

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 22, 2021 AT 4:30 P.M.

BOARD MEMBERS PRESENT: D. E. LYONS
R. W. DAY
A.J. "JAY" LEWIS, II.
L.E. AYERS (virtually)
D.B. MCDANIEL

COUNTY ADMINISTRATOR: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Chairman Lyons called the meeting to order at: 4:30 p.m.

Administrative Assistant to the County Administrator Brandy Whitten conducted a roll call of the Board members. Supervisors Lewis, Day, McDaniel, and Lyons attended in-person, while Supervisors Ayers attended virtually.

Chairman of the EDA, Mr. Lynn Jones, called its meeting to order.

EDA Secretary Brandy Flint conducted a roll call of the EDA members. Mr. Jones, Mr. Powell, and Ms. Harris attended in-person, while Mr. Brown, Ms. Herring, and Mr. Hawkins attended virtually. Mr. Ferris was absent.

Chairman Lyons advised of the following announcements:

"While the room will be open to the public, due to the size of the meeting room and social distancing requirements, no more than 10 attendees other than County staff will be allowed into the room at one time. Per the Governor of the Commonwealth of Virginia Executive Order 63, all persons

over the age of five, that do not have a precluding medical condition, are asked to wear a face covering.”

Review of the REDI Grant Report:

Ms. Flint introduced Leslie Schaller, Director of Programs at the Appalachian Center for Economic Networks and consultant for the USDA Rural Economic Development Incentive (REDI) Grant. Ms. Flint advised that Ms. Schaller would be reviewing her draft REDI Grant report and requesting input by both the Board of Supervisors and Economic Development Authority.

Ms. Schaller presented her PowerPoint presentation that included the following information:

Development Plans:

Rockbridge 20/20 includes three core components:

1. Focus business recruitment efforts first on the alumni base of the local colleges, targeting those who influence corporate location decisions or who want to return to the area to start a business.
2. Recruit, empower and support new college graduates - Millennials - to start a business in the region.
3. Invite regional visitors, especially older Boomers, to start businesses in the region.

The goal is not to dramatically increase the population of our region, but rather help expand and broaden our region's economy—to create jobs across different industries and categories, and, as an intended consequence, create a higher quality of life for everyone across the region.

REDI Project Objectives:

1. **Connectivity of Rural America:** *Rockbridge focus on funding for broadband expansion.*
2. **Improving Quality of Life:** *Rockbridge focus on downtown revitalization.*
3. **Support of Rural Workforce:** *Rockbridge focus on private/public partnerships and educational institutions collaborative initiatives.*
4. **Technological Innovation:** *Rockbridge focus on online strategies for small businesses and the attraction of remote works and IT firms with improved broadband capabilities.*
5. **Economic Development:** *Rockbridge focus on entrepreneurship support and expansion of small business assistance programs*

Zoom Public Forums: Fall 2020-January 2021:

1. Downtown Revitalization
2. Tourism—Outdoor Recreation
3. Internet Connections & Technology
4. Manufacturing & Workforce Development
5. Educational Partnerships
6. Economic Development Priorities

Manufacturing & Workforce:

Assets:

- DSLCC Manufacturing & Skill Trades programs
- Dual enrollment in high schools for accredited & Associate degrees

- SVU partnership w/BV schools for tutoring & mentoring
- Educational institutions create demand for employees in sector employment

Challenges:

- Small manufacturers are challenged to find both hourly & salary employees
- Hard to compete with benefits packages larger corporations can provide
- COVID unemployment benefits discouraged hiring for a time
- Using contractors & overtime to solve employment options
- Attraction is difficult due to these workforce gaps

Opportunities:

- Competitive wages offering entry from \$12-\$19 and going up to \$25+
- DSLCC opening Workforce & Entrepreneurship Center in BV
- \$\$\$ for retraining of employees & new employees
- Manufacturers seeking qualified employees

Priorities:

- Talent attraction & retention
- More funding for integrated workforce program between private businesses and educators

- Change mindset of youth for skilled trades
- High school showcases
- Mentoring & internships in manufacturing firms

Recommendations:

- Small manufacturing firms leverage affordable benefit packages explored through collaboration
- Partner with schools to host manufacturing month & career days showcasing skills building & job placement opportunities

Funding & Resources:

- Connect with re-launched USDA Rural Workforce Innovation Network
- Utilize CARES Act funding for workforce retraining initiatives
- Funding for supply chain management coordination

Priorities:

1. Workforce Retention and Recruitment
2. Business Retentions, Attraction, & Entrepreneurial Cultivation
3. Infrastructure Improvements --- include broadband, water, sewer, roads, wayfinding signage, etc.
4. Capitalization of Regional Assets

Approaches:

1. Multijurisdictional Focus

2. Retention & Attraction of Small Scale Manufacturing
3. Entrepreneurship Support & Eco-system Development
4. Reinvestment in Infrastructure & Communities

Funding Priorities: Next Steps:

1. Identify application timelines for 2021 & 2022
2. Choose areas of highest priorities & best approaches
3. Match funding opportunities with economic development priorities
4. Inform & ensure "buy-in" from elected officials for roadmap priorities & prospective grant applications

Multijurisdictional Focus:

1. Workforce development program utilization -- 2021
2. Rockbridge Area Outdoor Partnership & Tourism Regionalism - *on going*
3. Partner on regional grant application programs to connect assets & leverage investment *later in 2021-2022*

Retention/Attraction Small Businesses & Manufacturers:

1. Assist employers to find "ready workforce" 2021
2. Convene manufacturers round table for consistent feedback 2021-2022
3. Business retention program designed with regional SV Development Board support 2021-2022

Entrepreneurship Support & Pipeline Development:

1. Downtown revitalization plans 2021-2022
2. Educational partners provide workforce support & training 2022
3. Entrepreneurship programs focus on business retention, local ownership & expansion 2022-2023
4. Business retention program designed 2021

Reinvestment in Infrastructure & Communities:

1. Internet Services & Access to Broadband *on-going - more applications in 2021*
2. Opportunity Zones Strategies for investment 2021-2022
3. Improve water, sewer and road infrastructure *on-going*

Report Next Steps:

1. Identify additional presentations?
2. Receive additional input this week
3. Circulate report for comment
4. Final Public Meeting on Road Map

Following Ms. Schaller's review, Ms. Flint revisited the priorities list and asked both the Board of Supervisors and EDA members for feedback as to whether or not they agreed with the current listing or if they had any additions.

EDA member Ms. Harris asked which areas of the County are considered "opportunity zones".

Ms. Flint responded, the County is not an opportunity zone, but the two (2) cities are.

Ms. Harris then asked if any other communities within the County qualify as an opportunity zone, such as the Town of Glasgow, Town of Goshen, or Natural Bridge as it is an unincorporated community.

Ms. Flint replied, they do not, it is just the two (2) cities, currently and noted that the County is reviewed "as a whole".

Member of the Buena Vista City's EDA Mr. Brent Styler inquired as to whether or not all of the city was included.

Ms. Flint replied, yes, all of the City of Lexington and City of Buena Vista was included.

Ms. Schaller advised that opportunity zones are only one tool and that there are other funding and scoring priorities that can work throughout the area.

Ms. Flint added that Ms. Schaller would be providing funding resources in the REDI Report based on each of the four (4) priorities.

EDA Chairperson Mr. Jones inquired about the ending-report.

Ms. Flint advised that the grant was a regional grant, with the County acting as the applicant, and the report would be provided to all parties.

Ms. Schaller noted that the report would be available through public record.

Ms. Harris addressed some of the issues in the workforce such as affordable housing issues in the County. She suggested a committee be formed consisting of representatives from the local governments, lenders, and businesses to come up with a plan for infrastructure where housing could be added and make it affordable so the builders would not have to absorb the cost of extension of that infrastructure to those buildable areas and therefore, have the opportunity to compete better in the regional market for affordable housing.

Ms. Flint advised that affordable housing was added to the report and noted that new funding from the Rescue Act should help address some of the affordable housing development.

Supervisor Lewis shared his urgency to review the full report.

Ms. Flint stated she would send that report to the Board and requested feedback.

Supervisor McDaniel asked for clarification of the "Capitalization of Regional Assets" as shown of the priorities list.

Ms. Flint responded that it was a combination of outdoor assets, human capital, and everything in the region that could be capitalized.

Supervisor McDaniel stated that workforce retention and recruitment is important, but when positions are filled by a younger managerial person, they tend to live in other jurisdictions such as Harrisonburg or

Roanoke, because there is not a lot for the younger generation to do here. He added that there needed to be more attractions in the community so workers will settle here, not commute here.

Ms. Schaller shared that some of the other relevant topics that arose were related to local attractions and amenities and whether or not those would attract someone to come live in the community to either work or retire here.

EDA member Mr. Brown shared that other localities in the region use a combination of tax credits and direct contribution to the purchase of a home for individuals who meet certain criteria who move to a community.

Ms. Schaller stated that this would be a great idea for some of the case studies.

County resident Sharron Burgess asked how it was proposed to compete with other counties because that could play a big part in retention and recruitment. For example, she added, if someone gets paid more to work in another locality, why would they want to live in Rockbridge County.

Ms. Schaller replied that the challenge is looking at small businesses and manufacturing firms. To be competitive and be appealing to all generations, she added, we would need to look at the wage and benefits packages.

Ms. Flint added that the Shenandoah Workforce Development Board works with a Business Solutions Team to assist with recruitment.

Adjournment :

On a motion by Mr. Powell and seconded by Mr. Brown, the EDA was adjourned by unanimous vote at 5:26 p.m.

Chairman Lyons closed the Work Session until the Board of Supervisors regular meeting 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
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BOARD MEMBERS PRESENT: D. E. LYONS
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L.E. AYERS (virtually)
D.B. MCDANIEL

COUNTY ADMINISTRATOR: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Chairman Lyons called the meeting to order at 5:32 p.m.

Administrative Assistant to the County Administrator Brandy Whitten conducted a roll call of the Board members. Supervisors Lewis, Day, McDaniel, and Lyons attended in-person, while Supervisors Ayers attended virtually.

Chairman Lyons offered an invocation for anyone who wished to participate.

The Board then led in the Pledge of Allegiance.

Chairman Lyons advised of the following announcements:

"While the room will be open to the public, due to the size of the meeting room and social distancing requirements, no more than 10 attendees other than County staff will be allowed into the room at one time. Per the Governor of the Commonwealth of Virginia Executive Order 63, all persons over the age of five, that do not have a precluding medical condition, are asked to wear a face covering.

We will hold citizens comments near the beginning of the meeting. There are five (5) Public Hearings at 6:00 P.M.

We will do our best to take citizen comment remotely. There are two options for citizens to offer comment:

- 1) To join by Telephone, you may dial in to one of the numbers listed on the County Website. Webinar ID and Password are there for your convenience. Citizens wishing to simply view the meeting live or after the fact can do so on the Rockbridge County Board of Supervisors YouTube Channel, also available on the County website.
- 2) If you wish to make a citizen comment as a Zoom meeting participant, you will use the "Raise your Hand" feature. You can press the "Raise Hand" button on the bottom of your Zoom window, or press *9 if you are calling in by telephone."

Changes to the Agenda:

There were none.

Recognitions and Presentations:

There were none.

Citizens Comments:

Chairman Lyons reviewed the following guidelines:

1. "Sign up to speak on the Citizens Comments Sign Up Sheet.
2. Once your name is called, address the Board from the podium by clearly stating your name and magisterial district.
3. This is an opportunity for citizens to provide comments. Please do not expect the Board to respond to questions or engage in a dialogue. If you have questions, please ensure that you have entered your contact information on the Citizen Comment Sign Up Sheet and staff will do their best to respond to your questions as soon as possible.
4. Citizens are respectfully requested to keep comments brief, not to speak for more than three (3) minutes. There is a timer for your convenience located at the podium.
5. The same rules apply for those attending virtually. Once your name is called, please state your full name, magisterial district, and contact information for the record."

Chairman Lyons called for citizens' comments.

Mr. Suter read aloud the following email:

"To: Rockbridge County Board of Supervisors

From: Mark H. Reed, Candidate for Delegate, Virginia's 24th House District.

Subject: ROCKBRIDGE REGIONAL DEPARTMENT OF SOCIAL SERVICES SITE SELECTION CONSULTING AGREEMENT

The Rockbridge County Board of Supervisors and the Lexington and Buena Vista City Councils ("Governing Bodies"), all of whom appoint the members of the Rockbridge Area DSS Board of Directors, need to consider if the location of the proposed Rockbridge DSS site as defined in the ROCKBRIDGE REGIONAL DEPARTMENT OF SOCIAL SERVICES SITE SELECTION CONSULTING AGREEMENT is in the best interests of the citizens the Rockbridge Area DSS serves. I would suggest that **it is not**.

The proposed site is "within a three-mile radius of the intersection of US Route 60 and Interstate 81 for lease, build/ lease, or buy/renovate, build/own scenarios." This proposed site is not even within three miles of any municipality in the Rockbridge area, with the exception of Lexington—the current site of Rockbridge DSS.

I am sure Rockbridge DSS can provide you with any number of statistics suggesting that any consideration of a new site should begin with a discussion of the financial, and vulnerable citizen needs of Rockbridge Area citizens. Perhaps the discussion is ongoing. I would not

know, since I have been unable to find any public record of RDSS Meetings since February of 2020.

For the purposes of providing you with the most basic summary of what, in my opinion, the Governing Bodies should be considering during your discussions, I submit that, according to recent US Census Data:

- **21.7%** of Rockbridge County citizens live below the poverty level. The vast majority of Rockbridge County citizens live outside a 3-mile radius of the intersection of US Route 60 and Interstate 81.
- **27.4%*** of Lexington City citizens live below the poverty level. The vast majority of Lexington citizens live outside a 3-mile radius** of the intersection of US Route 60 and Interstate 81.
- **17.2%** of Buena Vista City citizens live below the poverty level. No Buena Vista citizen lives within a 3-mile radius of the intersection of US Route 60 and Interstate 81.
- **16.1%** of Glasgow citizens live below the poverty level. No Glasgow citizen lives within a 3-mile radius of the intersection of US Route 60 and Interstate 81.
- **12.4%** of Natural Bridge citizens live below the poverty level. No Natural Bridge citizen lives within a 3-mile radius of the intersection of US Route 60 and Interstate 81.
- **21.3%** of Goshen citizens live below the poverty level. No Goshen citizen lives within a 3-mile radius of the intersection of US Route 60 and Interstate 81.

None of the above information is difficult to find. Some of it may need to be verified, as I put it together on fairly short notice and RDSS public records appear to be nonexistent. All of it is, or should be, old news to the Governing Bodies, as I have spoken on this topic on numerous occasions to the DSS Board of Directors (assuming this Board shares its information with you).

In my opinion—which is a qualified one given my 25 years of Social Services experience—the Governing Bodies need to locate a DSS Facility in an area central to the needs of its citizens. This may be a difficult task in implementation, but thousands of Rockbridge Area citizens lead difficult lives, and the Governing Bodies must consider the needs of those citizens.

If you would like my opinion (again, noting that I have spoken on this topic before) on this matter, the discussion of the location of the next DSS site should be in Buena Vista, for the reasons I last laid out at the February 2020 Lexington City Council Meeting.”

Approval of the 2/25/2021 Budget Meeting #2 Minutes, and the 3/8/2021

Regular Board Meeting Minutes:

Supervisor McDaniel moved to approve the minutes as presented. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: McDaniel, Day, Lewis, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

Consideration of School Appropriation Resolution:

Mr. Suter presented the resolution.

Supervisor McDaniel moved to adopt the resolution. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: McDaniel, Day, Ayers, Lewis, Lyons
Nays: 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 22, 2021 AT 5:30 P.M.

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

APPROPRIATION RESOLUTION

SCHOOL FUND:

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, 2021** in **FUND 50, SCHOOL FUND** and expended as follows:

New Grant

AFELA	
4-50-61100-6030-312-700-907 Materials & Supplies.....	\$4,118.00
Total	\$4,118.00
TOTAL FUND 50 APPROPRIATIONS	\$4,118.00

Health Benefits Update:

Mr. Suter reviewed the following information:

"Since the last meeting, we have been working with One Digital on varying options to provide for a transition to self-funding. As noted in the agenda item, our plan was to have a contributions model prepared for this evening's meeting. However, after discussion with Jim Gordon and staff, we needed to have some additional discussion with Board members, to include input from both the personnel and finance committee. One item that has been considered and was suggested by Supervisor McDaniel on the 12th was to use year-end savings to prefund the \$212K difference between expected and max liability.

One Digital has agreed with this and was even in the process of suggesting it, and has also encouraged us to maintain the 9% increase. Combined, these amounts would help fund the potential liability and also offset other costs such as ACA reporting. In addition, and harkening back to discussions we've had every year for the past number of years, we are looking at some options which could provide additional assistance to employees with dependents, who choose to move to the high deductible plan. These could include potential for increased assistance in premium and increased HSA contribution, which would help in the goal of movement toward the High Deductible Plan.

We'd like to set a meeting with the personnel committee for tomorrow or Wednesday and we already have a meeting scheduled with the Finance Committee on Wednesday. In the meantime, and so that we know what

funding we will have available to model, I'd like to ask if the Board is comfortable at this point with prefunding the account with the \$212K between Cigna's expected and max liability. If you are, One Digital will provide models to review in committee to gain additional feedback for final approvals."

Chairman Lyons stated that he would be in favor of pre-funding.

Supervisor McDaniel agreed and added that, if that reserve account is ever used, it should be replenished with year-end savings each year.

Mr. Suter asked the Board if they agreed with taking the proposed numbers to the Finance and Personnel Committees. There was no objection by the Board.

Consideration of Social Services Agreement:

Mr. Suter reviewed the following information:

"As you know, toward the end of last year, the regional DSS facilities committee was reinvigorated to discuss options for DSS office space. The Committee is comprised of Chairman Lyons, Supervisor Ayers and myself from the County, the Mayor and City Manager of BV and the Lex City Manager, as well as the DSS Board Chair (Mike Gilmore) and Director, Dinah Clark.

After weekly meetings since January, the committee is recommending retaining a consultant to build off the previously-done space needs analysis, to provide recommendations back to the governing bodies on costs

associated with various options, which might include leasing or owning. The committee is also recommending limiting the area considered to a 3-mile radius of the I81/US60 interchange.

We subsequently drafted an agreement to share any costs not covered by DSS between the three localities. In addition to equal cost shares by the localities, it provides that Rockbridge County would be the vehicle for issuance of an RFP. Ms. Huffman has provided a revised draft with a few changes associated. I've reviewed and have no issues with the changes - They will just need to be agreed-to by the partners.

The recommendation of the committee is to authorize the County Administrator to execute the agreement, subject to approval by the other parties. The revised copy would be provided to the Cities for consideration at their April 1 meetings.

Chairman Lyons suggested changing the number of sites from three (3) to four (4) and adding language that the site be centrally located approximately three (3) miles from the I81-64 interchange.

Supervisor McDaniel asked if there were language pertaining to the County's share of the total cost.

Chairman Lyons stated an RFP would be issued.

Mr. Suter shared that he felt the cost of the initial study would be reasonable based on his research and advised that the County would be the RFP issuing-agent and the proposal would need to come before the Board of Supervisors for approval.

Chairman Lyons added that the amount would be split equally between the localities.

Supervisor Ayers moved to approve the agreement, as amended. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Ayers, Lewis, Day, McDaniel, Lyons
Nays: None
Absent: None
Abstain: None

Approval of the Fairfield Farmers Market:

Director of Planning and Zoning, Chris Slaydon, briefly reviewed the agenda item which included the following information:

"Mr. David Renalds has submitted an application for Outdoor Events to hold a Farmers Market per Chapter Four (Amusement and Entertainment) Section 5 (Farmer's Market Market) of the Rockbridge County Code. The property is located at 5613 North Lee Hwy, Fairfield, Virginia 24435 and includes multiple tax parcels that is consists of approximately 3 acres."

Mr. Slaydon reviewed the application, location map, description of the plans, and site layout map via power point presentation.

Mr. Renalds explained that the plan is for the market to be opened on the first and third Saturdays, monthly, from May through October.

Supervisor McDaniel inquired about traffic entering and exiting Route 11.

Mr. Slaydon advised that Mr. Renalds has a commercial entrance permit.

Supervisor Day moved to approve the application. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Day, Lewis, Ayers, McDaniel, Lyons
Nays: None
Absent: None
Abstain: None

Approval of the Seasons' Yield Farmers Market:

Mr. Slaydon, briefly reviewed the agenda item which included the following information:

"Mr. Danial Shear has submitted an application for Outdoor Events to hold a Farmers Market per Chapter Four (Amusement and Entertainment) Section 5 (Farmer's Market Market) of the Rockbridge County Code. The property is located at 165 Oakland Circle, Raphine, Virginia 24472 and is further identified as tax map number 28-A-23A (8.224 acres per tax records).

Mr. Shear is currently working with VDOT to obtain the proper entrance permit for the Farmers Market. Staff has confirmed with VDOT that sight distance is not an issue and that the landowner is working on the design of the proposed entrance and the construction of the entrance. Approval of the Application for Outdoor Event for the Farmers Markets would be contingent on obtaining the proper VDOT approvals."

Mr. Slaydon reviewed the application, location map, description of the plans, and site layout map via power point presentation.

Mr. Shear explained that the market would be opened on the second and fourth Saturdays, monthly, from 10:00 a.m. through 2:00 p.m.

Mr. Slaydon called attention to trash collection in the applicant's description listing. He advised that the description states trash would be collected and taken to a County dumpster, which is not allowed for businesses. Thus, he advised, the trash would need to be taken to the Landfill or the business could add a commercial dumpster onsite.

Supervisor Lewis moved to approve the application. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Lewis, Day, McDaniel, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

Public Hearings at 6:00 P.M.:

VPSA Spring Pool Bond Sale- 2021 Authorizing Resolution:

Mr. Suter reviewed the following information:

"This item is required to enter the spring VPSA Pool for the Fairfield and Central Elementary HVAC projects. Items in your package include:

1. School Board Bond Requesting Resolution
2. Authorizing Resolution generated by Bond Counsel (Daniel Lauro)

3. VPSA Bond Sale Agreement

4. Draft General Obligation School Bond, Series 2021

In a previous board meeting, the potential to use other cash sources such as end of year savings from the school division or the American Recovery Act to reduce the amount borrowed was discussed. We are still assessing availability of funds. The deadline for making that decision is April 1. If there is to be a reduction in the borrowed amount, I recommend that we set the deadline for March 30.

At this point however, we are recommending approval of the resolution as presented. RT Taylor and Joe Mason with Davenport are participating virtually to answer any questions you may have."

Supervisor McDaniel asked Davenport for advice as to whether or not the Board should borrow less even though interest rates are really low.

Mr. Taylor advised that interest rates for borrowing money are very favorable and the Board could opt to take the additional funds and apply them to future projects.

Chairman Lyons opened the public hearing at 6:05 p.m. There were no comments. Chairman Lyons closed the public hearing.

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

Ayes: McDaniel, Lewis, Ayers, Day, Lyons
Nays: None
Absent: None

Abstain: None

March 22, 2021

Board of Supervisors of Rockbridge County, Virginia
VPSA Spring Pool Bond Sale- 2021

**RESOLUTION AUTHORIZING THE ISSUANCE OF A NOT TO EXCEED
\$5,000,000 GENERAL OBLIGATION SCHOOL BOND OF THE COUNTY OF ROCKBRIDGE,
VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING
FOR THE FORM AND DETAILS THEREOF**

WHEREAS, the Board of Supervisors (the “Board”) of the County of Rockbridge, Virginia (the “County”), has determined that it is necessary and expedient to borrow an amount not to exceed \$5,000,000 and to issue its general obligation school bond (as more specifically defined below, the “Bond”) for the purpose of financing certain capital projects for school purposes to pay all or any portion of costs to (a) acquire, construct, reconstruct, improve, and equip capital projects for school purposes in the County, including but not limited to construction, renovation, and equipping of Central Elementary and Fairfield Elementary, and (b) pay costs of issuance in connection with such undertakings by the County (together, the “Project”); and

WHEREAS, the County held a duly noticed public hearing on March 22, 2021, on the issuance of the Bond in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the “Virginia Code”); and

WHEREAS, the School Board of the County has, by resolution duly adopted on February 9, 2021, requested the Board to authorize the issuance of the Bond and consented to the issuance of the Bond; and

WHEREAS, Virginia Public School Authority (“VPSA”) has offered to purchase the Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the spring of 2021 (the “VPSA Bonds”); and

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that up to \$4,325,000 is the amount of proceeds requested (the “Proceeds Requested”) from VPSA in connection with the sale of the Bond; and

WHEREAS, VPSA’s objective is to pay the County a purchase price for the Bond which, in VPSA’s judgment, reflects the market value of the Bond (the “VPSA Purchase Price Objective”), taking into consideration of such factors as the amortization schedule the County has requested for the Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA for its bonds and other market conditions relating to the sale of the VPSA’s bonds; and

WHEREAS, such factors may result in the Bond having a purchase price other than par and consequently (i) the County may have to issue the Bond in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Bond set forth in section 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE

COUNTY OF ROCKBRIDGE, VIRGINIA:

1. **Authorization of Bond and Use of Proceeds.** The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in a principal amount not to exceed \$5,000,000 (the “Bond”) for the purpose of financing the Project. The Board hereby authorizes the issuance and sale of the Bond in the form and upon the terms established pursuant to this Resolution.

2. **Sale of the Bond.** The sale of the Bond to VPSA, within the parameters set forth in Section 4 of this Resolution, is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that if the limitation on the maximum principal amount on the Bond set forth in Section 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chair or the Vice Chair of the Board, or the County Administrator, any one or more of whom may act (whether individually or collectively, the “County Representative”), and such other officer or officers of the County as any of them may designate, are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Bond to VPSA (the “Bond Sale Agreement”). The Bond Sale Agreement shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved, with such completions, insertions, omissions, and changes not inconsistent with this Resolution as may be approved by the County Representative executing the Bond Sale Agreement.

3. **Details of the Bond.** The Bond shall be dated 16 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated “General Obligation School Bond, Series 2021”; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 beginning January 15, 2022 (each an “Interest Payment Date”), at the rates established in accordance with Section 4 of this Resolution; shall mature on July 15 in the years (each a “Principal Payment Date”) and in the amounts acceptable to the County Representative (the “Principal Installments”), subject to the provisions of Section 4 of this Resolution.

4. **Interest Rates and Principal Installments.** Each County Representative is hereby authorized and directed to accept the interest rates on the Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Bond, and provided further that the true interest cost of the Bond does not exceed five percent (5.00%) per annum. The Interest Payment Dates, the Principal Payment Dates, and the Principal Installments are subject to change at the request of VPSA. Each County Representative is hereby authorized and directed to accept changes in the Interest Payment Dates, the Principal Payment Dates, and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Bond; provided, however, that the principal amount of the Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Bond shall be no later than the end of Fiscal Year 2043. The execution and delivery of the Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Bond by the County Representative as authorized by this Resolution.

5. **Form of the Bond.** The Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as **Exhibit A**.

6. **Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to the Bond:

(a) For as long as VPSA is the registered owner of the Bond, all payments of principal, premium, if any, and interest on the Bond shall be made in immediately available funds to VPSA at, or before

11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bond.

(c) U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Bond. The County may, in its sole discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar and Paying Agent for the Bond. The County shall give prompt notice to VPSA of the appointment of any successor Bond Registrar and Paying Agent.

7. **Prepayment or Redemption.** Unless otherwise directed by VPSA, the Principal Installments of the Bond held by VPSA coming due on or before July 15, 2031, and the definitive bond for which the Bond held by VPSA may be exchanged that mature on or before July 15, 2031, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Bond held by VPSA coming due on or after July 15, 2032, and the definitive bond(s) for which the Bond held by VPSA may be exchanged that mature on or after July 15, 2032, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2031, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

Dates	Prices
July 15, 2031 through July 14, 2032	101%
July 15, 2032 through July 14, 2033	100 ½ %
July 15, 2033 and thereafter	100%

Provided, however, that the Principal Installments of the Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Bond to be deemed refunded, the prepayment or redemption of the Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Bond.

8. **Execution of the Bond.** The Chair or Vice Chair of the Board, either of whom may act, and the Clerk or any Deputy Clerk or designee of the Board, are authorized and directed to execute and deliver the Bond and to affix the seal of the County to the Bond.

9. **Pledge of Full Faith and Credit.** For the prompt payment of the principal of, premium, if any, and the interest on the Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Bond shall be outstanding there shall be levied and collected in accordance with law an annual *ad valorem* tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Bond as such principal, premium, if any, and interest shall become due. Such tax shall be without limitation as to

rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. **Use of Proceeds Certificate and Tax Compliance Agreement.** The County Representative, the County Fiscal Services Director, and such other officers of the County or School Board as any of them may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (together, the “Tax Compliance Agreement”) setting forth the expected use and investment of the proceeds of the Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the “Tax Code”) and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Tax Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

11. **State Non-Arbitrage Program; Proceeds Agreement.** The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer and the County Finance Director, either or both of whom may act, to participate in the State Non-Arbitrage Program in connection with the Bond. The County Representative, the County Treasurer, the County Finance Director, and such officer or officers of the County as any of them may designate, are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bond by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager, and the depository.

12. **Continuing Disclosure Agreement.** The County Representative and such other officer or officers of the County as any of them may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 4 of the Bond Sale Agreement should the County be determined by the VPSA to be a Material Obligated Person (as defined in the Bond Sale Agreement).

13. **Refunding.** The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. The County Representative is authorized to execute and deliver to VPSA such allonge to the Bond, revised debt service schedule, IRS Form 8038-G, or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board or any Deputy Clerk is authorized to affix the County's seal on any such documents and attest or countersign the same.

14. **Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of Rockbridge County, Virginia.

15. **Election to Proceed under Public Finance Act.** In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

16. **Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Bond and otherwise in furtherance of this Resolution, and any such action previously taken is hereby ratified and confirmed.

17. **Effective Date.** This Resolution shall take effect immediately.

Adopted: March 22, 2021

Chair
County of Rockbridge, Virginia

CERTIFICATE OF VOTES

The undersigned Clerk of the Board of Rockbridge County, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of the foregoing Resolution adopted by the Board at a duly called regular meeting on the date hereof at which a quorum was present, after the holding of a duly noticed public hearing therefor, and that the record of the roll-call vote is as follows:

NAME	AYE	NAY	ABSTAIN	ABSENT
Daniel E. Lyons, Chair Kerrs Creek District	X			
David B. McDaniel, Vice Chair Natural Bridge District	X			
Leslie E. Ayers Buffalo District	X			
R.W. Day South River District	X			
A.J. "Jay" Lewis, II Walkers Creek District	X			

Date: March 22, 2021

[SEAL]

Clerk of Board of Supervisors
County of Rockbridge, Virginia

EXHIBIT A

(FORM OF BOND)
(see attached)

ViaSat Inc. (Bares Woods Lane) - Application for Special Exception Permit - Satellite Based High Speed Internet Facility (Public Utility) in the General Business (B-1) Zoning District:

Mr. Slaydon briefly reviewed the information below:

"Mr. John Kovacs with ViaSat Inc., 349 Inverness Drive South, Edgewood, CO 80112 has made an application for a special exception permit in order to develop a satellite-based high-speed internet access facility. The property is owned by Bare Farm 5G LLC, 80 Forge Road Lexington IA 24450. The Property is located in the General Business (B-1) Zoning District and per section 605.03-10 of the County of Rockbridge Land Development Regulations, Public Utilities are a use by special exception in the B-1 District. The property is located on the westside of Bares Woods Lane (Route 879), approximately .26 miles north of the intersection of E. Midland Trail (Route 60) and Bares Woods Lane (Route 879),and is further identified as tax map number 76-A-50A. The property is located in the Buffalo Magisterial District.

On March 10, 2021, the Planning Commission held its Public Hearing and have recommended approval with the following conditions.

1) Substantial Compliance with development plan prepared by Qualtek Wireless dated January 26, 2021, revised on March 12, 2021."

Mr. Slaydon reviewed the application, area zoning map, and images of similar satellite dishes via power point presentation.

Mr. Kovacs further explained his plans for construction noting that the dish itself would measure six feet in diameter and around eight to eight and a half feet above the ground. He added that the satellite would require a direct line of sight.

Chairman Lyons asked Mr. Kovacs how tall the wood fencing would be.

Mr. Kovacs replied, 8 foot.

Supervisor Lewis asked if customers would need small dishes.

Mr. Kovac replied, yes.

Chairman Lyons asked about the internet speed.

Mr. Kovac replied about 15-25 Mb.

Chairman Lyons opened the public hearing at 6:15 p.m. There were no comments. Chairman Lyons closed the public hearing.

Supervisor McDaniel asked if the location was chosen specifically because it was good for the satellite reception.

Mr. Kovac advised that there is access to a fiber trunkline across the street as well as a clear view to the satellite.

Supervisor McDaniel moved to adopt the ordinance. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: McDaniel, Ayers, Day, Lewis, Lyons
Nays: None
Absent: None
Abstain: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATION OFFICES ON MONDAY, MARCH 22, 2021

Ordinance Granting a Special Exception Permit to ViaSat, Inc., to Develop a Satellite-Based High Speed Internet Access Facility in the General Business District (B-1), Located Along the West Side of Bares Woods Lane on Property Owned by Bares Farm 5G LLC, in the Buffalo Magisterial District and Identified as Tax Map # 76-A-50A

WHEREAS, ViaSat, Inc., the applicant, and Bares Farm 5G LLC, the owner, have applied for a special exception permit to develop a satellite-based high speed internet facility, consisting of 700 square feet, in the General Business (B-1) Zoning District, for Public Utilities per section 605.03-10 of the Rockbridge County Land Development Regulations, on a parcel of land located on the west side of Bares Woods Lane in the Buffalo Magisterial District, and identified as Tax Map #76-A-50A; and,

WHEREAS, the Planning Commission held a public hearing on this matter on March 10, 2021, and recommended approval to the Board with the specified conditions; and,

WHEREAS, legal notice and advertisement 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 held a public hearing on this matter on March 22, 2021; and,

WHEREAS, the Board of Supervisors, after review of the application and all other documentation submitted by the applicant, the Planning Commission and the public, after due consideration to the presentations and comments at the public hearing hereon, and after evaluation of the factors set forth in §802.03-5 of the Rockbridge County Land Development Regulations, finds and determines that the proposed use, with the herein specified conditions, is consistent with the Comprehensive Plan, the policies of Rockbridge County, and the public interest.

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 ViaSat, Inc., for development of a satellite-based high speed internet facility, consisting of 700 square feet, in the

General Business (B-1) Zoning District, for Public Utilities per section 605.03-10 of the Rockbridge County Land Development Regulations, on a parcel of land located on the west side of Bares Woods Lane in the Buffalo Magisterial District, and identified as Tax Map #76-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, subject to and conditioned upon:

- (a) Substantial Compliance with development plan prepared by Qualtek Wireless dated January 26, 2021, revised on March 12, 2021.

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 22nd day of March, 2021.

Singleton Investment Properties LLC (N. Lee Highway) - Application for a Rezoning from General Business (B-1) Zoning District to Agricultural Transitional (A-T) Zoning District:

Mr. Slaydon briefly reviewed the information below:

"Singleton Investment Properties LLC, 186 Brian's Lake Road, Mountain Rest, SC 29664 has made an application for a rezoning from the General Business (B-1) Zoning District(with associated proffers) to the Agricultural Transitional (A-T) Zoning District. The property located at 3111 N Lee Highway Lexington VA 24450 and is on the west side of N Lee Highway (Route 11), approximately .14 miles south of the intersection N

Lee Highway (Route 11) and Sam Houston Way (Route 785) and is further identified as tax map number 50-A-100.

The purpose of the rezoning application is to develop the existing building into a private school. Under the current ordinance, private schools are not a permitted use or a use by special exception in the B-1 Zoning District. Private schools are a use by special exception in the A-T Zoning District. A portion of the property across the road is within

the A-T Zoning District. The property is owned by Old Jacktown LLC, 259 Hawkrigde Lane, Lexington VA 24450.

On March 10, 2021, the Planning Commission held its Public Hearing and have recommended approval of the rezoning."

Mr. Slaydon reviewed the application and an area zoning map.

Applicant John Singleton recognized the property owner Mr. Philip Clayton.

Mr. Clayton advised that Mr. Singleton would form a 501c3 and provide one (1) or two (2) slots each year to someone who could not afford the school.

Chairman Lyons opened the public hearing at 6:22 p.m. There were no comments. Chairman Lyons closed the public hearing at 6:23 p.m.

Supervisor Lewis commended all parties to the application and shared his support of the project.

Supervisor Lewis moved to adopt the ordinance. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Lewis Ayers, Day, McDaniel, Lyons
Nays: 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 22, 2021

Ordinance to Change the Zoning Classification from General Business District (B-1), With Conditions, to Agricultural Transitional District (A-T) of a 7.65-Acre Parcel of Land Owned by Old Jacktown LLC, Located on the West Side of North Lee Highway, North of the Timber Ridge Interchange of I81, at 3111 N. Lee Highway, Known as Maple Hall, Identified as Tax Map #50-A-100 in the South River Magisterial District

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on March 10, 2021, and recommended to the Board of Supervisors that the proposed zoning classification amendment be approved; and,

WHEREAS, legal notice and advertisement 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 held a public hearing on this matter on March 22, 2021; and,

WHEREAS, the Board of Supervisors has determined that rezoning of the subject parcel of land would promote the health, safety, convenience and general welfare of the public, and that it accomplishes one or more of the objectives set forth in §15.2-2200 of the Code of Virginia (1950, as amended), and serves one or more of the purposes set forth in §15.2-2283 of the Code of Virginia.

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

1. That the change of zoning classification from General Business District (B-1), with Conditions, to Agricultural Transitional District (A-T) of a 7.65-acre parcel of land owned by Old Jacktown LLC, located on the west side of North Lee Highway, north of the Timber Ridge Interchange of I81, at 3111 N. Lee Highway, known as Maple Hall, and identified upon the Rockbridge County Land Records as Tax Map #50-A-100 in the South River Magisterial District of Rockbridge County, is hereby approved.

2. That this action is taken upon the application of the property owner, Old Jacktown LLC.

3. 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. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

Adopted this 22nd day of March, 2021.

Singleton Investment Properties LLC (N. Lee Highway) -Application for Special Exception Permit - Private School in the Agricultural Transitional (A-T) Zoning District:

Mr. Slaydon briefly reviewed the following information:

"Singleton Investment Properties LLC, 186 Brian's Lake Road, Mountain Rest, SC 29664 has made an application for a special exception permit in order to develop a private school. The property located at 3111 N Lee Highway Lexington VA 24450 and is on the west side of N Lee Highway (Route 11), approximately .14 miles south of the intersection N Lee Highway

(Route 11) and Sam Houston Way (Route 785), and is further identified as tax map number 50-A-100 (7.65 Acres Per tax records).

Per section 603B.03-17 of the County of Rockbridge Land Development Regulations, Private Schools are a use by special exception in the A-T District. The boys (ages 10-14 is the current target age) boarding school would utilize the existing building for the academic portion and the overnight boarding of the students.

On March 10, 2021, the Planning Commission held its Public Hearing and have recommended approval of the Special Exception application with the following conditions:

1. Total number of students not to exceed thirty (30).
2. Approval contingent on VDOT, Public Service Authority, Building Department, and Department of Education approvals."

Mr. Slaydon reviewed the application, zoning map, and special exception permit conditions as proposed by the Planning Commission.

Mr. Singleton further explained the intentions of the school sharing that there would be employees helping 24 students from ages 10-14 who would be living onsite.

Supervisor Day asked the following questions: (1) would there be any events; (2) where are the students coming from; (3) who is the appointed guardian during their stay; and, (4) how would a child not willing to stay be handled.

Mr. Singleton advised that families would visit and stay overnight for face-to-face meetings four (4) times per year; the students would be coming from everywhere across the United States; he, himself would be appointed guardian during their stay in order to take the students to doctors appointments, etc.; and should a child not be willing to participate, creating havoc, that child would be sent someplace else.

Supervisor McDaniel asked if the students would be considered to have behavioral issues.

Mr. Singleton replied, no, that they would come from a self-isolated environment.

Chairman Lyons asked if there would be age groups for classes.

Mr. Singleton replied, yes.

Supervisor McDaniel asked Mr. Singleton where he resided.

Mr. Singleton replied, he would reside half of the year here, and the other half in South Carolina where his other facility is located.

Supervisor McDaniel asked what the average cost was per child.

Mr. Singleton replied, \$12,900 per month.

Supervisor Ayers asked how much his demand was dependent on COVID.

Mr. Singleton responded that the demand has been high since opening the program in South Carolina five years ago.

Supervisor Day inquired about the size of the South Carolina facility.

Mr. Singleton replied, 36 students are staying at the facility in South Carolina which consists of 57 acres, mostly wooded, and a lake.

Chairman Lyons opened the public hearing at 6:45 p.m. There were no comments. Chairman Lyons closed the public hearing.

Supervisor Day moved to adopt the ordinance. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Day, Lewis, Ayers, McDaniel, Lyons
Nays: None
Absent: None
Abstain: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATION OFFICES ON MONDAY, MARCH 22, 2021

Ordinance Granting a Special Exception Permit to Singleton Investment Properties, LLC, for Development and Operation of a Private School, in the Agricultural Transitional (A-T) District, on a 7.65-Acre Property Known as Maple Hall, owned by Old Jacktown, LLC, Located on the West Side of North Lee Highway at 3111 N. Lee Highway, and Identified as Tax Map #50-A-100, in the South River Magisterial District

WHEREAS, Singleton Investment Properties, LLC, has filed an application for a special exception permit to develop and operate a private school in the Agricultural Transitional (A-T) District on a 7.65-acre property known as Maple Hall, currently owned by Old Jacktown, LLC, located on the west side of North Lee Highway at 3111 N. Lee Highway, in the South River Magisterial District of Rockbridge County, and identified upon the Rockbridge County Land Records as Tax Map #50-A-100; and,

WHEREAS, the Planning Commission, following a public hearing, reviewed this application on March 10, 2021, and recommended approval with the specified conditions to the Board of Supervisors; and,

WHEREAS, legal notice and advertisement 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, after review of the application and all other documentation submitted by the applicant, the Planning Commission and the public, after due consideration to the presentations and comments at the public hearing hereon, and after evaluation of the factors set forth in §802.03-5 of the Rockbridge County Land Development Regulations, finds and determines that the proposed use, with the herein specified conditions, is consistent with the Comprehensive Plan, the policies of Rockbridge County, and the public interest.

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 Singleton Investment Properties, LLC, for development and operation of a private school in the Agricultural Transitional (A-T) District, on a 7.65-acre property known as Maple Hall, currently owned by Old Jacktown, LLC, located on the west side of North Lee Highway at 3111 N. Lee Highway, in the South River Magisterial District of Rockbridge County, and identified upon the Rockbridge County Land Records as Tax Map #50-A-100, 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 pursuant to Section 603B.03-17 of the Rockbridge County Land Development Regulations, 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 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 22nd day of March, 2021.

EXHIBIT A

SPECIAL EXCEPTION PERMIT CONDITIONS

Applicant: Singleton Investment Properties, LLC

Owner: Old Jacktown, LLC

(TM# 50-A-100)

1. Total number of students not to exceed thirty (30).
2. Approval contingent on VDOT, Public Service Authority, Building Department, and Department of Education approvals.

**Sarah Reynolds (Forge Road) - Pet Grooming (Kennel) in the
Agricultural and General Uses (A-2) Zoning District:**

Sarah Reynolds, 3537 Forge Road, Glasgow VA 24555 has made an application for a special exception in order to develop a pet grooming business. The property is located on the eastside of Forge Road (Route 608), approximately .24 miles south of the intersection Forge Road (Route 608) and Plateau Lane (Route 1002) and is further identified as tax map number 98-14-2A1 (2.18 acres per tax records). The property is owned by Michael A. Shafer Jr. and Donna A Davis, 3537 Forge Road, Glasgow VA 24555.

The property is located in the General Agricultural (A-2) Zoning District and per section 603.03 5 of the County of Rockbridge Land Development Regulations, kennels are a use by special exception in the A-2 District. Per section 302.116, a kennel is defined as "Any location where raising, grooming, caring for or boarding of dogs, cats, or other small animals for commercial purposes is carried on." While the business plans on utilizing a modified travel trailer to operate the business, some clients will be coming to Forage Road for the grooming service. The current proposal is to limit the use of the property to grooming, no boarding, breeding, or training of pets is proposed.

On March 10, 2021, the Planning Commission held its Public Hearing and have recommended approval with the following conditions.

1. The business shall be limited to grooming of dogs and/or cats.
2. No overnight boarding, breeding or training permitted.
3. No more than a total of three (3) dogs and/or cats allowed on the property at one time for grooming.
4. The hours of operations for the grooming services shall be limited to 9:00 a.m. through 5:00 p.m."

Ms. Reynolds further explained her application noting that the property has proper well and septic and advised that her trash is hauled away by Klean Earth Disposal.

Supervisor Lewis asked if the grooming is completed inside?

Ms. Reynolds confirmed that grooming would take place inside the trailer.

Chairman Lyons opened the public hearing at 6:51 p.m. There were no comments. Chairman Lyons closed the public hearing.

Supervisor McDaniel asked if the neighboring property owners had been contacted.

Ms. Reynolds replied, they had already made appointments for grooming services.

Mr. Slaydon advised that a citizen had reached out with concerns about overnight boarding of dogs. Once he explained the application, he stated, the citizen did not share any additional concerns.

Supervisor Ayers moved to adopt the ordinance. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Ayers, Day, Lewis, McDaniel, Lyons
Nays: 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 22, 2021

Ordinance Granting a Special Exception Permit to Sarah Reynolds, to Operate a Pet Grooming Business in the Agricultural and General Uses (A-2) District per LDR Section 603.03-5, at 3537 Forge Road, Glasgow, VA, Identified as Tax Map # 98-14-2A1, in the Natural Bridge Magisterial District

WHEREAS, Sarah Reynolds has applied for a special exception permit to operate a dog grooming business on property in the Agricultural and General Uses (A-2) District, at 3537 Forge Road, Glasgow, Virginia, identified as Tax Map #98-14-2A1, in the Natural Bridge Magisterial District; and,

WHEREAS, the Rockbridge County Planning Commission held a public hearing on the application on March 10, 2021, and recommended approval with the specified conditions; and,

WHEREAS, legal notice and advertisement 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 held a public hearing on this matter on March 22, 2021; and,

WHEREAS, the Board of Supervisors, after review of the application and all other documentation submitted by the applicant, the Planning Commission and the public, after due consideration to the presentations and comments at the public hearing hereon, and after evaluation of the factors set forth in §802.03-5 of the Rockbridge County Land Development Regulations, finds and determines that, with the specified conditions, the proposed use is consistent with the Comprehensive Plan, the policies of Rockbridge County and the public interest.

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 Sarah Reynolds to operate a dog grooming business on property owned by Michael A. Shafer, Jr., and Donna A. Davis, in the Agricultural and General Uses (A-2) District, on the east side of Forge Road (Route 608) at 3537 Forge Road, Glasgow, Virginia, identified as Tax Map #98-14-2A1, 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 pursuant to Section 302.116 of the Rockbridge County Land

Development Regulations, with and subject to the conditions as set forth on Exhibit A attached hereto and incorporated herein.

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 22nd day of March, 2021.

EXHIBIT A

SPECIAL EXCEPTION PERMIT CONDITIONS

Owners: Michael A. Shafer Jr. and Donna A Davis

Applicant: Sarah Reynolds

1. The business shall be limited to grooming of dogs and/or cats.
2. No overnight boarding, breeding or training permitted.
3. No more than a total of three (3) dogs and/or cats allowed on the property at one time for grooming.
4. The hours of operations for the grooming services shall be limited to 9:00 a.m. through 5:00 p.m.

Appointments:

MSA- John Higgins- Unexpired Term- 6/30/2024:

Chairman Lyons advised that Mr. Higgins had resigned from serving on the MSA and that two (2) applications had been received to fill the position. He noted that it was a previous custom for a Board of Supervisor to serve in this capacity.

Supervisor Ayers suggested that, if the Board was going to make a decision as to whether or not this position must be filled by a Board member, it should make a decision on all other boards, committees, commissions, and authorities as well.

Chairman Lyons agreed and suggested setting terms to one (1) year.

Ms. Huffman stated that the Chairman could not appoint members to authorities as the full Board would need to vote on appointments.

Mr. Suter added that the Board could not appoint members for one (1) year as those authorities have their own bylaws and articles of incorporation that must be followed.

Supervisor Lewis suggested following a practice rather than making a policy.

Supervisor Ayers shared her concern about the Board having *not* followed its previous practice and allowing Mr. Higgins to continue serving on the MSA even after he was no longer a member of the Board of Supervisors.

Supervisor McDaniel shared his opinion of the importance of having a Board of Supervisor serve on authorities given their business has an impact on the County's budget. He also stated that the Board member serving on boards, committees, commissions, and authorities should *not* be compensated by those agencies because Board of Supervisors are already compensated.

Supervisor Ayers agreed there shouldn't be additional compensation independently paid by those agencies to a member of the Board of Supervisor.

Supervisor Lewis disagreed stating that compensation was part of those agencies policies and if one wanted to decline payment they could.

Supervisor Ayers stated that maybe a Board member was not supposed to serve on those authorities and other agencies because it could cause a conflict. She added that any and all appointed members should be reporting to the Board of Supervisors on a regular basis.

Chairman Lyons agreed that a Board of Supervisor should serve on the authorities and once they are not longer serving on the Board of Supervisors they are no longer serving on that authority.

Ms. Huffman stated that there is a body of law that discusses the ability to remove someone from office if they have been appointed for a term of office. She stated that there could be the option to appoint a Supervisors from a specific district rather than name.

Supervisor McDaniel asked if there were a way to add language that a member of the Board of Supervisor serves on that authority.

Chairman Lyons stated that the Board could always add to the agenda updates from various boards and committees.

Supervisor Ayers added that the Board could alternatively appoint a liaison to various committees and appoint someone who is qualified for the position.

Ms. Huffman noted that a liaison could not vote during meetings or participate in closed meetings.

Chairman Lyons asked if there were a conflict having a Board member serve on an authority when topics come before the Board of Supervisors.

Ms. Huffman advised that there had been a similar question before and the Commonwealths Attorney at that time did not believe there were a conflict.

Supervisor McDaniel stated the importance of having a Board member serve on the authority so that representative could vote on matters that pertain to its budget.

Chairman Lyons agreed.

Ms. Huffman reiterated that the Board could appoint a representative from a specific district.

Mr. Suter added that it could be read into the minutes that Board members who are appointed to an authority or other agency would understand that they would need to resign once no longer serving as a member of the Board of Supervisors.

Supervisor McDaniel reiterated the importance of having a Board of Supervisor serve on the authority.

Chairman Lyons agreed.

Supervisor McDaniel moved that the representative filling Mr. Higgins' term be a member of the Board of Supervisors. Supervisor Day

provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: McDaniel, Day, Ayers, Lewis, Lyons
Nays: None
Absent: None
Abstain: None

Supervisor Day moved to nominate the Walkers Creek District Supervisor to serve on the MSA. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Day, McDaniel, Ayers, Lewis, Lyons
Nays: None
Absent: None
Abstain: None

Scheduled Budget Meeting #4:

Fiscal Services Director Provides Update on FY2022 Draft Budget:

In the Fiscal Services Director's absence, Mr. Suter briefly reviewed the following information:

"As you will recall, at the Board's March 8 meeting, we presented a balanced budget with the understanding that more changes were likely coming from the state regarding impacts of teacher raises and jail compensation. As reported at the joint meeting with the school division last week, we updated the jail request with an additional \$35,431.

We also Received the School Division's categorical estimate of needs on March 15th; the amount of \$16,011,942 is \$288,730 higher than what the Finance Committee proposed at the March 8th meeting.

The draft budget currently reflects planned expenditures over anticipated revenues by \$324,161. At this point, staff requests that Board members consult with the finance committee on choices to get to a balanced budget by your next scheduled meeting on April 5th.

Chairman Lyons commended the finance committee for its dedicated hard work on the budget. He noted that he would not vote in favor of any increase to taxes.

Board Comments:

Chairman Lyons advised of the following announcements:

Budget Meeting #5 on Monday, April 5th at 5:30 p.m. in the Board Meeting Room. Meeting will include the following items:

- o Fiscal Services Director request to schedule a public hearing on the FY2022 draft budget
- o Consideration of Re-adoption and Extension of Continuity of Government Ordinance
- o Financial Advisor Davenport & Company to provide a Fiscal Health Update presentation

Adjournment:

Supervisor McDaniel moved to adjourn at 7:33 p.m. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: McDaniel, Day, Ayers, Lewis, Lyons

Nays: None

Absent: None

Abstain: None

