He advised that the Board think to the future, to a time when the property could be used for other purposes.

Chairman Hinty opened the public hearing at 6:27 p.m. Hearing no comment, he closed the Public Hearing.

In response to the Board's discussion on adding a condition to the ordinance, Mr. Crickenberger suggested revising the condition to say that the *primary* storage area for scrap metal be inside the building.

Supervisor Campbell moved to adopt the ordinance to include the suggested language by Mr. Crickenberger. Supervisor Lyons provided the second, and the motion carried by the following roll call vote:

AYES: Campbell, Lyons, Lewis, Higgins, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA,
HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, FEBRUARY 26, 2018**

Ordinance Granting a Special Exception Permit to C & S Disposal For Operation of a Scrap Metal Yard on Property in the General Industrial District (I-1) Located at 153 Sherwood Lane off of Wert Faulkner Highway in Natural Bridge Station, identified as Tax Map #113E2-3- 2 thru 10, #113E2-3-A, and #113E2-3-B, in the Natural Bridge Magisterial District

WHEREAS, C & S Disposal, Inc., ("C & S") is currently in the process of acquiring property in Natural Bridge Station for relocation of its operations; and,

WHEREAS, the property is in the General Industrial (I-1) zoning district, located at 153 Sherwood Lane off of Wert Faulkner Highway, identified upon the Rockbridge County Land Records as Tax Map Nos. 113E2-3- 2 thru 10, 113E2-3-A, and 113E2-3-B, in the Natural Bridge Magisterial District of Rockbridge County; and,

WHEREAS, all of C & S's proposed uses for the property are permitted uses in the I-1 district, except the scrap metal yard, which requires a special exception permit in accordance with Section 607.03-7 of the Land Development Regulations; and,

WHEREAS, C & S has filed an application for the special exception permit to operate a scrap metal yard; and,

WHEREAS, the Rockbridge County Planning Commission, following a public hearing on February 14, 2018, reviewed this application and recommended approval of the special exception permit without conditions; and,

WHEREAS, after public notice pursuant to Va. Code §15.2-2204 and §802.03 of the Land Development Regulations, the Rockbridge County Board of Supervisors held a public hearing on the adoption of this Ordinance on February 26, 2018; and,

WHEREAS, the Board of Supervisors has given due consideration to the factors set forth in Section 802.03-5 of the Rockbridge County Land Regulations, for issuance of a special exception permit.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Rockbridge County, Virginia, as follows:

1. That the Board of Supervisors finds that the granting of a special exception permit to C & S Disposal, Inc., for operation of a scrap metal yard in the General Industrial District (I-1), on property to be acquired, located at 153 Sherwood Lane off of Wert Faulkner Highway, identified upon the Rockbridge County Land Records as Tax Map Nos. 113E2-3- 2 thru 10, 113E2-3-A, and 113E2-3-B, in the Natural Bridge Magisterial District, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended) and said special exception permit is hereby approved, with and subject to the condition that the primary storage area for the scrap metal shall be inside a building.

2. That this ordinance shall be effective on and from the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be, and the same hereby are, repealed.

Adopted this 26th day of February, 2018.

Special Exception for RYT LLC, Robert Young Towing, for a holding yard in B-1:

Chairman Hinty agreed to defer this Public Hearing until the next Board meeting, per request of the applicant, as he was unable to make it to this meeting.

Closed Meeting:

At 6:30 p.m., Supervisor Lyons moved to enter into a Closed Meeting as permitted by Virginia Code Section 2.2-3711(A)(1), a personnel matter

involving performance evaluation, job assignments or salaries of specific officers, appointees or employees; and, Virginia Code Section 2.2-3711(A)(3), discussion or consideration of a matter involving acquisition of real property for public purposes where discussion in open meeting would adversely affect the County's bargaining position or negotiating strategy. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

AYES: Lyons, Higgins, Campbell, Lewis, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

At 7:35 p.m., Supervisor Lyons moved to reconvene in open session following the Closed Meeting. Supervisor Campbell provided the second, and the motion carried by the following roll call vote:

AYES: Lyons, Campbell, Lewis, Higgins, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

Supervisor Lyons moved that the Board certify that, in the closed meeting just concluded, to the best of each member's knowledge, nothing was heard, discussed or considered except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed as exempt from open meeting requirements under the provisions of the Virginia Freedom of Information Act cited in that motion. Supervisor Campbell provided the second, and the motion carried by the following roll call vote:

AYES: Lyons, Campbell, Lewis, Higgins, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

Adjournment:

At 7:40 p.m., Supervisor Lewis moved to adjourn the meeting. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

AYES: Lewis, Higgins, Lyons, Campbell, Hinty
NAYES: None
ABSENT: None
ABSTAIN: None

