

AT A WORK SESSION OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS
HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, MARCH 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

CALLED TO ORDER:

Chairman Hinty called the Work Session to order at 4:32 p.m.

Health Benefits Presentation by One Digital:

County Administrator Spencer Suter briefly reviewed his Board Report which included the following information:

"Over the past year, One Digital Benefit Plan Advisors (the County's health benefits consultant) has been working to identify health benefit options for the County to consider. Recent actions include:

- Employee Health Benefits survey. The working group of covered employees worked with One Digital to develop a survey which was delivered to all covered employees late last year. A large number of covered employees responded to the survey, which was then shared with the Personnel Committee for consideration.
 - o Result: One Digital used the results to help design a Request for Proposals (RFP) for 2018 health benefits plans.
- Issuance of a RFP to the private market
 - o Result: Potential responders opted not to submit proposals, noting that in this particular year, they could not be competitive with our current provider.
- Receipt of 2018 quote from the County's current plan holder, The Local Choice
 - o Result: Flat rate for next year (no increase)
- Request for quote from Anthem for combining the County and School Division plans

- o Result: Higher estimated costs for both entities (not a good option)
- Presentation by One Digital's Jim Gordon at the March 15 joint meeting of the Board of Supervisors and School Board
 - o Result: This was informational. The Board authorized a more detailed discussion at its regularly-scheduled March 26 work session.
- Request by the County to The Local Choice, to extend the quote acceptance deadline from April 1 to May 1.
 - o Result: We will have additional time to determine a course of action. However, in an effort to ensure that we have time to prepare for and execute the annual open enrollment meetings, it would be idea that a decision be made at the April 9 Board meeting.

As noted above Jim Gordon with One Digital will be present at Monday's work session to present the Board with benefit plan options to consider. One key point that Mr. Gordon has noted repeatedly is that most covered employees do not reach their deductible limit in a coverage year. Thus, he has noted that we are collectively over-insured and are "leaving money on the table". He has suggested that the County could move to a higher-deductible plan as the base offering, saving both the County and employees with dependents money each month. The County savings could then be passed back to employees wishing to move to a high deductible plan, by contributions to a personal health savings account.

One Digital has provided some information (attached) for the Board's consideration. The spreadsheets are somewhat detailed and are best-explained in context, through discussion. However, I wanted to Board to have the information in advance of the meeting. Mr. Gordon will explain the documents and answer questions Monday in the work session.

Recommendation:

- 1) Receive a brief staff overview and then, Mr. Gordon's presentation.
- 2) Discuss and pose any questions you may have.
- 3) Provide Mr. Gordon and staff with feedback on options, based on the summary of information provided, your questions and subsequent answers.
- 4) Resolve to make a final determination on 2018 health benefit offerings by April 9."

Mr. Suter introduced Jim Gordon who was present.

Mr. Gordon briefly reviewed the information provided in the Boards packets comparing three different benefit options. He noted that the County could eliminate one of the plans and allow for County employees to choose one of two options. Landfill Supervisor Fred Dudley asked what happens if the Key Advantage 500 plan is eliminated but a staff member who is in that plan

already has an active claim. He also asked if only staff who utilize the family plan would be affected by these changes.

Mr. Suter replied that all staff in the 500 plan would be affected by the change as the deductible would increase should the 500 plan be eliminated. He shared information about how the County will be saving money should staff open Health Savings Accounts, and in return, redistribute those savings to staff. The approximate savings by eliminating the 500 plan would be around \$64,000 per year. He noted that the current 1000 and 500 dollar deductible plans are not affordable.

Meagan Tomlin asked for clarification on how staff would receive the County's savings from dropping the 500 plan.

Mr. Suter reiterated that one option would be for staff to move to a high deductible plan and open a health savings account, to which the employer could contribute. Supervisor Lewis asked if the HSA account would be more like an investment.

Mr. Suter replied, yes.

In response to clarification questions by Derek Almarode, Interim Jail Superintendent, Mr. Gordon advised that the plans are annual and all staff will be given two health benefit choices, not just one.

Mr. Suter stated that he would be gathering additional information on these benefit options, work with the Board Personnel Committee and review his findings at the April 9th meeting.

Chairman Hinty closed the Work Session at 5:05 p.m. noting that the regular Board Meeting would begin at 5:30 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, MARCH 26, 2018 AT 5:30 P.M.

BOARD MEMBERS PRESENT: DAVID W. HINTY, JR. (CHAIRMAN)
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 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:

(Please note, there was an additional comment from a citizen at the end of this meeting.)

Charles "Chuck" Barger of the Kerrs Creek Magisterial District read aloud a letter he had provided to the Board of Supervisors. It read:

"Dear Mr. Hinty,

Over the past thirty years, Barger, or its affiliates have developed the following:

- 57,500 sq. ft. of warehouse space
- Bedrock Car Wash
- McDonald's/Pit Stop
- Pizza Hut
- Hardee's/Carter Bank/Stonewall Square
- Rockbridge Auto Parts (later sold)

- Goodwill
- Oil Exchange and Lube of Lexington
- Sold land for Taco Bell and Bank of Botetourt

In addition to local sales tax revenues, each year, these businesses have provided hundreds of jobs and tens of thousands in property taxes. Over the past ten years, however, we have reached the limits of development without additional sewer capacity and have had to turn prospects away. We are excited that Rockbridge County is now considering upgrades and as a sign of good faith, propose the following:

- A.) Donate land for a pump station along McCorkle Drive just below Taco Bell. (amount of land, easements, and location to be determined)
- B.) Aggressively develop the 23 acres owned along East Midland Trail as permitted by local zoning and regulatory ordinances.
- C.) In the event of my demise, these intentions would remain in effect.

Thank you for investing in the future of Rockbridge County.”

Chairman Hinty thanked Mr. Barger for his comments and letter.

Items to be added to the Agenda:

County Administrator Spencer Suter added a request for re-adoption of the January 18, 2018 Joint School Board Meeting Minutes, as amended. Mr. Suter advised that there was a resolution the Board adopted during the meeting that was not included in the Minutes previously adopted.

Approval of the Minutes for: February 21, 2018; March 12, 2018; March 15, 2018; and Amended Minutes for January 18, 2018:

Supervisor Lewis moved to approve the Minutes. 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

Consideration of the School Division Appropriation Resolution:

Finance Director Steven Bolster briefly reviewed the School’s Appropriation Resolution.

Supervisor Lyons asked if the items listed were new revenues.

Mr. Bolster confirmed that they were. He noted that the items were not anticipated in their budget, such as, e-rate funding for 2018 and sale of text books.

Supervisor Lyons asked if there were corresponding expenditures on the other side of their budget for these figures.

Mr. Bolster replied, yes.

Supervisor Lyons 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: Lyons, Higgins, Campbell, Lewis, 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, MARCH 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

4-50-61100-1620-390-500-000 Natl Brd Cert Techr Bonus..	\$2,500.00
4-50-62160-3290-902-100-000 Legal Fees.....	\$5,720.00
4-50-68200-3100-908-000-000 Online programs.....	<u>\$76,213.00</u>
Subtotal	\$84,433.00
 TOTAL FUND 50 APPROPRIATIONS	 \$84,433.00

Consideration of Regional Jail FY 2019 Draft Budget request:

Mr. Bolster briefly reviewed his Board Report which included the following information:

"On March 14, 2018, the Rockbridge Regional Jail Commission approved the submission of the Regional Jail's FY 2019 draft budget. The Commission, as part of their approval, requested the Commission Chair, Vice-Chair, and

Regional Jail Interim Director present the proposed budget to the governing bodies of the participating localities in accordance with the 1986 Commission Agreement. Below are excerpts from the Commission Agreement pertaining to the budget:

The (Commission) Board shall prepare a budget for each fiscal year. The budget for each fiscal year shall be submitted to the Board of Supervisors of Rockbridge County, and the Councils of Buena Vista, Lexington, Glasgow and Goshen for approval or disapproval not later than the March 15 immediately prior to the July 1 commencement of the fiscal year of such budget.

It continues..Rockbridge, Lexington and Buena Vista shall have the exclusive power to approve, reject or amend said budget.

County and Regional Jail staff met on March 16th to review the proposed FY 2019 budget. As a result of the meeting, a proposed, amended FY 2019 Jail budget was produced for consideration by the participating localities. This amended FY 2019 budget was discussed with the Board Finance Committee on March 21st resulting in support for the Board of Supervisors to consider approving the amendments. The anticipated FY 2019 County cost-share in the amended budget is consistent with the Finance Committee's recommendation presented at the February 21st budget meeting."

Mr. Bolster introduced Interim Jail Superintendent Derek Almarode and Commission Member Ed Hosken who were present and reviewed the recommendation provided in his Board Report:

"Receive a brief staff report. Discuss information and pose any questions you may have to staff or Regional Jail representatives in attendance. If in agreement with the proposed changes, staff requests the Board support the amended FY 2019 budget with a roll call vote. This action, in accordance with the Commission Agreement, will provide Regional Jail staff the direction to bring the amended budget back to the other participating localities and eventually back to the Jail Commission for consideration, to include potential adoption."

Chairman Hinty advised that the Finance Committee had reviewed the amended budget.

Supervisor Lyons moved to approve the amended Jail budget.

Supervisor Lewis asked Mr. Bolster if this represented any part of the gap in the overall County budget

Mr. Bolster replied that there would be a change in the County's budget if this were approved. He noted that there would be an increase of around \$4,600 and he would be bringing an update on the budget later in the meeting.

The motion on the floor was made by Supervisor Lyons to approve the amended Jail budget. 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 House Mountain Resolution Request:

Mr. Suter briefly reviewed his Board Report which included the following information:

"Established by agreements executed in 1988 and 1989, the House Mountain Reserve has provided outdoor recreation opportunities for the public for nearly thirty years. The original agreement provided for management of the property by a committee composed of seven members including representation from RACC, VOF, W&L and VMI.

In approximately 2013, a dispute over management of the property began to emerge. Over time, the rift in opinion between RACC and VOF widened. In March of 2015 the Board of Supervisors authorized then-Chairman Higgins to write a letter to the VOF Board, requesting that VOF decline to adopt a resolution on its March meeting agenda, which would have served to exert sole control over the Reserve, beyond the intent of the original agreements. At that time, VOF took no action; however, when the resolution appeared again on VOF's June 2015 agenda, the Board again authorized a more pointed letter to VOF, requesting that the parties agree to submit the agreement to the Rockbridge Circuit court for a declaratory judgement, the result of which would be supported by both RACC and the Board of Supervisors. Unfortunately, VOF adopted the disputed resolution and RACC subsequently filed suit.

Eighteen months later, in December 2017, a Rockbridge County jury heard the case and decided in RACC's favor. In February, 2018, the Circuit Court Judge who presided over the case reversed the jury's decision, finding in favor of VOF.

Recently, Kerrs Creek representative Dan Lyons was approached with the request for the Board to take an even stronger position on the matter, by adopting a resolution in continued support of RACC's plight.

Recommendation:

- 1) Receive a brief staff report and discuss as necessary.
- 2) If in support, adopt the attached resolution, or an amended copy thereof.
- 3) Direct staff to remit the adopted resolution to RACC for further distribution as it sees fit."

Mr. Suter then read aloud the proposed resolution:

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

WHEREAS, on June 14, 2015, the Chairman of the Rockbridge County Board of Supervisors sent a letter expressing strong opposition to a resolution before the Virginia Outdoors Foundation (VOF) Board- a resolution which would unilaterally terminate a 28-year partnership between VOF and a local committee of volunteer stewards, effectively ending local control of House Mountain; and,

WHEREAS, the VOF Board subsequently adopted the resolution at its meeting on June 25, 2015; and,

WHEREAS, the Rockbridge County Board of Supervisors had expressed its “clear and unambiguous support” for the Rockbridge Area Conservation Council (RACC) in its efforts to retain its management partnership with VOF; and,

WHEREAS, VOF had been informed that such action to breach the original 1988-1989 agreements would inexorably lead to a suit filed by RACC to effect reinstatement of those agreements; and,

WHEREAS, RACC subsequently filed suit, deflected VOF claims of sovereign immunity, and won a unanimous jury decision on December 7, 2017, that the agreements be recognized as binding; and,

WHEREAS, VOF has to date spent more than \$240,000 of the Commonwealth’s funds in this lawsuit while RACC mounted its successful challenge with pro bono legal representation; and,

WHEREAS, VOF needs the support of every land trust and conservation organization in the Commonwealth in order to carry out its mission of progressive land conservation; and,

WHEREAS, VOF’s recent actions in the matter of House Mountain, and other high-profile land management cases, have sorely strained their support among all land trusts and conservation organizations in the Commonwealth; and,

WHEREAS, acting with what we believe to be an abandonment of our nation’s everlasting reliance on the wisdom of juries in determining cases involving breach of contract, the judge in the RACC-VOF lawsuit has overturned the jury’s unanimous finding based on all available evidence.

NOW, THEREFORE, BE IT RESOLVED, that the Rockbridge County Board of Supervisors fully supports RACC's decision to appeal to the Supreme Court of Virginia to effect reinstatement of the 1988-1989 House Mountain agreements, and to protect and defend the right of a jury of Rockbridge County citizens to determine legal issues in their home County while finding that VOF has by its actions from 2015 to the present, manifestly shown its indifference to good governance in its land-management policies while wasting the goodwill and financial resources of the Commonwealth and of the people of this County.

BE IT FURTHER RESOLVED, as a remedy to VOF's indifference to good governance, this Board concludes that ownership of the House Mountain Preserve should be passed by the appropriate authority to a local public institution to ensure the future protection of this priceless landmark.

This resolution shall be effective upon the date of its adoption.

Adopted this _____ day of _____, 2018.

Supervisor Lewis moved to adopt the resolution. Supervisor Lyons provided the second, and the motion carried by the following roll call vote:

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

Consideration of Administration Boiler RFP:

Mr. Suter briefly reviewed his Board Report which included the following information:

"The HVAC system in the County Administration building was originally installed/refurbished in 1992 prior to moving County Offices into the structure. The HVAC controls and air conditioning chillers were replaced in 2017. The next step in completing the overall HVAC system project is replacement of the boiler. The current, FY2018 budget has funds dedicated to this project.

Staff examined both request for bid (RFB) and request for proposal (RFP) options and it is clear that an RFP is the preferred approach to give us the best system solution. It would allow for proposers, who are experts in the HVAC field, to examine our existing system and provide us with efficient and effective options. Additionally, it would help to ensure that the heating component of the system fully and efficiently integrates

with the new control system. Thus, and in accordance with the Code of Virginia:

- Staff believes this work falls under non-professional services.
- Virginia Code section § 2.2-4303.C, states that, "Upon a determination made in advance by the public body and set forth in writing that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, goods, services, or insurance may be procured by competitive negotiation. The writing shall document the basis for this determination."
- Staff deems that, in order to ensure that we gain the best service for the County and to meet the intent of the scope of services, we will be better served by issuing a Request for Proposals, rather than an Invitation for Bids. This recommendation is based on the fact that the County would be best served by soliciting the most technically-qualified provider of services, rather than the lowest bidder. In addition, an experienced proposer may offer recommendations which may prove beneficial and cost-effective to the County.

Our schedule provides for installation of the cooling components over the summer, with completion by September 28, 2018. This would be a turnkey project in which the successful vendor would be responsible for removal of all old components and installation/operation of new components. A copy of the proposed request for proposals is attached.

ACTION REQUESTED:

- 1) Receive a staff report and discuss as necessary.
- 2) If in agreement, authorize issuance of a Request for Proposal for the services outlined in the scope of services, finding that an Invitation for Bids is neither practicable nor fiscally advantageous to the public for the reasons set forth above.
- 3) Direct staff to evaluate proposals, negotiate a contract and back to the Board for consideration of approval."

Supervisor Campbell moved to approve the recommendations. 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

FY2019 Budget Meeting #4- Discussion:

Mr. Bolster briefly reviewed his Board Report which included the following information:

"At a scheduled budget meeting on March 12th, staff provided an update to the FY 2019 draft budget and overall funding position to the Board of Supervisors. Staff requested that individual Board members communicate with Finance Committee members John Higgins and Dan Lyons on proposed plans of action to bridge the budget gap in order to attain a balanced budget.

Since the March 12th meeting, staff received and implemented the following changes to the FY 2019 draft budget:

- Added \$210,642 in restricted-cash reserves based on a recommended County/EDA split of 75/25 to fund the FY 2019 revenue-bond payment for the Route 60E project; EDA approved March 19th.
- Using prior and current year data, staff updated local revenue lines based on additional Finance Committee review and recommendation; total increases = \$251,247.
- Added Litter and Recycling Grant revenue of \$22,000; County, Lexington and BRRRA staff are in agreement with this requested change to collect into the County's General Fund.
- Added \$6,038 for pass-through expenditure to Lexington; represents their share of the Litter and Recycling Grant.
- Changed the County's cost-share for Jail operations after meeting with Jail staff on March 16th; the proposed changes have the County's cost-share at \$1,405,316, a projected increase of \$204,599 over FY 2018.
- Updated cost estimate for County's landfill cost-share (tipping fees) based on new information received from BRRRA staff on March 15th; new total is \$827,169, down from \$921,264 (reduction of \$94,095).
- On March 13th, staff received updated DS cost-share budget estimates; up \$4,100; no change to CSA cost-share.
- Updated Route 60E debt-service final number for FY 2019 to \$210,642, a reduction of \$4,358.
- Updated the School Division's FY 2019 Estimate of Needs to 14,704,834, up \$3,000 from "soft" request.
- The Finance Committee removed \$50,000 from the County's contingency line.

As a result of these updates, the attached FY 2019 draft budget now reflects an expenditure over revenue gap of \$554,991.

At a joint meeting between the Board of Supervisors and the School Board, staff provided an adjusted schedule resulting from the General Assembly closing their regular session without passing an FY 2019/2020 biennium budget. As you know, Governor Ralph Northam has called for a special session on April 11th to work on passing a state budget.

Staff received the School Division's FY 2019 Estimate of Needs on March 21st - a total of \$14,704,834 in local operational support. The funding support for school debt remains unchanged at \$4,000,016.

After review of the budget timeline with the Finance Committee on the 21st, it's been determined that additional time is needed to reach a balanced draft budget. Staff is recommending an adjustment to the FY 2019 budget cycle schedule. The following is information regarding the proposed changes to the schedule.

Wednesday, April 4th at 5:30 PM- Special Board budget meeting, if required*

Monday, April 9th - Request advertisement of FY 2019 budget at regular Board meeting

Wednesday, April 11th and 18th - Advertisement (FY 2019 draft budget) posted in News-Gazette for Public Hearing on Monday, April 23rd @ 6:00 PM

Monday, April 23rd - Public Hearing on FY 2019 Budget @ 6:00 PM

Tuesday, May 1st - FY 2019 Budget Adoption Meeting @ 6:00 PM

*The Finance Committee is scheduled to meet on April 4th.

RECOMMENDATION:

Receive a brief staff report. Discuss information and pose any questions you may have to staff. In addition, staff is requesting that individual Board members communicate with Finance Committee members Supervisor Higgins and Supervisor Lyons on proposed plans of action to bridge the current budget gap in order to attain a balanced budget.

In addition, staff is requesting the Board approve the adjusted FY 2019 budget schedule as provided above. Staff will prepare for the proposed Special Board meeting tentatively scheduled for April 4th at 5:30 PM based on information provided to the Board's Finance Committee members. If the proposed Special Board meeting is canceled, staff will prepare a draft FY 2019 advertisement for the regular Board meeting on April 9th."

Supervisor Lewis requested that the Board Members on the Finance Committee keep the other members apprised of meetings.

Chairman Hinty suggested that the other Board Members reach out to the Finance Committee Members for updates.

Supervisor Campbell questioned the \$6,038 that is being given to Lexington as part of their share of the recycling grant. He stated that he was under the impression that the grant was to be used for the mobile outreach recycling trailer that visits schools and teaches them about how to recycle and litter prevention. He asked how the high school would look at this

Mr. Bolster replied that it was discussed during a Blue Ridge Resource Authority Committee meeting that the County could invoice the City for usage of the trailer such as time and materials. However, after discussing with the Solid Waste and Recycling Coordinator, the suggestion is to

provide the City with the \$6,038 of the grant and that would pay an individual from the City to assist when using the trailer at City schools.

Mr. Suter noted that the County applies for this grant on behalf of County and two Cities.

Supervisor Lyons moved to approve the amended schedule. He suggested that the Chairman send a letter to the Schools requesting a meeting between its Superintendent, Finance Director, the County Administrator, and the County's Finance Director to review the Schools budget. Supervisor Lyons indicated that this technique worked very well for the Jail Commission.

Chairman Hinty asked the County Administrator to draft a letter requesting the meeting.

The motion on the floor was provided by Supervisor Lyons to approve the amended schedule and for the Chairman to invite the Schools Superintendent and Finance Director to a meeting with the County's Finance Director and the County Administrator to work on the Schools budget. 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

Public Hearings:

Special Exception, RYT LLC- Robert Young Towing- Holding Yard in B-1 (deferred from the February 26th meeting)

Assistant Director of Community Development Chris Slaydon briefly reviewed the Board Report which included the following information:

"Robert Young's Auto & Truck Inc. has applied for a special exception permit to operate an automobile holding yard in the General Business District (B-1) per Section 605.03-16 of the Land Development Regulations and Section 16-103 of the County Code. Property. This is the former Ferguson Grocery Store which Mr. Young has been operating out of for nine years with a business license as a towing operator. His business license was issued before our office was involved in the review process and was an oversight that he was also storing vehicles. Following the initial review, we met on site to discuss landscaping options that made the most sense for reducing the visual impact in this corridor and gateway to Natural Bridge. The enclosed plan prepared by staff as well as the slats placed in the fence were our recommendation for screening. Also enclosed is a plan recently submitted by Mr. Young which is in agreement with our landscaping recommendation, but not our recommendation for removing non-conforming signage. The Planning Commission recommended approval of the holding yard

consistent with the staff generated plan to include removal of the non-conforming signage."

Applicant Robert Young stated that he had been running his business with a license for 11 years. He added that he has willingly done what the Planning Commission has suggested asked him to do.

Chairman Hinty opened the Public Hearing at 6:07 p.m.

Craig Campbell of the Natural Bridge Magisterial District stated that Exit 180 is by far the ugliest exit in the County and recommended that all regulations be enforced before the exemption is approved.

Dane West of the Natural Bridge Magisterial District stated that he is all for bringing businesses to the County; however, the specific location is an eyesore for those traveling to the Natural Bridge State Park. He asked that the Board not approve the permit until all effective screening is in place.

Chairman Hinty stated that the Public Hearing would remain open until the April 23rd Board meeting which would provide adequate time for the applicant and Community Development staff to develop an additional screening.

Supervisor Lewis shared his support of making the business work by installing necessary screening, as the property is in the Tourism Corridor Overlay District.

Supervisor Campbell asked if Mr. Young's business would be inoperable until the Board makes a decision on the 23rd of April.

Mr. Slaydon replied, no.

Supervisor Higgins shared his appreciation of Mr. Young being willing to do what is being recommended, to allow his business to continue.

At 6:15 p.m., Chairman Hinty moved to the next item on the Agenda.

Watt's Brothers Partnership- Propane Storage and Distribution in B-1:

Mr. Slaydon introduced Russ Orrison who was present to represent the applicants. He then briefly reviewed the Board Report which included the following information:

"Watts Brothers Partnership has applied for a special exception permit to develop a propane distribution and storage facility in the General Business District (B-1) per Section 605.03-17 of the Land Development Regulations. This is the former Watts Motel property off of the Natural Bridge exit of Interstate 81. See plans enclosed. The Planning Commission

has recommended approval conditioned on consistency with the site plan presented and final review by the TCO Review Board.”

Mr. Orrison shared his support and approval of the requested Special Exception Permit, as the site Plan, site distance, and surveys have proven the location to be a good place for a distribution center.

Supervisor Higgins asked what would happen if the business expands, as the permit has limits.

Mr. Orrison replied that the owners do not foresee the business growing at this time. He however noted that there could be an additional business added.

Chairman Hinty opened the Public Hearing at 6:19 p.m.

Roy Powell of the Natural Bridge Magisterial District shared his support of the business and its location.

Chairman Hinty closed the Public Hearing at 6:21 p.m.

Supervisor Campbell moved to approve the Ordinance. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

AYES: Campbell, Higgins, Lyons, Lewis, 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, MARCH 26, 2018

Ordinance Granting a Special Exception Permit to Watts Brothers Partnership to Develop a Propane Distribution and Storage Facility on its Property in the General Business District (B-1), Located At 7152 South Lee Highway Near the Natural Bridge Interstate 81 Interchange, and Identified as Tax Map #105-7-4 in the Natural Bridge Magisterial District

WHEREAS, Watts Brothers Partnership has filed an application for a special exception permit to develop a propane distribution and storage facility in the General Business District (B-1), on its property located at 7152 South Lee Highway (former Watts Motel) near the Natural Bridge interchange for Interstate 81, identified on the Rockbridge County Land Records as Tax Map #105-7-4 in the Natural Bridge Magisterial District; and,

WHEREAS, the Planning Commission held a public hearing on the application on March 14, 2018, and recommended approval with the condition of substantial compliance with the site plan presented; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing on this matter on March 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 a special exception permit, pursuant to Section 605.03.17 of the Rockbridge County Land Development Regulations, to Watts Brothers Partnership to develop a propane distribution and storage facility, located at 7152 South Lee Highway in the Natural Bridge Magisterial District of Rockbridge County, Virginia, and identified on the Rockbridge County Land Records as Tax Map #105-7-4, 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 said development shall be substantially in accordance with the 'Natural Bridge Propane Storage Special exception Plan' dated February 14, 2018, a copy of which is on file in the Department of Community Development.

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 March, 2018.

Robert C. Walker (Forest Oaks)- lodge/resort and Country General Store/Antique Shop in A-2:

Mr. Slaydon briefly reviewed the Board Report which included the following information:

"Chris Walker, the owner of Forest Oaks, has applied to become a lodge/resort, events venue and to operate a country store/antique shop in the Agricultural and General Uses (A-2) per Sections 603.03-1 and 6 of the Land Development Regulations. Events are defined as an accessory use to lodges/resorts. The property is at the intersection of South Lee Highway and Forest Oaks Road just south of the Natural Bridge exit of Interstate 81. Forest Oaks has historically served as an inn and tavern and is perfectly suited for this use. See plans enclosed and refer to Mrs. Huffman's ordinance for proposed conditions modeled off of Big Spring Farm."

Mr. Slaydon read aloud the proposed conditions:

**EXHIBIT A
SPECIAL EXCEPTION PERMIT CONDITIONS
Robert C. Walker
d/b/a The Inn at Forest Oaks**

1. Events will be limited to weddings, receptions, and reunions with a maximum of 300 attendees.
2. Other than activities associated with overnight lodging, all outdoor 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 South Lee Highway (Route 11) and Forest Oaks Road (Route 609).
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 and be concluded by 11:00 pm
8. Approval is contingent on VDOT's and the Building Department's approval.

9. The lodge/resort cottages and country store/antique shop shall be consistent with the plan entitled "Map Showing Forest Oaks" dated 3-14-2018.

Applicant Chris Walker shared that he purchased the property in 2011 and has been restoring the facilities for four years. He reviewed his intentions of adding the lodging aspect and a Country Store.

Supervisor Higgins asked if they can play non-amplified music outdoors.

Mr. Slaydon replied that any amplified music would be held indoors (or in a tent) and that non-amplified music could be held outside.

Chairman Hinty opened the Public Hearing at 6:27 p.m.

Roy Powell of the Natural Bridge Magisterial District shared his support of this business and its location.

Chairman Hinty closed the Public Hearing at 6:28 p.m.

Chairman Hinty asked Mr. Slaydon to review the conditions once more.

Mr. Slaydon re-read the conditions aloud.

Supervisor Lewis noted that the conditions were modeled after those done in the past.

Supervisor Campbell shared that he passes the proposed location often and has been impressed with the renovations.

Supervisor Lyons moved to approve the Ordinance. 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

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

Ordinance Granting a Special Exception Permit to Robert C. Walker to Utilize the Historic Forest Oaks Property As a Lodge/Resort and an Events Venue, and to Operate a Country Store/Antique Shop, in the Agricultural and General Uses District (A-2), Located at 20 Houston Tavern Lane, Natural Bridge, Virginia, and Identified as Tax Map #112-1-1, #112-1-1A1, and #112-1-1B, in the Natural Bridge Magisterial District

WHEREAS, Robert C. Walker has filed an application for a special exception permit to utilize the historic Forest Oaks property as a lodge/resort and events venue, and to operate a country store/antique shop, in the Agricultural and General Uses District (A-2), for property located at 20 Houston Tavern Lane, Natural Bridge, Virginia, at the intersection of South Lee Highway and Forest Oaks Road just south of the Natural Bridge Interchange of Interstate 81, identified on the Rockbridge County Land Records as Tax Map #112-1-1, #112-1-1A1, and #112-1-1B in the Natural Bridge Magisterial District; and,

WHEREAS, the Planning Commission held a public hearing on the application on March 14, 2018, and recommended approval with the conditions in Exhibit A attached hereto; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing on this matter on March 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 a special exception permit to Robert C. Walker to utilize the historic Forest Oaks property as a lodge/resort and events venue, pursuant to Section 603.03-1 of the Land Development Regulations, and to operate a country store/antique shop pursuant to Section 603.03-6, in the Agricultural and General Uses District (A-2), located at 20 Houston Tavern Lane, Natural Bridge, Virginia, at the intersection of South Lee Highway and Forest Oaks Road just south of the Natural Bridge Interchange of Interstate 81, identified on the Rockbridge County Land Records as Tax Map #112-1-1, #112-1-1A1, and #112-1-1B 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 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 March, 2018.

EXHIBIT A

SPECIAL EXCEPTION PERMIT CONDITIONS

Robert C. Walker

d/b/a The Inn at Forest Oaks

1. Events will be limited to weddings, receptions, and reunions with a maximum of 300 attendees.
2. Other than activities associated with overnight lodging, all outdoor 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 South Lee Highway (Route 11) and Forest Oaks Road (Route 609).
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 and be concluded by 11:00 pm
8. Approval is contingent on VDOT's and the Building Department's approval.
9. The lodge/resort cottages and country store/antique shop shall be consistent with the plan entitled "Map Showing Forest Oaks" dated 3-14-2018.

Additional Citizen Comment:

Don Huffman of the Kerrs Creek Magisterial District asked to speak.

Chairman Hinty agreed.

Mr. Huffman spoke in regards to the dumpster site in the Kerrs Creek district asking when the new site would be completed.

Chairman Hinty replied that the legal aspects are still being worked on.

Mr. Huffman shared his concern of litter alongside the roads being due to pickup trucks having lose trash on the back that blow off while they are driving. He advised that he believes state law requires trash on the back of trucks to be covered. He then asked why the site is closed on Tuesdays.

Supervisor Campbell advised that the Board made the decision to close all collection sites on Tuesdays in place of Sundays. He stated the reason in doing so was to provide more time on the weekends for citizens to use the sites. Prior to this decision, sites were closed all day on Sundays. He added that the collection sites hours would be looked at again in the future.

Mr. Huffman lastly commented on the Kerrs Creek collection site being such an eyesore.

Adjourn:

On a motion by Supervisor Lyons, seconded by Supervisor Higgins, this meeting was adjourned by unanimous roll call vote by the Board at 6:35 p.m.

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