

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, MAY 10, 2021 AT 5:30 P.M.

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

COUNTY ADMINISTRATOR: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

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CALLED TO ORDER:

Chairman Lyons called the meeting to order at 5:30 p.m.

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

Supervisor Lewis 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 30 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.

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:**

Chairman Lyons called for changes to the Agenda. There were none.

**Recognitions and Presentations:**

**Business Appreciation Month Resolution:**

Supervisor Lewis advised that the resolution was first introduced at the previous Board meeting was missing some text that he had intended to be included regarding appreciation for agricultural businesses. He then read aloud the revised resolution:

**A RESOLUTION RECOGNIZING MAY AS BUSINESS APPRECIATION  
MONTH IN ROCKBRIDGE COUNTY**

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**WHEREAS**, on May 1, 2019, Governor Northam declared the month of May as Business Appreciation Month in the Commonwealth of Virginia; and,

**WHEREAS**, Rockbridge County businesses are vital to the County's economic prosperity and growth; and,

**WHEREAS**, Rockbridge County businesses provide jobs, products, and services to our residents, residents in our surrounding communities, and consumers far and wide; and,

**WHEREAS**, though Rockbridge County businesses felt the impact of the COVID-19 pandemic, many were able to adapt, survive and even thrive through these tremulous times; and,

**WHEREAS**, Rockbridge County's top employment industries include retail trade, manufacturing, accommodations, food service, and construction, all of which were impacted by the pandemic; and,

**WHEREAS**, and also impacted by the pandemic, agriculture-related businesses, including production, transportation and distribution are critical to our local economy and provide products to sustain our local communities, and those far beyond our borders; and,

**WHEREAS**, Rockbridge County is currently home to 1,560 business license holders and 29 manufacturing operations; and,

**WHEREAS**, as many Rockbridge County's business license holders are small businesses operated by dedicated entrepreneurs; and,

**WHEREAS**, Rockbridge County extends its gratitude and appreciation for the dedication and perseverance of all of our local businesses.

**NOW, THEREFORE, WE**, The Board of Supervisors of Rockbridge County, do hereby recognize May 2021 as Business Appreciation Month in the Commonwealth of Virginia, and here in Rockbridge County, we call this observance to the attention of all our citizens and ask that you thank your local business owners and support their operations.

**Adopted this 10<sup>th</sup> day of May, 2021.**

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

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

**National EMS Week Proclamation:**

Supervisor Ayers read aloud the following proclamation:

**A PROCLAMATION EXPRESSING THE APPRECIATION OF THE  
BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO  
LOCAL EMERGENCY MEDICAL SERVICE (EMS) AGENCIES AND PROVIDERS**

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**WHEREAS**, The Congress and President of the United States have designated May 16<sup>th</sup> – 22<sup>th</sup> as National Emergency Medical Services (EMS) Week; and,

**WHEREAS**, the men and women of the EMS agencies serving Rockbridge County, the City of Lexington, and the City of Buena Vista provide a vital public service by responding to the EMS needs of our residents and visitors; and,

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their local EMS providers; and,

**WHEREAS**, safety of our citizens is a primary goal of local, state, and national government; and,

**WHEREAS**, EMS providers are often among the first to arrive upon the scene of emergencies and disasters, be they medical, natural or manmade, to provide immediate and often life-saving assistance while fulfilling their mission to provide the best pre-hospital care; and

**WHEREAS**, EMS providers participate in numerous hours of rigorous training and continuing education in order to enhance their life-saving skills and thereby dramatically improve the survival and recovery rate of their patients; and,

**WHEREAS**, EMS providers and agencies demonstrate a high level of commitment and dedication to their communities and fellow citizens by providing training, health screenings, extra precautions towards COVID-19 responses to ensure the safety of crew members and patients, and other life-safety awareness programs in their respective localities.

**NOW, THEREFORE**, We, the Rockbridge County Board of Supervisors, call upon all citizens of Rockbridge County to observe the week of May 16<sup>th</sup> – 22<sup>th</sup>, 2021, as Emergency Medical Services week, during which all of our residents may join in celebrating the dedication of our local EMS Providers, past and present, and their families, whose support allows them to serve our community.

**Adopted this 10<sup>th</sup> day of May, 2021.**

Supervisor McDaniel moved to adopt the proclamation. 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

Chairman Lyons asked Fire-Rescue Chief Nathan Ramsey to provide a copy to all EMS agencies with the Board's appreciation.

**National Police Week Proclamation:**

Chairman Lyons read aloud the following proclamation:

**A PROCLAMATION EXPRESSING THE APPRECIATION OF THE  
BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO  
LOCAL LAW ENFORCEMENT OFFICERS AND SUPPORT STAFF**

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**WHEREAS**, The Congress and President of the United States have designated May 15<sup>th</sup> as Peace Officers' Memorial Day, and the week in which May 15<sup>th</sup> falls as National Police week; and,

**WHEREAS**, the men and women of the law enforcement agencies serving Rockbridge County, the City of Lexington, the Town of Glasgow, and the City of Buena Vista provide a vital public service by safeguarding the rights and freedoms of citizens in the Rockbridge area; and,

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our local law enforcement agencies recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and,

**WHEREAS**, safety of our citizens is a primary goal of local, state, and national government; and,

**WHEREAS**, Law Enforcement is one of the few chosen professions that require the willingness to lay down one's life to protect others; and,

**WHEREAS**, the daily performance of a Law Enforcement Officer's normal duty is dangerous, stress filled, often unappreciated and requires a special person with a supportive family; and,

**WHEREAS**, the Rockbridge County Sheriff's Department, Lexington Police Department, Buena Vista Police Department, Buena Vista Sheriff's Department, Glasgow Police Department, Rockbridge Regional Jail, Virginia State

Police, Virginia Military Institute Police, Virginia Department of Conservation and Recreation Police, and Federal Law Enforcement Offices are comprised of the finest officers, supervisors, administrative and support staff that can be found.

**NOW, THEREFORE,** We, the Rockbridge County Board of Supervisors, call upon all citizens of Rockbridge County, especially during the unprecedented challenges posed by the COVID19 pandemic, to observe the week of May 9 – May 15, 2020, as Police Week during which all of our residents may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens and we urge all citizens to take the time to thank those in law enforcement for the important service they provide to all of us.

**WE FURTHER CALL UPON ALL CITIZENS OF ROCKBRIDGE COUNTY,** to observe Saturday, May 15<sup>th</sup>, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice to their community or have become disabled in the performance of duty, and let us recognize and pay respects to the survivors of our fallen heroes; and cause flags to be flown at half-mast in remembrance.

**Adopted this 10<sup>th</sup> day of May, 2021.**

Supervisor Day moved to adopt the proclamation. 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

Mr. Suter noted that copies would be provided to area law enforcement agencies with the Board's appreciation.

**Citizens Comments:**

Chairman Lyons advised of the following announcement:

"At this time, we will welcome citizens comments. To make a comment, please follow these 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 beginning 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 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 located on the podium for your convenience. When the light turns from green to yellow, you have 30 seconds remaining. Once the timer sets off an alert, please return to your seat if attending in-person or simply end your comment if attending virtually.

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.”

Scott Guise of the Kerrs Creek Magisterial District made a comment pertaining to the BARC Special Exception Permit (SEP) Extension. Mr. Guise suggested that the Board made a decision on the SEP at the prior meeting before hearing solutions to the complaints and chastised BARC. He stated that the Kerrs Creek representation could do a lot better and advised that many in the County are already invested in BARC. Mr. Guise requested an apology for the embarrassing display towards the CEO and the public eye

stating that the complaints could have been addressed in a more professional way and venue, allowing the CEO to address and fix those issues. He shared that some of the residents of the County will not receive BARC service regardless of the location of the lay down yard and that the Board should know the end plan and if not find out. He suggested that this was a lack of judgement and transparency that the people of the County are talking about. Mr. Guise stated that, not only should the extension be approved, but a formal apology to the CEO of BARC is warranted let alone the apparent bias that was brought into the meeting of which the County is owed an apology.

**Approval of the April 19, 2021 and April 26, 2021 Minutes:**

Supervisor McDaniel moved to approve the minutes. 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

**Consideration of the County Financial Package:**

Fiscal Services Director Steven Bolster reviewed his monthly memorandum which included activities for the month for the Commissioner of the Revenues department and the Treasurers department. Mr. Bolster advised that the Town of Goshen had approached Supervisor Lewis with a request to receive assistance for refinancing of a loan with Farmers and Merchants

Bank. He advised that the Finance Committee discussed the potential for the County to pay off the remaining balance on behalf of the Town of Goshen who would then repay the County over 5 years at a 1% interest rate. In doing so, he noted, monthly payments for the Town would be reduced from \$4,137 to just above \$1,000.

Mr. Suter advised that an agreement between the County and the Town of Goshen could be brought back before the Board at a future date to memorialize the terms.

Mr. Bolster then advised that the Town of Goshen was requesting financial support for projects including a community center, water and sewer system upgrades, and blighted properties. He shared that the request was consistent with CARES Act funding provided to Glasgow.

Mr. Suter noted that, during the time COVID funding was provided, the Town of Goshen could not meet the required criteria to receive funding whereas the Town of Glasgow did meet those criteria for public safety payroll reimbursement.

Supervisor Ayers shared her complete support in assisting the community.

Supervisor Lewis moved to support the refinancing request for the Town of Goshen, subject to execution of a suitable agreement to memorialize the loan. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

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

Abstain: None

In regard to the consideration of the Town of Goshen's project support request, Supervisor McDaniel suggested identifying and creating a policy of procedure for supporting the two (2) towns moving forward so it is equitable.

Mr. Bolster then reviewed the Appropriation Resolution and recommended approval as presented.

Supervisor Lewis moved to adopt the resolution. 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 COUNTY ADMINISTRATIVE BUILDING,  
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,  
ON MONDAY, MAY 10, 2021 AT 5:30 P.M.

On motion by Supervisor Lewis, seconded by Supervisor Ayers, the Board, by record vote, adopted the following appropriation resolution and payment of bills for the month as follows:

APPROPRIATION RESOLUTION

**GENERAL FUND:**

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby is made, for the period ending **June 30, 2021**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-13010-5202 Postage.....	\$1,128.00
4-11-32020-5700 \$4 for Life-Rescue Squads.....	\$12,514.00
4-11-32021-3002 Contracted Services.....	\$400.00
4-11-32021-5101 Electricity.....	\$1,222.00

4-11-32021-5104 Heating.....	\$315.00
4-11-32021-5900 Lease of Property.....	\$2,500.00
4-11-99010-6950 Contingencies.....	<u>\$62,192.00</u>
<b>Total General Fund Appropriations</b>	<b>\$80,271.00</b>
<b>Total Appropriations</b>	<b>\$80,271.00</b>
<b>Current County</b>	
11 - General Fund	\$620,379.77
94 - Central Stores	\$6,532.67
202 - COVID-19 Response Fund	\$18,848.11
372 - Construction Project Fund	\$590.00
376 - Capital Purchases Fund	<u>\$2,884.92</u>
<b>Total County Bills</b>	<b>\$649,235.47</b>
<b>Current Fiscal Agent</b>	
80 - Regional Jail Fund	<u>\$218,320.82</u>
<b>Total Fiscal Agent</b>	<b>\$218,320.82</b>
<b>TOTAL ALL BILLS</b>	<b>\$867,556.29</b>

**Consideration of Central Shenandoah Hazard Mitigation Plan and the Central Shenandoah Regional Wildfire Protection Plan:**

Chairman Lyons asked Chief of Fire and Rescue Nathan Ramsey to thank the County's local volunteers for their efforts in assisting with fighting a recent fire in the Goshen Pass area.

Chief Ramsey shared his appreciation of the team effort between the volunteers and the Virginia Department of Forestry. He then briefly reviewed the agenda item which included the following information:

"The federal Disaster Mitigation Act of 2000 requires local governments to develop and adopt hazard mitigation plans in order to be eligible to apply for and receive certain hazard mitigation grant funds. In 2005, the original plan was approved by FEMA and adopted by all twenty-



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**ROCKBRIDGE COUNTY BOARD OF SUPERVISORS**

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one jurisdictions in the Region. The plan was updated in 2013. The 2020 update is the second update of the Plan.

The current update process began in 2019 with meetings of the Plan's Steering Committee made up of local and state government staff, representatives from the public, private, and non-profit sectors, and interested citizens. As part of the update process, public involvement was also included through an on-line survey as well as engagement at community events (prior to the pandemic). Contents of the plan include:

- A ranking of hazards that impact the Region.
- Historical information about specific severe weather events.
- Broad categories of mitigation strategies for each jurisdiction.
- A regional capabilities assessment."

Supervisor Day moved to adopt the resolution. 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

**ADOPTION RESOLUTION OF THE CENTRAL SHENANDOAH HAZARD  
MITIGATION PLAN 2020 UPDATE**

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**WHEREAS**, the Board of Supervisors of Rockbridge County recognizes the threat that natural and man-made hazards pose to people within the Rockbridge County, and,

**WHEREAS**, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance and update these plans; and,

**WHEREAS**, the Central Shenandoah Hazard Mitigation Plan (CSHMP) identifies mitigation strategies to reduce or eliminate long-term risk to people and property in our community and in the Central Shenandoah Region from the impacts of future hazards and disasters; and,

**WHEREAS**, the CSHMP Steering Committee representing the 21 local jurisdictions of the Central Shenandoah Planning District convened in order to review the original Plan and study the Region's risks from and vulnerability to natural hazards, and to make recommendations on mitigating the effects of such hazards on the Region; and,

**WHEREAS**, the Steering Committee was provided staff support by the Central Shenandoah Planning District Commission; and,

**WHEREAS**, the efforts of the Steering Committee, the staff of the Central Shenandoah Planning District Commission, as well as members of the public, private, and nonprofit sectors, have resulted in the development of the 2020 Update of the Central Shenandoah Hazard Mitigation Plan for the Region; and,

**WHEREAS**, the Central Shenandoah Regional Wildfire Community Protection Plan (CSRWPP) is an annex to the Central Shenandoah Hazard Mitigation Plan and is included in this resolution.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Rockbridge County that the Central Shenandoah Hazard Mitigation Plan 2020 Update is hereby approved and adopted for Rockbridge County.

**Adopted this 10<sup>th</sup> day of May, 2021.**

**Consideration of Reassessment RFP Contract:**

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

"On February 8, 2021, the Board of Supervisors authorized the issuance of a Request for Proposal (RFP) to procure the services of a qualified firm to provide all labor, equipment, materials, and insurance to complete the General Reassessment of Real Property in Rockbridge County.

The County advertised RFP # 2021-02-002 from February 12, 2021 through March 12, 2021. Advertisement efforts included local print, the County website, and the Virginia eProcurement Portal (eVA). Four firms

submitted proposals by 2:00 PM EST on Friday, March 12th in accordance with the RFP specifications.

The evaluation committee members (Lyons, Suter, Bolster, D. Whitesell, & Tomlin) executed a preliminary ranking for each proposal using the criteria stated in the RFP. Based on the initial criteria scoring, the committee determined to interview the top 3 proposers. The committee completed firm interviews on Monday, April 5th. The committee then finished a final ranking on these three companies. The chart below reflects the final ranking resulting from the evaluation process:

<b>FIRM</b>	<b>SCORE</b>	<b>RANKING</b>
Wingate Appraisal Service	95.10	1
Wampler-Eanes Appraisal Group	85.20	2
Pearson's Appraisal Group	81.78	3

On April 12, 2021, the Board accepted the evaluation committee's final ranking of proposers. In addition, the Board authorized the County Administrator to enter into negotiations based on the final ranking of received proposals and, if negotiations were successful, return to the Board with a contract for consideration of approval.

Mr. Suter and members of the evaluation committee completed successful negotiations with Wingate Appraisal Service on April 16, 2021.

Receive the staff report, discuss as necessary, and consider accepting the proposed General Reassessment of Real Estate contract. In

addition, staff requests the Board authorize the County Administrator to execute the contract documents on behalf of the Board of Supervisors of Rockbridge County, and to take such other and further actions as may be necessary and appropriate to accomplish this agreement, which shall be approved as to form by the County Attorney.”

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 ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, MAY  
10, 2021

**RESOLUTION TO APPROVE CONTRACT BETWEEN THE COUNTY OF  
ROCKBRIDGE AND WINGATE AND ASSOCIATES, LTD., FOR APPRAISAL  
SERVICES IN CONNECTION WITH THE 2023 GENERAL REASSESSMENT**

WHEREAS, on February 12, 2021, the County of Rockbridge issued a Request for Proposals (RFP) to procure services from qualified firms to perform the general reassessment of real property within the County in accordance with Virginia Code §58.1-3252 and Rockbridge County Code §25-40; and,

WHEREAS, four firms submitted proposals in accordance with RFP Number 2021-02-002 by the March 12<sup>th</sup> response date and time; and,

WHEREAS, the members of an evaluation committee independently ranked each proposal and conducted interviews; and,

WHEREAS, the evaluation committee determined that the highest-ranking proposer is Wingate and Associates, Ltd. (“Wingate”); and,

WHEREAS, on April 12, 2021, the Board approved the committee's recommended ranking and authorized negotiation of an appraisal services contract with Wingate; and,

WHEREAS, staff has negotiated an agreement dated June 1, 2021, presented herewith to the Board for approval.

NOW THEREFORE, BE IT RESOLVED as follows:

1. That the Contract for Appraisal Services dated June 1, 2021, with Wingate and Associates, Ltd., t/a Wingate Appraisal Service, to provide the necessary appraisal services for completion of the 2023 General Reassessment for the County, at the rate of \$17.50 per parcel, with completion on or before December 31, 2022, is hereby authorized and approved.

2. That the County Administrator is hereby authorized to execute the Agreement and such other documents and to take such further actions, on behalf of the Board of Supervisors, as are necessary to accomplish this transaction, all of which shall be approved as to form by the County Attorney.

3. That this Resolution shall be effective upon the date of its adoption.

Adopted this 10<sup>th</sup> day of May, 2021.

**Consideration of Rule of Procedure:**

County Attorney Vickie Huffman briefly reviewed the agenda item which included the following information:

"At the April 26<sup>th</sup> Board meeting, a process for reconsideration of the Board's vote on the BARC Temporary Special Exception Permit was requested. Following up, the attached Rules of Procedure for Board consideration includes confirmation of the ability to reconsider a matter at the next succeeding Board meeting."

Supervisor Ayers moved to adopt the resolution. 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 ROCKBRIDGE COUNTY BOARD OF SUPERVISORS HELD  
AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES  
ON MONDAY, MAY 10, 2021

**RESOLUTION TO ADOPT RULES OF PROCEDURE  
FOR BOARD MEETINGS**

BE IT RESOLVED that the Board of Supervisors of the County of Rockbridge, Virginia, hereby adopts the following:

**ROCKBRIDGE COUNTY RULES OF PROCEDURE  
FOR BOARD MEETINGS**

1. **Generally.** Rules of Procedure are designed and adopted for the benefit and convenience of the Rockbridge County Board of Supervisors. Their purpose is to help the Board conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure found in *Robert's Rules of Order Newly Revised* and applicable Virginia laws. The Rules of Procedure do not create substantive rights for third parties or participants in proceedings before the Board of Supervisors. Further, the Board of Supervisors reserves the right to suspend or amend the Rules of Procedure whenever a majority of the Board decides to do so. When Rules of Procedure do not address a procedural issue, the Board of Supervisors may consider the most recent edition of *Robert's Rules of Order* for guidance. The failure of the Board to strictly comply with rules of procedure shall not invalidate any action or decision by the Board of Supervisors.

2. **Motion to Reconsider.** The Board of Supervisors may vote to reconsider its action on a matter. The motion to reconsider must be made no later than the adjournment of the next succeeding regular meeting of the Board and can only be made by a member who voted with the prevailing side. In the event of a tie vote on the original motion, any Board member may introduce a motion to reconsider. The motion cannot interrupt deliberation on a pending matter but is in order when action on a pending matter concludes. Such motion shall be decided by a majority of the votes of the members present, unless a greater number of votes was required to pass the measure, in which event the motion to reconsider shall not prevail except upon the vote of as great a number of members as was required to pass the measure.

This Resolution shall be effective on and from the date of its adoption.

Adopted this 10<sup>th</sup> day of May, 2021.

**Reconsideration of BARC Electric Cooperative (Big Spring Drive) -  
Application for a temporary Special Exception Permit - Lay Down Yard  
(Public Utility) in the Agricultural and General Uses (A-2) Zoning  
District:**

Supervisor Lewis read aloud the following Disclosure Statement:

"I abstain from all matters, discussions, or voting related to the BARC Electric Cooperative application for a Temporary Special Exception Permit for Laydown Yard, and my disclosure statement required under Virginia Code §2.2-3115(F) is on file with the Clerk to the Board of Supervisors."

He then left the dais.

Supervisor Day moved to reconsider the BARC temporary Special Exception Permit. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

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

Chairman Lyons passed the gavel to Vice Chairman McDaniel who presided over the meeting. Chairman Lyons moved to adopt the ordinance granting the Special Exception Permit as presented. Supervisor Day

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

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

Supervisor Lewis returned to the dais.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE  
OFFICES ON MONDAY, MAY 10, 2021

**Ordinance Granting a Temporary Special Exception Permit to BARC Electric Cooperative for a Lay Down Yard on a Portion of the Solar Array Site to Store Materials Needed for the Fiber Project on Property Owned By BARC Electric Cooperative (Tax Map No. 47-A-50) in the Agricultural and General Uses District (A-2) Located in the Kerrs Creek Magisterial District**

WHEREAS, on July 24, 2017, the Board adopted an Ordinance to grant a temporary Special Exception Permit to locate a lay down yard on a portion of the solar array site for storage materials needed for the fiber project construction, terminating no later than April 12, 2019, on property owned by BARC Electric Cooperative ("BARC") located in the Agricultural and General Uses District (A-2), and further identified upon the Rockbridge County Land Records as Tax Map #47-A-50; and,

WHEREAS, on March 25, 2019, per Section 802.03-11 of the Rockbridge County Land Development Regulations, the Board of Supervisors approved a two-year extension of the temporary special exception, through April 12, 2021; and,

WHEREAS, BARC Electric Cooperative ("BARC") has filed an application for further extension of its temporary special exception permit, involving a change of conditions related to the VDOT permit for the temporary construction entrance off of Big Spring Drive; and,

WHEREAS, the Planning Commission, following a public hearing on March 10, 2021, and further review on April 14, 2021, recommended approval to the Board of Supervisors subject to 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 April 26, 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 finds that the granting of a temporary special exception permit pursuant to Section 603.03-9 of the Rockbridge County Land Development Regulations to BARC Electric Cooperative to continue location of a temporary lay down yard on a portion of the solar array site for storage of materials needed for the fiber project on property owned by BARC Electric Cooperative located in the Agricultural and General Uses District (A-2) in the Kerrs Creek Magisterial District, and further identified upon the Rockbridge County Land Records as Tax Map #47-A-50, 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 temporary special exception permit is hereby approved with and subject to the following conditions: (1) Substantial compliance with the development plan prepared by BARC, titled 'Highland Belle BARC Community Solar Project and Learning Center Site Plan' dated February 18, 2015, with a revision date of March 31, 2021; and (2)

Approval contingent on final VDOT and Erosion and Sediment Control/ Stormwater Management approvals.

2. That this ordinance shall be effective on the date of its adoption and shall terminate no later than May 10, 2023. The provisions of this Ordinance shall not supersede, but shall be supplemental to, the amended special exception permit to BARC to develop an office complex, equipment yard, and solar field for power generation on the subject property (Tax Map #47-A-50), granted by Ordinance adopted on March 28, 2016.

Adopted this 10<sup>th</sup> day of May, 2021.

**Continued Discussion on VDOT 6 Year Plan:**

Mr. Suter advised of the following information:

"At the Board's last work session and regular meeting, VDOT Lexington Residency Administrator Susan Hammond reviewed VDOT's proposed six year plan and the Board authorized scheduling the annual public hearing for the Board's May 24 meeting. The intent of the one-month review period was to give the Board an opportunity to review proposed projects and consider other projects which are not currently shown on the six year plan.

The intent of this agenda item is to provide the Board with an opportunity to further discuss the current draft and other options which the Board may wish to consider.

Currently, VDOT intends to advertise the draft six year plan as-presented on April 26th. To meet policy, the ad would be placed in the May 12 and may 19 editions of the News Gazette for public hearing at the Board's May 24 meeting. Then, after public hearing, the Board could still

adjust the plan. A final plan would need to be adopted by the Board in June.

Copies of the six year plan documents are attached. Ms. Hammond has a scheduling conflict this evening, but I have spoken with her and she would be happy to look into any additions or amendments the Board would like to make."

During his review, Mr. Suter noted that items added to the plan typically follow the last item listed.

Chairman Lyons advised that he had received feedback from constituents about the dust that comes from gravel roads and the potential for more traffic at a higher speed if the road becomes paved. He noted that he had spoken previously with groups of individuals who would like to see Fredericksburg Road paved, and those who do not, and encouraged them to attend the public hearing on May 24<sup>th</sup>. Chairman Lyons asked if Ms. Hammond would look at Chestnut Grove Road for potential to reduce the amount of dust without paving.

Supervisor Lewis advised that new pavement was laid on a road in his district recently and he spoke with Ms. Hammond about potential speed issues to which Ms. Hammond advised that a speed study is conducted after the pavement is laid to determine the appropriate speed. He noted that Ms. Hammond advised that she had found in similar cases that the speed limit did not increase.

Supervisor Ayers advised that she would be meeting with a constituent the following day and may be asking to add a road the plan at the next meeting.

Supervisor McDaniel shared his concern about the width of some of the roads that were paved, or some of the shoulders or lack thereof. He advised that he asked Mr. Suter to ask Ms. Hammond to look at James River Road and Arnolds Valley, specifically because of large campers passing through to Jellystone Campground. He noted that the stretch to the campground is very narrow and includes a narrow bridge that ultimately results in only one lane.

Supervisor Lewis shared his concern about the road closure on Route 39 over the next several days as it will present difficult challenges to businesses located along that road. He suggested VDOT involve other parties when making a decision on road closures.

Chief Ramsey shared some information he was apprised of during a meeting earlier in the day regarding the Route 39 road closure. He shared that it was his understanding that Buckingham Branch Railroad made the decision, and not VDOT, for upgrades to a railroad crossing as it was currently a safety hazard.

**Appointments:**

**Consideration of Application for Walkers Creek District Membership on the Blue Ridge Resource Authority:**

Mr. Suter clarified that the appointee did not have to reside in the Walkers Creek District as the appointments to the BRRA were not by magisterial district as noted in the Member Use Agreement.

Chairman Lyons advised the Supervisor Lewis had notified the Board of his intent to resign from the BRRRA and fill his seat with a representative from the Walkers Creek Magisterial District. He stated that Supervisor Lewis recommended appointment of Mr. Robert Wells who was present at the meeting. He then shared that he believed at least one (1) Board member should serve on the BRRRA at all times.

Supervisor Ayers suggested the creation of an appointment policy for the process of appointments.

Chairman Lyons suggested receiving applications through January for any additional vacancies to the BRRRA and those applications be considered during the organizational meeting at the first January Board meeting.

Ms. Huffman advised that the new representative would take office following submission of a Conflict of Interest Form as required prior to assuming office.

Supervisor Lewis moved that, effective upon appointment of Mr. Wells in my place and stead for the remainder of my term, please accept my resignation as a Director of the Blue Ridge Resource Authority. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

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

**Shenandoah Workforce Development Board- Lisa Grant- Term Expires**

**6/30/2021:**

Supervisor Lewis moved to nominate Lisa Grant to continue serving on the Shenandoah Workforce Development Board. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

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

**Shenandoah Workforce Development Board- Consideration of Application-  
Boyd Brown:**

Supervisor Lewis moved to nominate Boyd Brown to serve on the Shenandoah Workforce Development Board. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

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

**Monthly Staff Reports:**

Supervisor Lewis moved to accept the Monthly Staff Reports as presented, with appreciation. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

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

**Board Comments:**

Supervisor Day wished Chairman Lyons a belated birthday.

Chairman Lyons then wished Supervisor Day a belated birthday.

Chairman Lyons reminded the Board of a joint meeting with the School Board the following week. He noted that there were conflicts in schedules and a specific date and time had not been determined.

Supervisor McDaniel suggested that, if the CIP was the only discussion item for the joint meeting, perhaps the Executive Committees could meet and discuss instead of the full Board.

**Adjournment:**

Supervisor Lewis moved to adjourn at 6:48 p.m. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

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