

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 24, 2021 AT 5:30 P.M.

\*\*\*

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 (Virtually)

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.

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 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 72, persons who have been fully vaccinated for the COVID-19 virus are not required to wear a mask.

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:**

Community Development Director Chris Slaydon introduced new Zoning Technician Chris Musso who began working for the County on May 10<sup>th</sup>.

Mr. Musso shared his appreciation to work for the people of Rockbridge County.

Chairman Lyons welcomed Mr. Musso.

**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 on topics unrelated to the public hearings. 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.

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."

There were no comments.

**Approval of the 5/10/2021 Regular Board Meeting Minutes:**

Supervisor McDaniel moved to approve the minutes. 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

**Consideration of School Appropriation Resolution:**

Fiscal Services Director Steven Bolster presented the School's Appropriation Resolution and recommended approval as presented.

Supervisor Lewis moved to adopt the appropriation resolution. 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

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 24, 2021 AT 5:30 P.M.

On motion by Supervisor Lewis, seconded by Supervisor Ayers, 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**

**SEGM 2020**

4-50-64200-8100-220-000-161	Capital O&M.....	\$17,217.00
4-50-64200-8100-240-000-161	Capital O&M.....	\$45,866.00
4-50-64200-8100-270-000-161	Capital O&M.....	\$17,217.00
4-50-64200-8100-350-000-161	Capital O&M.....	\$31,541.00
4-50-64200-8100-390-000-161	Capital O&M.....	<u>\$31,541.00</u>
<b>Total</b>		<b>\$143,382.00</b>

**TOTAL FUND 50 APPROPRIATIONS** **\$143,382.00**

**Continued Discussion of the Cigarette Tax:**

County Administrator Spencer Suter provided the following overview:

"After discussion on multiple occasions over the past several months, on April 26<sup>th</sup>, the Board held a public hearing to take comment on the potential to implement a cigarette tax. The ordinance that was included for consideration contemplated a \$0.30 per-pack tax, effective January 1, 2022. At the conclusion of the public hearing, the Board discussed and directed staff to add the topic to the May 24 regular agenda

for further discussion. One point of discussion at the April 26 meeting was concern about what other localities in the region are contemplating.

- Amherst County - Adopted a \$0.27 tax effective July 1
- Alleghany, Bath, and Botetourt Counties- have not considered
- Rockingham County- No plan to adopt
- There has not been much change in the information. The only update I can provide is that Augusta County may consider an option to join a regional consortium with the Thomas Jefferson Regional Planning District Commission. Also, Lexington considered last Thursday and set public hearing for \$0.30 at their first meeting in June.
- We still can't accurately predict what revenues would be generated by implementation of a tax.

Supervisor Lewis asked the County Attorney for confirmation that the rate could decrease without having to advertise for another public hearing.

Ms. Huffman confirmed noting the rate could decrease without advertising another public hearing but could not increase.

Supervisor McDaniel inquired about the procurement of the stamps.

Mr. Suter replied, the County would procure the stamps and could then be sent to the larger distributors such as Walmart and Whites Truck Stop and also be kept in the Commissioners office for smaller distributors.

Supervisor McDaniel asked for confirmation that the distributors would pay for the stamps up-front and the cost passed on to the consumer.

Mr. Suter confirmed.

Supervisor Ayers asked Mr. Suter for an estimate on start-up costs to procure the stamps and if that amount would change according to the rate.

Mr. Suter advised the rough estimate would be around \$20,000, depending on how it is implemented, and the amount would not change based on the rate as the number of stamps procured would remain the same.

Supervisor McDaniel advised that some distributors in his district have shared concerns about not knowing what Botetourt County plans to do, adding that it would be nice if implementation was simultaneous up and down the Interstate 81 corridor with similar rates.

Supervisor Day asked Ms. Huffman if the Board had to take action on this item during this meeting.

Ms. Huffman replied, no, but advised the longer the Board waits to vote on a matter following a public hearing, she would recommend readvertising for another public hearing after some time.

Supervisor Day asked if it would be okay to wait another 30 days.

Ms. Huffman replied, that would be fine.

Supervisor Lewis stated that it is important to note that the large volume of cigarettes that are sold on the interstate, a majority would not

be purchased from Rockbridge County citizens. Thus, he added, you would be leaving revenue sitting out there if the tax is not implemented.

Supervisor Lewis moved to delay action on this matter for 30 days. 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

Supervisor Ayers asked Mr. Suter if he would representatives of Botetourt County to inquire about their plans regarding this matter.

Mr. Suter concurred, noting he had conversations with them previously, but would continue to ask for updates as to whether or not there were any inclination to move ahead. He added that he also would continue communicating with Augusta County.

Supervisor Day asked if compensation for the retailer was ever considered.

Ms. Huffman advised that cities and towns do not have the same limitations that Counties have. She added that, early in the process, she looked into this because one of the ordinances she had reviewed from another county compensated a percentage to their retailers. Ms. Huffman stated that, in her opinion, that did not comply with State law as there is no authorization in State Code for counties to discount taxes and return the remaining to the private industry, such as the retailer.

**Authorization of tax refund to Lexington Golf & Country Club:**

Chairman Lyons read aloud the following abstention:

"As I am a member of the Lexington Golf and Country Club ("LGCC"), I hereby abstain from all matters, discussions, or voting related to the Board's consideration of a business personal property tax refund to the LGCC, and my disclosure statement required under Virginia Code §2.2-3115(F) is on file with the Clerk to the Board of Supervisors."

Supervisor Lewis read aloud the following abstention:

"As I am a member of the Lexington Golf and Country Club ("LGCC"), I hereby abstain from all matters, discussions, or voting related to the Board's consideration of a business personal property tax refund to the LGCC, and my disclosure statement required under Virginia Code §2.2-3115(F) is on file with the Clerk to the Board of Supervisors."

Vice Chairman McDaniel presided over the meeting during this agenda item.

Ms. Huffman briefly reviewed the agenda item which included the following information:

"The Lexington Golf and Country Club ("LGCC") has discovered errors in its reporting of business personal property for assessment of personal property taxes. The LGCC, through an auditing services company, conducted a thorough review of its reporting for past years, and found that reported items of business personal property were no longer owned and/or were no

longer in service. Amended returns have been filed for tax years 2018, 2019, and 2020, with a request for a tax refund. LGCC has requested a total refund for the 3 years of \$16,748.60. Interest would be due on the refund at the rate of 10% per annum.

The Commissioner of the Revenue has evaluated the amended returns and is convinced that the amended returns, with supporting documentation, and request for refund are valid. Mr. Whitesell's certification letter dated May 14, 2021, is attached.

Rockbridge County Code §25-1, adopted pursuant to Virginia Code §58.1-3981, provides that any correction of an erroneous assessment, resulting in a refund of \$2,500 or greater, requires certification by the Commissioner of Revenue, and approval of the County Attorney, to the Board of Supervisors. The Board of Supervisors may authorize the Treasurer to issue the refund as a result of the erroneous assessment, which shall direct the Treasurer to refund the excess taxes to the taxpayer with interest at the same rate as the rate imposed by the County for delinquent taxes." The recommendation was to approve, appropriate and direct the Treasurer to issue the refund to Lexington Golf & Country Club, in the amount of \$16,748.60, plus interest at the rate of 10% per annum as provided by state law."

Vice Chairman McDaniel asked for clarification that this was an error on the Country Clubs part.

Ms. Huffman confirmed adding that this came about following their (the County Club's) audit.

Supervisor Ayers asked why the County would pay them interest for an error on their part.

Ms. Huffman replied, there is no distinction under the code between whose mistake it is, and if the County owes a refund, it is required to pay interest.

Vice Chairman McDaniel asked if interest was included in the calculation provided in the agenda item.

Ms. Huffman replied, no, and shared that she did not include the interest in the report because the amount changes depending on when the refund is issued.

Vice Chairman McDaniel stated that there was nothing in State Code that could change this, but this should be something to add to the legislative priorities for discussion with the legislators because it is not the County's fault that the information provided was not accurate and the County has to pay a penalty and interest back to the organization.

Supervisor Day moved to approve the recommendation to issue the refund. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

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

Chairman Lyons presided over the remainder of this meeting.

## **Board Salary Briefing:**

Ms. Huffman briefly reviewed the agenda item which included the following information:

"County boards of supervisors have two options for establishing the annual salary of its members. For your reference, copies of the applicable statutes are attached - Va. Code § §15.2-1414.1, 15.2-1414.2, and 15.2-1414.3.

Option 1: Section 15.2-1414.3 was historically the only provision for establishing board member salaries. This statute provides the maximum annual salaries for Board members based upon population brackets, but may be adjusted annually by an inflation factor not to exceed 5%. The maximum for Rockbridge County is \$5,500 per year; the Chairman may receive up to an additional \$1,800 per year, and the Vice-Chairman may receive up to an additional \$1,200 per year. Under this option, the annual salary is established each year by adoption of an ordinance between May 1<sup>st</sup> and June 30<sup>th</sup>.

Option 2: Under Va. Code Section 15.2-1414.2, the maximum compensation for board members may exceed the traditional maximums if the specified procedure is followed. The maximum annual compensation must be set prior to July 1<sup>st</sup> in any year in which at least two (40%) of the members of the Board are to be elected, and such decision shall be effective as of the following January 1<sup>st</sup>. An additional amount for the Chairman and/or Vice-Chairman is permissible. There is no inflation factor provided for in this option. A county may provide a member of its

board of supervisors, in addition to salary, reimbursement for actual expenses incurred in purchasing, operating, maintaining and using a telephone, including a car telephone or other portable telephone, provided the expenses are attributable directly to the proper performance of the member's official duties.

In 2019, the Board established the salary for Board members pursuant to Option 2. A copy of the Ordinance is attached for reference. The compensation established in accordance with this Code section remains in effect until changed, and no longer requires the annual setting of salaries. This information is being provided since this is a year in which Board member salaries may be adjusted under Option 2, effective January 1, 2022.

No action is required, unless the Board determines to make changes to the Ordinance currently in effect, such as reversion to the Option 1 form of annually establishing Board salaries or an adjustment to the established salaries under Option 2 to be effective January 1, 2022. Any change would require adoption of an ordinance, following public notice and public hearing."

There was no interest by the Board Members to make any changes to the current ordinance.

**Consideration of Boxerwood Application for Outdoor Events:**

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

"Mr. Matthew Crance has submitted an application for Outdoor Events to hold an Outdoor Music events per Chapter Four (Amusement and Entertainment) Section 2 (Outdoor Entertainment Events) of the Rockbridge County Code. The property is located at 963 Ross Road, Lexington, Virginia 24450."

Supervisor Ayers asked if the neighbors were happy with this event.

Mr. Slaydon replied, he had not received any negative comments pertaining to this event.

Applicant Matthew Crance, who attended virtually, shared that this event began in 2014 and is mostly a family-event. He advised that no concerns had been reported in the past.

Supervisor Ayers advised that many people enjoy these types of events.

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

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

**Public Hearings at 6:00 P.M.:**

**VDOT 6- Year Plan:**

Mr. Suter provided the following overview:

"Annually, the Board and VDOT take public comment on the VDOT state secondary Six-Year Plan prior to approval. Local approval of the plan is required to be complete by June 30 each year. After initial presentation by VDOT's Susan Hammond on April 26<sup>th</sup>, the draft plan was duly advertised for public hearing on May 24<sup>th</sup>. The Board subsequently had a brief discussion of the plan at its regular meeting on May 10<sup>th</sup>.

To date, we have received several comments on the plan:

Fredericksburg Road (623) - We have received comments both for and against inclusion of Fredericksburg Road in the Kerrs Creek District, which I have provided to the Board. We have received one petition in support of inclusion and expect to receive another against inclusion this evening.

Hops Hill Road (C679) - A resident on Hops Hill Road has requested inclusion of this Natural Bridge District road in the Six-Year Plan. I have provided the Board with a copy of his request.

Round Hill Road (698) - At request, Supervisor Ayers met with a resident off Round Hill Road who, on behalf of his neighbors, requested consideration of adding a section of Round Hill Road, from its intersection with Forge Road (608) to a point approximately one-half mile west.

Union Run - We have received two citizen requests to move Union Run up in the list for completion. I've forwarded these as well.

Please be aware that typically, all available funds are slated for expenditure in the draft plan. Thus, if a project is added to the approved plan, generally a project that has already been on the plan must come off. Additionally, if a road is moved up in the plan, another would need to move back. If the Board wishes to add a project for consideration, the general practice is to request VDOT study, and if the project meets VDOT minimum requirements, it can be added to consideration in the next round (spring of 2022), as other projects are completed and more funding becomes available.

After taking public comment, the Board has a couple of options:

- 1) If the Board is comfortable with the plan as presented or amended, you may move to approve the plan this evening.
- 2) If additional study is desired, you may provide direction to VDOT and staff to return to the Board's next regular meeting on June 14<sup>th</sup> for final consideration of approval."

He then introduced Ms. Hammond and Alvin Trout who were attending virtually to answer questions.

Supervisor Ayers asked Ms. Hammond to provide an update on the Little Dry Hollow project.

Ms. Hammond advised that Rt. 659 rural rustic project from the north intersection of route 644 to the south intersection of route 644 for a

distance of .3 miles. During the public hearing, it was brought to Ms. Hammonds attention that the distance may not have been accurate. She advised that she would re-review the distance for confirmation.

Supervisor Ayers shared that the project was on the plan, was removed from the plan at some point, and placed back on the plan. She asked for clarification that the project is not slated to be removed from the plan.

Ms. Hammond confirmed that the project was placed back on the plan a couple of years back and there were no plans for it to be removed again.

Chairman Lyons opened to public hearing.

Loretta Persinger of the Kerrs Creek Magisterial District shared her opposition of the paving on Fredericksburg Road stating that she had submitted a petition of opposition to the Board. She added that paving could increase traffic of non-residents of that road traveling at a much higher speed. She suggested the neighbors work together for a solution.

George Persinger of the Kerrs Creek Magisterial District shared his concern about the narrowness of Fredericksburg Road stating he did not want to see something that is already bad become something worse. He suggested VDOT speak with the property owners.

William Wydro of the Kerrs Creek Magisterial District shared his support of the paving of Fredericksburg Road as it is a hazard to breathe in the dust particles from its current state. He shared samples of large rocks that he collected off the road in its current state showing what the passerby's must drive on daily.

Lawrence Black of the Buffalo Magisterial District stated that Little Dry Hollow was once on the 6-Year Plan but then removed. He asked for clarification that it would remain on the plan this time, and that other projects that come along do not jump ahead of those currently on the plan.

Kevin McCrusty of the Kerrs Creek Magisterial District introduced a petition in support of the paving of Fredericksburg Road noting that 17 properties access the current graveled section. He advised that, of those 17 property owners, 12 signed the petition in support of the paving. Mr. McCrusty shared that there are constant issues as it stands with pot holes, ruts, dust, and drainage.

Deborah Plogger of Fredericksburg Road shared support of the paving of a portion of Fredericksburg Road stating there is a concern with dust as it stands. She stated that she was not able to open her windows because it is a constant dust bowl.

Chairman Lyons closed the public hearing at 6:21 p.m.

Supervisor Day moved to approve the 6-Year Plan. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

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

Chairman Lyons asked VDOT to work with the property owners along the gravel portion of Fredericksburg Road.

Supervisor Ayers asked for the processes of Round Hill and Hops Hill Roads.

Ms. Hammond stated that both would be reviewed to see if they meet certain criteria to be added to the plan next year.

Supervisor Lewis stated that it is important to consider all roads throughout the County in each of the districts.

Supervisor McDaniel asked that communication between the Board and Ms. Hammond continue throughout the year and not just during the time of review of the 6-Year Plan.

Chairman Lyons commended Ms. Hammond and the VDOT Department for prompt attention to matters throughout the year.

**Thunder Bridge Campground LLC - (Arnolds Valley Road) - Application for a rezoning from the Conservation (C-1) District to the Agricultural Transitional (A-T) District:**

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

"Thunder BRidge Campground LLC, Mr. James Panabaker, 445 Arnolds Valley Road, Natural Bridge Station, VA 24579 and the Commonwealth of Virginia, State Board of Juvenile Justice, Department of General Services, Bureau of Real Estates Services, 1100 Bank Street, Fifth Floor, Richmond VA, 23219 has made an application for a rezoning from the Conservation (C-1) Zoning District to the Agricultural Transitional (A-T) Zoning District.

The purpose of the rezoning is to utilize the property for a campground/private seasonal camp.

The property is owned by the Commonwealth of Virginia, State Board of Juvenile Justice, Department of General Services, Bureau of Real Estates Services, 1100 Bank Street, Fifth Floor, Richmond VA, 23219. The property was previously utilized as the Natural Bridge Juvenile Detention Center and a campground for the Big Brothers/Big Sisters organizations. Thunder BRidge Campground LLC is the contract purchaser of the property. The property (1425 Arnolds Valley Road, Natural Bridge Station, VA 24579) is on the east and west side of Arnolds Valley Road (Route 759), approximately .41 miles south of the intersection of Arnolds Valley Road (Route 759) and Back Run (Route 781) and is further identified as tax map number 113-A-7 and consists of 99.08 acres. The property is located in the Natural Bridge Magisterial District.

Per section 601.03 of the County of Rockbridge Land Development Regulations, "A return of public lands by sale or trade into private ownership shall cause such lands to revert to the zoning of the surrounding district" This section of the regulations is problematic. In this case, the property is surrounded by three different zoning districts. Conservation (C-1) Zoning District to the east and west, Agricultural Transitional (A-T) Zoning District to the North and the Agricultural and General Uses District to the South. Due to the various zoning districts and other concerns associated an automatic conversion, staff has

recommended that the land owner and contract purchaser proceed with a rezoning application.

At the May 12, 2021 Meeting, the Planning Commission held its Public Hearing on the rezoning application and made a recommendation to approve the rezoning application.”

Applicant James Panabaker re-reviewed the plans for the campground. He noted that there are plans for music and art opportunities in the future.

Chairman Lyons opened the public hearing at 6:34 p.m. There were no comments. Chairman Lyons closed the public hearing at 6:35 p.m.

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 ADMINISTRATIVE  
OFFICES ON MONDAY, MAY 24, 2021

**Ordinance to Change the Zoning Classification from Conservation (C-1) District to Agricultural Transitional (A-T) District of a 99.08-Acre Tract of Land Owned by the Commonwealth of Virginia, State Board of Juvenile Justice, Formerly the Natural Bridge Juvenile Detention Center, Located on the East and West Sides of Arnolds Valley Road (Route 759) and Back Run (Route 781), Identified as Tax Map #113-A-7 in the Natural Bridge Magisterial District**

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on May 12, 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 May 24, 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 the Conservation (C-1) District to Agricultural Transitional (A-T) District of a 99.08-acre tract of land owned by the Commonwealth of Virginia, State Board of Juvenile Justice, located on the east and west sides of Arnolds Valley Road (Route 759) and Back Run (Route 781), identified as Tax Map #113-A-7 in the Natural Bridge Magisterial District of Rockbridge County, is hereby approved.
2. That this action is taken upon the application of the contract purchaser, Thunder BRidge Campground, 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 24<sup>th</sup> day of May, 2021.

**Thunder Bridge Campground LLC - (Arnolds Valley Road) - Application for a Special Exception Permit - Campground/private seasonal camp in the Agricultural Transitional (A-T) District:**

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

"Thunder BRidge Campground LLC, Mr. James Panabaker, 445 Arnolds Valley Road, Natural Bridge Station, VA 24579 has made an application a special exception permit in order to develop campground/private seasonal camp. The property is owned by the Commonwealth of Virginia, State Board of Juvenile Justice, Department of General Services, Bureau of Real Estates Services, 1100 Bank Street, Fifth Floor, Richmond VA, 23219. Thunder BRidge Campground LLC is the contract purchaser of the property. The property (1425 Arnolds Valley Road, Natural Bridge Station, VA 24579) is on the east and west side of Arnolds Valley Road (Route 759), approximately .41 miles south of the intersection of Arnolds Valley Road (Route 759) and Back Run (Route 781) and is further identified as tax map number 113-A-7 and consists of 99.08 acres. The property is located in the Natural Bridge Magisterial District.

Per section 603B.03-8 of the County of Rockbridge Land Development Regulations, Campgrounds. private seasonal camps are a use by special exception in the A-T District.

Per Section 302.34 of the Regulations a campground shall mean any plot of ground used, maintained, or held out to the public, wholly, or in

part, as temporary accommodation of tents, expandable camp trailers, travel trailers, converted buses or trucks, or such other devices as may be developed and marketed for camping; whether privately or publicly owned; and whether use of such accommodations is granted free of charge or for compensation.

Per Section 302.159 of the Regulations a private seasonal campground is defined as a building or buildings, structure or structures, temporary or permanent, and related facilities, owned and/or operated by a corporation, association, group of individuals, or a private individual; established for the fraternal, social, educational, religious, recreational or cultural enrichment of users.

Per the written description of plans the proposed use includes a rustic campground with up to 50 sites, including 35 tent/small camper sites, 10 dry/boondock RV sites, 2 log cabins, and three 240-square foot frame buildings. Additionally, 10 overnight cottage units, 4 barracks for group rentals, a residence for the camp manager, and several recreational buildings to be used for athletic and exercise activities, arts, crafts, and music. The athletic, exercise, arts, crafts, and other recreational buildings will be for the use of patrons of the campground.

The Commonwealth of Virginia is in the process of decommissioning the existing sewage treatment facility. Staff has worked with Attorney General's Office on a single lot subdivision plat to subdivide a 4.429-acre tract around the existing treatment facility. The plat has not been formally submitted for approval. The current plan is to transfer the

additional 94.651 acres to the LLC and then transfer the 4.429 acres after the treatment facility is decommissioned. ThunderBRidge Campground LLC has worked with a local soil survey consultant and has submitted plans to the Health Department for drainfield(s) to serve the property. Additionally, they have discussed the Campground approval/application process with the Health Department.

At the May 12, 2021 Meeting, the Planning Commission held its Public Hearing and has recommended approval of the special exception permit application with the following conditions:

- 1) The development of the property (113-A-7) for which the application is being made shall be in substantial accordance with the schematic plan titled Thunder BRidge Campground, LLC Plan.
- 2) Approval contingent on final approval from VDOT, Building Department, and the Health Department approvals."

Applicant James Panabaker re-reviewed the plans for the campground. He re-iterated that there are plans for music and art opportunities at the camp.

Chairman Lyons opened the public hearing at 6:44 p.m. There were no comments. Chairman Lyons closed the public hearing.

Supervisor McDaniel moved to adopt the ordinance. 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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,  
MAY 24, 2021

**Ordinance Granting a Special Exception Permit to Thunder BRidge Campground, LLC, to Develop and Operate a Campground/Private Seasonal Camp on a 99.08-Acre Tract of Land in the Agricultural Transitional (A-T) Zoning District, Located on the East and West Sides of Arnolds Valley Road (Route 759) and Back Run (Route 781), Identified as Tax Map #113-A-7 in the Natural Bridge Magisterial District**

WHEREAS, Thunder BRidge Campground, LLC, the contract purchaser, has filed an application for a special exception permit to develop and operate a campground and private seasonal camp in the Agricultural Transitional (A-T) zoning district, located on the east and west sides of Arnolds Valley Road (Route 759) and Back Run (Route 781), on property identified as Tax Map #113-A-7, in the Natural Bridge Magisterial District; and,

WHEREAS, the Planning Commission held a public hearing on this matter on May 12, 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 May 24, 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 special exception permit to Thunder BRidge Campground, LLC, to develop and operate a campground and private seasonal camp in the Agricultural Transitional (A-T) zoning district, located on the east and west sides of Arnolds Valley Road (Route 759) and Back Run (Route 781), on property identified as Tax Map #113-A-7, in the Natural Bridge Magisterial District, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby approved with and subject to the following conditions:

(a) The development of the property (TM #113-A-7) shall be in substantial compliance with the schematic plan titled "Thunder BRidge Campground, LLC Plan".

(b) Approval contingent on final approvals from VDOT, the Building Department, and the Health Department.

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 24<sup>th</sup> day of May, 2021.

**Chaos Mountain Brewing LLC - Joe Hallock (S Lee Highway) -  
Application for a Special Exception Permit - Beverage manufacturing in the  
General Business (B-1) Zoning District:**

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

"Joseph Hallock with Chaos Mountain Brewing LLC made an application for a special exception permit in order to develop a satellite brewery and tasting room. The current operation is located in Callaway, Virginia. This will be a satellite brewery and tasting room.

The property is owned by Stonewall Lodge & Cottages LLC, PO BOX 87, Natural Bridge, VA 24578. The property is located in the General Business (B-1) Zoning District and per section 605.03-5 of the County of Rockbridge Land Development Regulations, Beverage Manufacturing is a use by special exception in the B-1 District. The plans include the utilization of the existing building located at 6387 S Lee Highway, Natural Bridge, VA 24578, and is further identified as tax map number 106-50-34. The property consists of 28.74 acres of land. However, the satellite brewery and tasting room will only utilize a small portion of property around the existing building. The property also includes a portion of the Natural Bridge Hotel know as Cottage Hill.

The current parking plan show a total of thirty-three spaces. Per section 703.03-4 (3) this would allow for approximately 120 seats inside and outside for patron use. There is a large parking area to the rear of the proposed satellite brewery and tasting room. There is a considerable topography change between the existing building and the larger parking lot in the rear. Staff has discussed possible modifications that would improve access to the larger parking lot to the rear.

The Tourism Corridor Overlay Board (TCO) will be reviewing the proposed exterior improvements at its June 2, 2021 meeting. Exterior improvements included modifications to the existing entrances, placement of a cooler building, wall signage, lighting, change of color scheme for the trim, and the addition of an outdoor seating area.

At the May 12, 2021 Meeting, the Planning Commission held its Public Hearing and has recommended approval of the special exception permit application with the following conditions:

1) The development of the property (106-50-34) for which the application is being made shall be in substantial accordance with the schematic plan titled 6387 S Lee Highway dated May 6, 2021.

2) Approval contingent on final approval from the TCO Board, VDOT, and ABC licensing."

Applicant Jim Hallock re-reviewed the plans of the project.

Supervisor McDaniel asked if new employees would be hired and Mr. Hallock replied, yes.

Supervisor McDaniel inquired about conflict with the Natural Bridge State Parks Dark Sky Lighting Program to which Mr. Hallock stated that lighting would not be conflicting with the program.

Chairman Lyons opened the public hearing at 6:55 p.m. There were no comments. Chairman Lyons closed the public hearing.

Supervisor McDaniel shared his appreciation to the applicant for his willingness to work with the Natural Bridge Hotel and State Park.

Supervisor McDaniel moved to adopt the ordinance. 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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, MAY 24, 2021

**Ordinance Granting a Special Exception Permit to Chaos Mountain Brewing, LLC, for Beverage Manufacturing in a Satellite Brewery and Tasting Room in the General Business District (B-1), on Property Owned by Stonewall Lodge & Cottages, LLC, Located at 6387 S. Lee Highway and Identified as Tax Map #106-50-34, in the Natural Bridge Magisterial District**

**WHEREAS**, Chaos Mountain Brewing, LLC, has filed an application for a special exception permit to allow beverage manufacturing in its satellite brewery and tasting room per LDR Section 605.03-5 in the General Business District (B-1), on property located at 6387 S. Lee Highway, on the east side of S. Lee Highway (Route 11), at the intersection of S. Lee Highway (Route 11) and Wert Faulkner Highway (Route 130), identified on the Rockbridge County Land Records as Tax Map #106-50-34, in the Natural Bridge Magisterial District of Rockbridge County; and,

WHEREAS, the Planning Commission held a public hearing on this matter on May 12, 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 May 24, 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 Chaos Mountain Brewing, LLC, to allow beverage manufacturing in its satellite brewery and tasting room per LDR Section 605.03-5 in the General Business District (B-1), on property located at 6387 S. Lee Highway, at the intersection of S. Lee Highway (Route 11) and Wert Faulkner Highway (Route 130), identified on the Rockbridge County Land Records as Tax Map #106-50-34, in the Natural Bridge Magisterial District of Rockbridge County, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby approved with and subject to the following conditions:

(a) The development of the property (TM #106-50-34) shall be in substantial compliance with the schematic plan titled "6387 S Lee Highway" dated May 6, 2021, and revised May 21, 2021.

(b) Approval contingent on final approval from the TCO Board, VDOT, and ABC licensing.

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 24<sup>th</sup> day of May, 2021.

**Dominion Energy (Glasgow Highway) Application for a Special Exception Permit - Expansion of Balcony Fall Substation (Public Utility) in the Agricultural and General Uses (A-2) Zoning District:**

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

"Virginia Electric and Power Company d/b/a Dominion Energy Virginia have made an application for a special exception permit to expand the existing Balcony Falls Substation. The property is owned by Virginia Electric and Power Company and is located in the Agricultural and General Uses (A-2) Zoning District. Per section 603.03-9 of the County of Rockbridge Land Development Regulations, Public Utilities are a use by special exception in the A-2 District.

The property is located on the north side of Glasgow Highway (Route 501), approximately .95 miles south of the intersection of Glasgow Highway (Route 501) and Rockbridge Road (Route 130) and is further identified as tax map number 115A-A-1. The property is located in the Natural Bridge Magisterial District.

The existing substation is approximately 124' x134' and the proposed substation is approximately 150' x 270'. The expansion is north (away from Glasgow Highway). Per tax records, the large tract to the north is owned by C&O Railroad.

At the April 7, 2021 Planning Commission Meeting, the Commission held its public hearing. The Public Hearing was closed. Discussion included the possibility of additional landscaping in order to reduce the visual impacts along Glasgow Highway and the material/finish of the backbone structures.

For the May 12, 2021 Planning Commission Meeting, Mr. Ben Jackson with Kimley-Horn submitted a landscaping plan and additional information on the proposed finish of the backbone structures.

At the May 12, 2021 Meeting, The Planning Commission recommended approval of the special exception permit application with the following conditions:

1) The development of the property (115A-A-1) for which the application is being made shall be in substantial accordance with the development plan titled Special Exception Plan Balcony Falls Substation dated March 17, 2021, with a revision date of April 1, 2021 and the landscaping pan prepared by Kimley-Horn, titled Dominion - Balcony Falls Substation, Rockbridge County dated April 27, 2021.

2) Backbone structures associated with the substation to be constructed with dulled galvanized steel."

Ben Jackson with Kimley-Horn was present via Zoom to answer questions and re-review the request.

Chairman Lyons opened the public hearing at 7:08 p.m. There were no comments. Chairman Lyons closed the public hearing at 7:09 p.m.

Supervisor McDaniel moved to adopt the ordinance. 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 24, 2021

**Ordinance Granting a Special Exception Permit to Virginia Electric and Power Company, d/b/a Dominion Energy Virginia, for Expansion of Its Existing Balcony Falls Substation (Tax Map #115A-A-1) in the Agricultural and General Uses (A-2) District, Located on the North Side of Glasgow Highway (Route 501) in the Natural Bridge Magisterial District**

**WHEREAS**, Virginia Electric and Power Company, d/b/a Dominion Energy Virginia (“Dominion Energy”) is the owner of the Balcony Falls Substation, identified upon the Rockbridge County Land Records as Tax Map #115A-A-1, and located on the north side of Glasgow Highway (Route 501), approximately .95 miles south of the intersection of Glasgow Highway (Route 501) and Rockbridge Road (Route 130), in the Natural Bridge Magisterial District of Rockbridge County, Virginia; and,

**WHEREAS**, the existing substation was constructed and has been continuously operated since prior to adoption of the Land Development Regulations in Rockbridge County; and,

**WHEREAS**, Dominion Energy has applied for a special exception permit per LDR Section 603.03-9 for a Public Utility in the Agricultural and General Uses (A-2) District, to expand the Balcony Falls substation from approximately 124’ x 134’ to approximately 150’ x 270’, with the expansion being to the north, away from Glasgow Highway; and,

**WHEREAS**, the Planning Commission reviewed this application, following public hearing on April 14, 2021, and continued discussion at the May 12, 2021 meeting, and has recommended approval of the special exception permit, subject to the specified conditions; and,

**WHEREAS**, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing in this matter on May 24, 2021; 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 per LDR Section 603.03-9 for a Public Utility in the Agricultural and General Uses (A-2) District for expansion of the existing Balcony Falls Substation, identified as Tax Map #115A-A-1, on the north side of Glasgow Highway (Route 501), in the Natural Bridge Magisterial District of Rockbridge County, Virginia, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended) and said special exception permit is hereby granted and approved, with and subject to the following conditions:

(a) The development of the property (TM #115A-A-1) shall be in substantial compliance with the development plan entitled "Special Exception Plan Balcony Falls

Substation” dated February 17, 2021, with a revision date of April 1, 2021, and the landscaping plan prepared by Kimley-Horn, entitled “Dominion - Balcony Falls Substation, Rockbridge County” dated April 27, 2021.

(b) Backbone structures associated with the substation shall be constructed with dulled galvanized steel.

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

Adopted this 24<sup>th</sup> day of May, 2021.

**Dynamic Energy Solutions LLC (N Lee Highway) - Application for a Special Exception Permit - 5-MW (AC) Solar Project (Public Utility) in the Agricultural and General Uses (A-2) Zoning District:**

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

“Mr. Pat Hastings with Dynamic Energy Solution LLC has made an application for a 5MW (AC) solar project along N Lee Highway, near the village of Fairfield. The property is located on the west side of N Lee Highway (Route 11), approximately .22 miles south of the intersection N Lee Highway (Route 11) and Red Hill Road (Route 710) and is further identified as tax map number 38-10-A. The property owned by James G. Alexander Jr. and Thomas J. Alexander and is located in the Agricultural and General Uses (A-2) Zoning District and per section 603.03-9 of the County of Rockbridge Land Development Regulations, Public Utilities are a

use by special exception in the A-2 District. The proposed 5MW solar site is located on approximately thirty acres of the Alexander Farm. There is an existing dairy operation on the farm. The portion that is proposed for the solar project has been utilized as a crop field. The Alexander Family owns the property to the south and directly across Interstate 81/64 of the proposed solar project. The proposed site is across Route 11 from Fairfield Elementary School. To the north, there is existing industrial zoning (Fitzgerald Lumber) and vacant property that is in the General Residential (R-1) Zoning District. The Planning Commission held a public hearing on March 10, 2021. The public hearing was continued until the April 14, 2021 meeting. At the April 14, 2021 Planning Commission Meeting the public hearing was closed. The review of the project was continued to the May 12, 2021 Planning Commission Meeting. The project is located within the Tourism Corridor Overlay (TCO). The TCO Board also reviewed the application at its March 3, 2021, April 7, 2021, and the May 5, 2021 meetings. The May 5, 2021 meeting was conditioned to May 19, 2021. The majority of the discussion with the Planning Commission included landscaping/ screening the project from Route 11, Interstate 81/64 and the adjacent properties to the east. The TCO purview was the landscaping/screening along Route 11. At the beginning of the project, the applicant had proposed plantings along the project fence (approximately 300' from Route 11), however as the review moved forward the both the Planning Commission and the TCO Board felt that, due to the topography of the land, 2 relocating and utilizing screening trees/shrubs, closer to Route 11 would provide a better screen. Throughout the process, there have

been several landscaping/screening techniques discussed. Along with the original landscaping location, as stated above, other ideas that have been explored included moving the original planting types closer to Route 11 (versus utilizing screening trees/shrubs), utilizing a wooden fence along Route 11, plantings under the utility line that runs parallel to Route 11. Overall, both the TCO Board and the Planning Commission felt that the latest landscaping plan provided the best screening. At the May 12, 2021 Meeting, The Planning Commission recommended approval of the special exception permit application with the following conditions: 1) The development of the property (38-10-A) for which the application is being made shall be in substantial accordance with the development plan prepared by Dynamic Energy, with revision dates of September 25, 2020, April 7, 2021, and May 20, 2021. 2) The maximum height of the tilt for the solar array shall be fifteen feet (15'). 3) Landscaping shall be maintained in health condition for the life of the project. 4) Acceptance of the Decommissioning Agreement, incorporation decommissioning plan dated May 12, 2021. 5) Approval contingent on the Tourism Corridor Overlay (TCO) Board approval, VDOT, and Erosion and Sediment/Stormwater Management approvals."

Applicant Pat Hastings was present via Zoom to answer questions and re-review the project.

Supervisor McDaniel inquired about the visual from Route 11 from Fairfield Elementary School and shared his concern about the solar panels being a distraction for those driving by.

Mr. Slaydon advised that this was a concern brought up during the Planning Commission and TCO meetings. He stated that Dynamic was required to provide a glare analysis that showed little to no glare.

Supervisor McDaniel inquired about the 25-year lease.

Mr. Slaydon advised that the SEP and its conditions would run with the land.

Mr. Hastings advised that the equipment has a warranty of up to 25 years, however could potentially continue providing service thereafter.

Derek Sheehan of Dynamic explained that there would be an option to extend the lease at the discretion of the landowner.

Supervisor Lewis inquired about maintenance of the property.

Mr. Hastings replied that mowing would occur two or three times a year, as needed.

Chairman Lyons opened the public hearing at 7:59 p.m.

David Renalds of the South River District shared his support of the property owners and their efforts to create versatility on their own farmland. He shared concern about the project being so large and not providing any jobs to local residents nor paying any taxes as small solar projects are tax exempt.

Supervisor Ayers asked if the land would come out of Land Use.

County Attorney Vickie Huffman responded that it would be up to the Commissioner of The Revenue, but her opinion is once the solar field is

constructed, the property turns into commercial use. She added, real estate taxes would then be for the full value of the land rather than the Land Use value.

Chairman Lyons shared concern about the County being penalized as well as the landowner.

Ms. Huffman noted that the landowner would receive the lease amount from Dynamic.

Supervisor McDaniel inquired about potential increase to the value of the land depending on whether or not added fencing etc. be added during the project.

Ms. Huffman replied, it would depend on whether or not the fencing would be viewed as a fixture to the land or personal property which is removable.

Supervisor Ayers asked if it was certain that personal property tax would not be received from this project.

Ms. Huffman replied, not unless they offered it and they did not have an obligation to do so.

Chairman Lyons closed the public hearing.

Mr. Hastings advised that much of the beginning stages of construction, such as surveying, is sourced labor locally.

Supervisor Lewis moved to continue the public hearing until the June 28<sup>th</sup> meeting. 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

Chairman Lyons suggested that questions be sent to him and he would direct them to the appropriation individual.

At the end of the meeting, Mr. Hastings offered assistance to questions regarding revenues.

**Board Comments:**

Chairman Lyons advised that the County Fair would be held this year in Glasgow.

**Adjournment:**

Supervisor Lewis moved to adjourn. 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

