

AT A WORK SESSION OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS
HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, JULY 26, 2021 AT 4:30 P.M.

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

BOARD MEMBERS ABSENT: R. W. DAY

COUNTY ADMINISTRATOR: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

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

Finance Committee - Update on ARPA Funding:

Fiscal Services Director Steven Bolster briefly reviewed the agenda item which included the following information:

"On March 11th, the Federal Government approved the \$1.9 trillion American Rescue Plan Act of 2021 (ARPA). This legislation, which established the Coronavirus State and Local Fiscal Recovery Fund, is meant to address the COVID-19 pandemic, to include its impact on public health and the economy. This fund provides \$65.1 billion in direct aid to counties across the US. Rockbridge County's allocation is \$4,384,541. The US Treasury sent the first tranche of \$2,192,270.50 to the County on June 2nd. This allotment is accounted for in Fund 205 (ARPA Fund). The second

tranche of the same amount is expected in June 2022. General outlines for how this funding can be used by localities are as follows:

- Respond to the public health emergency with respect to the COVID-19 pandemic or its negative economic impacts.
- Respond to workers performing essential work during the COVID-19 health emergency by providing premium pay to eligible workers (funds can be used retroactively to January 27, 2020).
- For the provision of government services to the extent of the reduction in public sector revenue loss in the most recent full fiscal year prior to the pandemic.
- Make necessary investments in water, sewer, and broadband infrastructure.

Some key dates identified by NACO are listed below:

- August 31, 2021: deadline for counties to submit first interim report to US Treasury.
- October 31, 2021: deadline for counties to submit first quarterly project and expenditure report.
- December 31, 2024: funds must be incurred and obligated.
- December 31, 2026: funds must be expended to cover obligations and all work must be completed.

The Finance Committee has reviewed available guidance and met over the past two months. Below are potential fund uses which the Finance Committee has discussed:

- Previous revenue reductions
- Broadband (state funding option is also on the radar)
- County infrastructure/CIP projects
- School Division improvements (RCPS is receiving \$4M in federal funding)
- Other regional agency projects (PSA, MSA, Jail, etc.)
- Public Safety
- Non-profits

The purpose of this report is to assess the Board's thoughts on the broad expenditure categories. The draft list above is not in priority order. Projects involving regional agencies will require continued discussion and coordination to maximize the potential investment for infrastructure-related efforts. The Finance Committee will further assess project costs and other funding options, and return to the Board with a more detailed spend plan at upcoming Board meetings."

County Administrator Spencer Suter advised that he had been working with EDA, RANA, BARC, Dominion, and Comcast and a non-binding memorandum of understanding regarding cooperative efforts to expand broadband. He also noted that a letter of intent is due tomorrow (Tuesday) as to the

County's intention to apply for VATI funds in the fall grant pool. He added that one of the factors considered on the grant application is the amount of match, to include local funds. Mr. Suter advised that the County would likely work with the Central Shenandoah Planning District Commission to assist in the grant application.

Mr. Bolster advised that there was a request from staff to consider a comprehensive housing study. He added that it would be a regional effort if the two (2) cities want to support the efforts using some of their ARPA funds. He noted that the goal of the study would be to gain an idea on how the region could increase the supply and the access and improve sustainability of affordable housing in the region. Mr. Bolster noted that the estimate for the study is around \$45,000.

Supervisor Lewis stated that it was important to note, that for 2021 when the original decision was made pertaining to non-profits, there were funds of around \$150,000 of County CARES funding distributed by the Community Foundation and non-profits and small businesses were able to apply for those funds. He added that, going forward, the funds can be leveraged as the timeline to expend the funds is not as short as the ones from CARES.

Supervisor McDaniel inquired about funding the comprehensive housing study noting that the EDA also has some funds.

Mr. Suter stated that Brandy Flint in the Office of Community Development was working on putting together what the deliverables would be so the Board can see if it is something they want to do and if so, where

would the funds be allocated from, and if it makes sense to do something regionally.

Supervisor Ayers asked if the study itself could be paid using the ARPA funds.

Mr. Bolster replied, he would need to refer that to the auditors.

Supervisor McDaniel noted that the ARPA funds are one-time funds that should be used for one-time projects and not reoccurring costs that would affect future budgets.

Personnel Committee - Revisiting Employee Bonus Discussion:

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

"In November 2020, the Board approved bonuses for emergency responders including law enforcement and fire-rescue positions. A number of localities in our region ultimately provided bonuses to all employees at varying levels. The Cities of Lexington and Buena Vista provided \$1,000 to all full-time staff and \$250 to all part-time staff. The Board considered the potential to follow suit with County administrative staff, but determined to table the discussion until later in FY2021. In the same timeframe, the 911 Board discussed awarding bonuses to 911 Center staff, to align with that agency's fiscal agent (Lexington's) decision to award bonuses to all staff. That decision was also tabled until a final decision by the Board of Supervisors.

In May, a discussion on this topic was revisited by the 911 Board which led to an additional discussion by the Board Personnel Committee. At the request of the Personnel Committee, staff was asked to present this information to the full Board for consideration.

Staff suggests that, in order for an employee to be eligible for the proposed bonus, he/she would have to have been employed as of November 1, 2020 and have maintained active status until August 1, 2021." Mr. Suter reviewed the following chart:

FY22 Staff Bonuses: For staff employed from November 1, 2020 - August 1, 2021: County Admin, Constitutional Officers, Hybrid Staff:

<u>Status</u>	<u>Count</u>	<u>Amount</u>
Full-Time	58	\$1,000
Part-Time	22	\$250
<u>Seasonal</u>	<u>8</u>	<u>\$100</u>
Subtotal	107	\$81,050
<i>and...</i>		
Dispatch Full-Time	16	\$1,000
Dispatch Part-Time	3	\$250
<u>County Share for Dispatch</u>		<u>\$9,878</u>
Total		\$90,928

Mr. Suter then advised that the Jail's administrative staff was not included in the chart because those five (5) individuals received some

annual leave instead of a bonus while other sworn positions at the Jail received a \$500 bonus plus an additional \$500 from the State.

Supervisor Ayers shared her support of the bonuses.

Mr. Suter noted that it was recommended that seasonal employees who were employed last summer during Covid, and who are still employed this year, could receive a \$100 bonus.

Chairman Lyons questioned other departments who were not included in receiving a bonus, such as the schools, noting that they may come forward and ask for one.

Supervisor Ayers stated that the schools received a 4% raise. Mr. Suter confirmed that County staff received a 3% raise.

Supervisor McDaniel shared that State employees should receive a bonus from the State, not the locality, and the school system is not a department of the County. He added that, if the school system wanted to provide its staff with bonuses, it should come from within their budget.

Chairman Lyons agreed.

Supervisor McDaniel stated that Central Dispatch is a multi-jurisdictional department and asked if dispatch received a portion of the Cities bonuses.

Mr. Suter replied, no, they did not. He stated that the decision was up to the 911 Board. He explained that he, as a County appointee, explained to the 911 Board that he could not support bonuses for Dispatch staff unless supported by the majority funder of the 911 budget - the

Board of supervisors. He affirmed that the 911 center employees were public safety employees and were the first line of defense for those in need during an emergency. However, he noted, the Board had determined to award bonuses last fall to only sworn law enforcement officers and uniformed fire/rescue staff who, via their position had no choice but to come into direct contact with persons who may have COVID. He noted that, should the Board approve the recommended bonuses, the Cities were in support of paying their portion. He added that VMI, as a partner in the 911 center, also has a portion of the budget as well.

Supervisor McDaniel clarified that the County would only be paying its portion of the bonuses.

Mr. Suter confirmed.

Fire and Rescue Committee - Regional Pay Rate Comparison Discussion:

Mr. Suter reviewed the following information:

"Across the board, just like the private sector, we are seeing increasing challenges in attracting and retaining staff. Given that our last salary survey was completed in 2014, I have asked Heidi Hoke to begin a new survey to be prepared for discussion during the FY23 budget process. However, as noted in your package, there is a particularly pressing issue currently in the area of Fire and Rescue. Chief Ramsey, Heidi Hoke and the Board Fire-Rescue Committee have been looking at challenges currently being faced in attracting and retaining staff and have developed a

recommendation for consideration. Heidi would be here but she is on annual leave presently."

Chief Ramsey briefly reviewed the agenda item which included the following information:

"Back in May, this year, while at a State Chiefs meeting, I was made aware that our neighboring partners have increased or were increasing staff salaries which has placed us below market compensation. This presents a major impact on two fronts:

- Recruitment- We are unable to attract new employees. Job postings are generating little interest in applicants. We recently made an offer that was declined due to our salary being less than their current salary.
- Retention- Several jurisdictions that are reasonably close will be hiring for multiple positions in the near future.

While our staff is generally happy to work for this County, they will have the opportunity to increase their salary significantly by traveling only a few more miles in any direction for employment as all departments either have or will have openings soon. Once learning of this situation, I briefed the County Administrator, HR Director and scheduled a meeting with the Fire-Rescue Committee. Understanding the importance of this situation, Mr. Suter also brief the Personnel Committee. Mrs. Hoke conducted a compensation survey of our neighboring jurisdictions which is included as an attachment. Additionally, included in the study, there is a

recommendation provided by staff based on the survey outcome. Several options were considered and ultimately, the Board Personnel Committee was comfortable bringing a recommendation to the full Board for a 10% upward adjustment. Typically, of course, we would pose a request such as this in the budget process. However, based on what we are seeing in the market, we felt that it is critical enough to bring forward now.

An additional item for consideration, is the promotion of the Captain position to Deputy Chief and of the Training Lieutenant to Captain. Based on the growth of our department and required functions on emergency scenes, the role of the Captain position has evolved into a Chief level position. The Training Lieutenant duties have also expanded to include Fire and EMS training for the entire County. With the increased responsibilities of these positions and the current market data, now is an opportune time to promote these two positions.

In recognition of these increased duties and study of similar positions in our region, we recommend for the Lieutenant to Captain, base of grade 17 plus 15% increase, 10% for all other positions with the exception of the Chief, for that position, recommendation of 5% increase.

The Fire-Rescue Committee has reviewed and recommends these initiatives for further discussion by the Board."

Supervisor Ayers shared her support of the request.

Chairman Lyons suggested that a salary survey also be considered for local law enforcement officers because they are leaving the department for a increase in salary in other localities.

Supervisor McDaniel shared his support of paying staff in-line with what surrounding localities are paying; however, the Board should have been able to review this back in January given that a brand-new budget year just began July 1 and this request will impact the budget.

With no further business to discuss, Chairman Lyons closed the Work Session at 5:20 p.m. until the 5:30 p.m. regular meeting began.

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, JULY 26, 2021 AT 5:30 P.M.

BOARD MEMBERS PRESENT: D. E. LYONS
L.E. AYERS
D.B. MCDANIEL
A.J. "JAY" LEWIS, II. (Virtually at 5:34 p.m.)

BOARD MEMBERS ABSENT: R. W. DAY

COUNTY ADMINISTRATOR: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Chairman Lyons called the meeting to order at 5:31 p.m.

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

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 anticipate additional restriction relaxation in July and we may make adjustments for future meetings.

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:

Fire and Rescue Award Recognition:

Chairman Lyons asked Chief Ramsey to extend the Boards gratitude to all departments that responded to the fire at the sawmill. Chief Ramsey commended all responding departments. He then introduced Fire-Rescue

Lieutenant Thomas Andrews who recently received the 2021 Central Shenandoah EMS Council Outstanding Pre-Hospital Educator Award. He explained that the award is defined by the EMS Council as someone that exemplifies and EMS educator's dedication to education of pre-hospital providers. Chief Ramsey advised that Lieutenant Andrews will be in the running for the Governor's award at the EMS Symposium in November.

The Board congratulated Lieutenant Andrews on his award.

Citizens Comments:

Chairman Lyons called for citizens comments. There were none.

Approval of the 6/28/2021 Board Meeting Minutes:

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

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

Consideration of County Appropriation Resolution:

Fiscal Services Director Steven Bolster reviewed his Monthly Memorandum which included activities for the month for the Commissioner of the Revenue and the Treasurer, as well as a financial update.

During review of the County's revenues, Chairman Lyons asked Mr. Bolster if he would anticipate receiving a similar amount of revenues this current budget year given real estate taxes were not raised.

Mr. Bolster replied, that would be a fair assessment. He added that, while developing the FY22 budget, he did project an increase in real estate. He then presented the County's Appropriation Resolution and recommended approval and payment of the bills.

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

Ayes: Ayers, McDaniel, Lewis, Lyons
Nays: None
Absent: Day
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, JULY 26, 2020 AT 5:30 P.M.

On motion by Supervisor Ayers, seconded by Supervisor McDaniel, 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, 2022**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-11010-3001 Professional Services.....	\$15,255.00
4-11-82010-5609 Cont-Rt 60 Corridor Ph 1 Proj.....	\$2,500.00
4-11-91040-0995 2013A Cthse Bond Refunding-Int.....	\$146,000.00

4-11-99010-6950 Contingencies.....	\$62,192.00
Total General Fund Appropriations	\$225,947.00

CONSTRUCTION PROJECT FUND (FY 2021 Carryover):

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, 2022**, from the UNAPPROPRIATED SURPLUS of the **CONSTRUCTION PROJECT FUND** and expended as follows:

4-372-94423-8001-001 Murat Collection Center.....	\$161,640.00
4-372-94423-8001-006 Site B Collection Center.....	\$142,362.00
4-372-94432-8001-006 Health Dept Boiler Replacement...	\$50,000.00
Total Construction Project Fund Appropriations	\$354,002.00

CAPITAL PURCHASES FUND (FY 2021 Carryover):

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, 2022**, from the UNAPPROPRIATED SURPLUS of the **CAPITAL PURCHASES FUND** and expended as follows:

4-376-95313-8001-001 Sheriff Vehicles, New.....	\$61,095.00
4-376-95432-8001-001 County Admin Bldg Telephone Sys..	\$23,000.00
Total Capital Purchases Fund Appropriations	\$84,095.00

Total Appropriations	\$664,044.00
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Current County

11 - General Fund	\$1,425,100.92
94 - Central Stores	\$8,456.69
372 - Construction Project Fund	\$435.00
376 - Capital Purchases Fund	\$30,449.00

Total County Bills	\$1,464,441.61
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Current Fiscal Agent

80 - Regional Jail	\$209,321.96
241 - E-Summons Fees	\$1,000.63

Total Fiscal Agent	\$210,322.59
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TOTAL ALL BILLS	\$1,674,764.20
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Further Discussion of the Cigarette Tax:

Mr. Suter reviewed the following information:

"At its last regular meeting on June 26th, the Board set-over discussion on implementation of a cigarette tax until the July 26th meeting. Since that time there have been no changes to prior reports on implementation in other localities. To recap, the Board had been considering a \$0.30 per pack tax. The City of Buena Vista voted not to implement the tax and the City of Lexington was considering a \$0.30 tax, but delayed a decision waiting for the County to make a decision."

Supervisor Lewis suggested setting this over to until the next meeting given Supervisor Day was absent.

Supervisor Ayers agreed to set this item over.

Supervisor McDaniel suggested setting this item over until the second August meeting given his districts neighboring locality (Botetourt) had not yet acted on the tax.

County Attorney Vickie Huffman noted that the implementation date may need to be pushed out if additional time is given.

Chairman Lyons set this item over until the second August meeting.

Appointment of a Professional Assessor for the 2023 General Reassessment:

Mr. Suter reviewed the following information:

"In May, the Board retained Wingate Appraisal Service to conduct the County's upcoming reassessment. Per state code (below), the Board must

officially appoint a professional assessor. We've included a copy of the applicable code in your report.

Via the attached letter, Don Thomas, President and COO of Wingate Appraisal Service has requested that the County appoint Miles F.P. Willet, Jr. to this role. Known as Skip, Mr. Willet is both a long-time employee of Wingate, with significant experience in past Rockbridge County reassessments, and is also a County resident."

Supervisor McDaniel moved to appoint Mr. Willett as the County's assessor for the upcoming assessment. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

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

Authorization to Issue RFP for Elevator at County Administration Building:

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

"Late last fall the elevator generator (motor) in the County Administration Building failed. We contacted the maintenance contractor (Otis), which sent technicians to evaluate. Initially, we received an estimate to make the repair. The repair was not budgeted and was well outside a normal expenditure for which we would ask the Board for appropriation. It included a rebuilt motor. After months of back and forth, staff had finalized a contract for the repairs. At that time, Otis

recommended a different direction, with purchase and replacement of new equipment due to the age of the equipment and difficulty in obtaining parts for repairs and maintenance.

We asked Otis to assess the elevator and determine a scope of service so that we could obtain competitive bids for replacement with new equipment. That process took some time, and when we received a scope of service, the estimated cost was 3.5 times more than the original repair estimate. This gave us pause in that, not having a professional engineer on staff, we were unable to expertly assess the level of repair that is truly required (given the disparity between the first and second estimates).

After internal discussion, staff has determined that the best course of action at this point is to solicit proposals for the repair. We would then assess the proposal which best suits our needs, which would include expedited repair. We are cognizant of the fact that the elevator has been out of service for far too long as it is.

Staff believe this work falls under non-professional services.

Virginia Code section § 2.2-4303.C, states that, "Upon a determination made in advance by the public body and set forth in writing that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, goods, services, or insurance may be procured by competitive negotiation. The writing shall document the basis for this determination.

Staff feels that, in order to ensure that we gain the best service for the County and to meet the intent of the scope of services, we will be better served by issuing a Request for Proposals, rather than a Request for Bids. This recommendation is based on the fact that the County would be best served by soliciting the most technically-qualified provider of services, rather than the lowest bidder. In addition, an experienced proposer may offer recommendations which may prove beneficial and cost-effective to the County.

Should the Board agree with staff, appropriate procurement language will be added to the attached scope of services prior to issuance of an RFP."

Supervisor Lewis moved to authorize issuance of an RFP. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

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

Public Hearings at 6:00 P.M.:

Carrie Hite - (32 Wet Bear Ln., Borden Grant Trail) - Application for a Special Exception Permit to Operate a Dog Grooming Business in the Agricultural General (A-2) Zoning District:

Director of Community Development Chris Slaydon briefly reviewed the agenda item which includes the following information:

"Carrie Hite, 32 Wet Bear Lane, Fairfield, VA 24435, has made an application for a special exception permit to allow her to operate a dog grooming business out of the lower level of the exiting dwelling. The property is located at 32 Wet Bear Lane, Fairfield, VA 24435, and is further identified as tax map number 40-A-25A. The property is one (1) acre in size and is located on the south side of Cupps Hill, approximately .35 miles south of the intersection of Cupps Hill (Route 706) and Borden Grant Trail (Route 706).

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

On July 14, 2021, the Planning Commission held its Public Hearing and has recommended approval of the Special Exception Permit Application with the following conditions:

1. The business shall be limited to grooming of dogs and/or cats.
2. No overnight boarding, breeding or training permitted.
3. No more than a total of three (3) dogs and/or cats allowed on the property at one time for grooming.

4. The hours of operations for the grooming services shall be limited Monday through Saturday from 9:00 a.m. through 5:00 p.m.”

Chairman Lyons opened the public hearing at 6:04 p.m. There were no comments. Chairman Lyons closed the public hearing.

Supervisor McDaniel asked Mr. and Mrs. Hite if they had spoken with neighboring property owners.

Mr. Hite replied, yes.

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

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON MONDAY, JULY 26, 2021

Ordinance Granting a Special Exception Permit to Carrie K. Hite, d/b/a Salty Dawgz Dog Grooming, to Operate a Dog Grooming Business on Property Owned by Bradley W. Hite and Carrie K. Hite, Per Section 603.03-5 of the Land Development Regulations in the Agricultural and General Uses (A-2) District, Located at 32 Wet Bear Lane, Fairfield, VA, in the South River Magisterial District, Identified as Tax Map #40-A-25A

WHEREAS, Carrie K. Hite, the applicant, has applied for a special exception permit to operate a dog grooming business known as Salty Dawgz Dog Grooming, on property owned by Bradley W. Hite and Carrie K. Hite, in the Agricultural and General Uses (A-2) District, consisting of one (1) acre, more or less, located at 32 Wet Bear Lane, Fairfield, Virginia, identified as Tax Map #40-A-25A, in the South River Magisterial District; and,

WHEREAS, the Rockbridge County Planning Commission held a public hearing on the application on July 14, 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 July 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, with the specified conditions, the proposed use is consistent with the Comprehensive Plan, the policies of Rockbridge County and the public interest.

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

1. That the Board of Supervisors finds that the granting of a special exception permit to Carrie K. Hite, d/b/a Salty Dawgz Dog Grooming, to operate a dog grooming business in the Agricultural and General Uses (A-2) District, on property containing one (1) acre, more or less, owned by Bradley W. Hite and Carrie K. Hite, and located at 32 Wet Bear Lane, Fairfield, Virginia, in the South River Magisterial District, identified as Tax Map # 40-A-25A, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby granted and approved pursuant to Section 603.03-5 of the Land Development Regulations, with and subject to the conditions as set forth on Exhibit A attached hereto and incorporated herein by reference.

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

Adopted this 26th day of July, 2021.

Recorded Vote:

AYES: McDaniel, Ayers, Lewis, Lyons

NAYES: None

ABSENT: Day

ABSTAIN: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Daniel E. Lyons, Chairman

Attest: _____
Spencer H. Suter, Clerk

EXHIBIT A

SPECIAL EXCEPTION PERMIT CONDITIONS

Owners: Bradley W. Hite and Carrie K. Hite

Applicant: Carrie K. Hite

d/b/a Salty Dawgz Dog Grooming

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

**Holocene Clean Energy - (Walkers Creek Rd.) - Application for a
Special Exception Permit to Modify Fencing and Landscaping Plan of an
Approved Special Exception Permit Condition:**

Director of Community Development Chris Slaydon briefly reviewed the agenda item which includes the following information:

Holocene Finance LLC d/b/a Holocene Clean Energy, on behalf of HCE Bustleburg Solar LLC, 727 W. Hargett Street Suite 201, Raleigh NC 27603 has made an application to amend conditions associated with the landscaping plan and fencing plan for a previously approved special exception permit for a 2.5 MW (AC) solar project. The property is owned by Kenneth and Susan Mohler, 85 Walkers Creek Road, Rockbridge Baths VA 24473. The property is located in the General Agricultural (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 special exception permit for the 2.5 MW (AC) solar project was approved by the Board of Supervisors on January 27, 2020. The purpose of this application is to modify the landscaping plan and fencing plan. The property is located on the east side of Walkers Creek Road (Route 602), approximately .5 miles north of the intersection of Walkers Creek Road (Route 602) and Maury River Road (Route 39) and is further identified as tax map number 36-A-65. The property is located in the Walkers Creek Magisterial District

The modification of the landscaping plan is at the request of the property owner (Brownlee). The landscape plan has been modified to remove a strip of plantings on the Brownlee Property. The Brownlee property is located at 130 Walkers Creek Rd., Rockridge Baths, VA 24473, and is further identified as tax map number 36-A-65B. When the special exception plan was approved the plan included a strip of plantings on the Brownlee property. In order to ensure that the plantings can be planted and maintained for the life of the project, the developer has required a landscaping easement on the Brownlee property. Mr. Brownlee is reluctant to have that incumbrance on the property. His concerns included the marketability of the property and the future landowners' wishes for that section of the property. According to the developer and Mr. Brownlee, the plantings will be implemented as shown on the previously approved plan, but would not be associated with the special expectation permit. Meaning that Mr. and Mrs. Brownlee would allow for the plantings to be implemented, and a future landowner could keep the plantings or remove them if they desire to utilize that portion of the property for another use. As shown on the plan, all other landscaping is on the Mohler property and the developer has a formal landscaping easement.

Additionally, the previous plan had included a chain-link fence with green vinyl slats. During the discussion with the Planning Commission, the slats were removed as part of the conditions associated with the Special Exception Permit. However, the green slats were not removed from the site plan. In addition to the modification to the slats, the developer has requested a change in the type of fencing from the

previously approved 6' chain-link fence with barbwire to a 6' fixed knot fence with barbwire.

On July 14, 2021, the Planning Commission held its Public Hearing and has recommended approval of the Special Exception Permit Application with the following conditions:

1. Substantial compliance with the "Site Plan and Landscape Plan" prepared by Perkins and Orrison, PLC, dated October 25, 2019, and revised December 2, 2019, January 15, 2020, January 28, 2020, June 18, 2021, and July 19, 2021, on file in the office of the Clerk to the Board of Supervisors.
2. The maximum height of the tilt for the solar array shall be fifteen feet (15').
3. Landscaping shall be maintained in healthy condition for the life of the project.
4. Acceptance of Decommissioning Agreement, incorporating decommissioning plan dated August 26, 2019, in lieu of bond, but which shall be re-evaluated every five years.

The Planning Commission recommended that the fencing plans include a six (6) foot chain-link fence with barbed wire versus the proposed six (6) foot fixed knot fence with barbed wire. The primary concern with the fixed knot fence was security. It was a 3-2 vote with Commission Members McLaughlin and Whitmore, preferring the fixed knot fence over the chain-link fence, being the two nay votes. The plan has been updated to include

a chain-link fence and a revision date (July 19, 2021) has been added to the plans. Staff has included the picture of the fixed knot fencing for the Boards consideration."

Russ Orrison of Perkins and Orrison confirmed that the property owner, applicant, engineer and staff are all in favor of the woven wire fence.

Chairman Lyons inquired about the 6' requirement for the woven wire fence.

Mr. Orrison stated that it was a little unusual, but the electrical code requires 7' total.

Jeff Suttle representing EDF Renewables, a partner of BARC Electric and Holocene Clean Energy, stated that the required 7' can be accomplished by 6' of either chain link or woven wire fence and a foot of barbed wire. He added that the woven wire tends to be preferable.

Chairman Lyons opened the public hearing at 6:16 p.m.

Applicant Kenneth Mohler concurred that he and the neighbors would rather not have to use the chain-linked fence. He added that, in addition to the fence being discussed, a five-strand barbed-wire fence would protect the trees from the cows. He then asked the Board to support an agricultural fence.

Chairman Lyons closed the public hearing at 6:18 p.m.

Supervisor Lewis moved to adopt the ordinance approving a woven wire fence and removal of the last revision date (July 19, 2021) from the

ordinance and conditions. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON MONDAY, JULY 26, 2021

Ordinance to Grant an Amended Special Exception Permit to Holocene Clean Energy for Revised Conditions, Removing the Landscaping Condition on the Brownlee Property and Changing the Fencing Requirement From Chain Link to Fixed Knot Woven Wire, for Development of a Solar Field for Power Generation in the Agricultural and General Uses District (A-2) on Property Owned by Kenneth W. Mohler and Susan A. Mohler, Identified as Tax Map #36-A-65, Located at the Intersection of Maury River Road and Walkers Creek Road in Rockbridge Baths, in the Walkers Creek Magisterial District

WHEREAS, on January 27, 2020, the Board of Supervisors granted a Special Exception Permit, with associated conditions, to the Holocene Clean Energy to develop, operate and maintain solar generation facilities, known as Bustleburg Solar I, located on a portion of the property at the intersection of Maury River Road and Walkers Creek Road in Rockbridge Baths, owned by Kenneth W. Mohler and Susan A. Mohler, and identified as Tax Map #36-A-65, in the Walkers Creek Magisterial District of Rockbridge County, Virginia, in the Agricultural and General Uses District (A-2) pursuant to Section 603.03-9 of the Rockbridge County Land Development Regulations; and,

WHEREAS, Holocene Clean Energy has filed an application for amendment to the Special Exception Permit: (i) to remove the landscaping requirement on the property of Malcolm Brownlee, Jr., and Sarah H. Brownlee, Co-Trustees, identified as Tax Map #36-A-65B, at the Brownlees' request, shown on the "Site Plan and Landscape Plan" prepared by Perkins and Orrison, PLC, dated October 25, 2019, and revised December 2, 2019, January 28, 2020, and June 18, 2021; and (ii) to substitute a 6' fixed knot fence with barbed wire for the 6' chain-link fence topped with barbed wire shown on said "Site Plan and Landscape Plan"; and,

WHEREAS, the Rockbridge County Planning Commission held a public hearing on the application on July 14, 2021, and recommended approval of the amendment described in (i) above, and recommended not to approve the amendment described in (ii) above; 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 July 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, after consideration of potential impact of the Project on the adjacent lands in the Rockbridge Baths Agricultural/Forestral Overlay District, 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 an amended special exception permit to Holocene Clean Energy to develop, operate and maintain solar generation facilities, known as Bustleburg Solar I, located on a portion of the property at the intersection of Maury River Road and Walkers Creek Road in Rockbridge Baths, owned by Kenneth W. Mohler and Susan A. Mohler, and identified as Tax Map #36-A-65, in the Walkers Creek Magisterial District of Rockbridge County, Virginia, in the Agricultural and General Uses District (A-2) pursuant to Section 603.03-9 of the Rockbridge County Land Development Regulations, as shown on the 'Site Plan and Landscape Plan' prepared by Perkins and Orrison, PLC, dated October 25, 2019, and revised December 2, 2019, January 15, 2020, January 28, 2020, and June 18, 2021, on file in the office of the Clerk to the Board of Supervisors, 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 amended special exception permit is hereby approved with and subject to the conditions set out on Exhibit A attached hereto and incorporated herein by reference.

2. That this ordinance shall be effective on the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed; specifically, as of the date of adoption hereof, this Ordinance shall supersede and be in lieu of the Ordinance adopted on January 27, 2020, granting a special exception permit to Holocene Clean Energy for the Bustleburg Solar I Solar Project, which shall henceforth be deemed null and void.

Adopted this 26th day of July, 2021.

Recorded Vote:

AYES: Lewis, McDaniel, Ayers, Lyons
NAYES: None
ABSENT: Day
ABSTAIN: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Daniel E. Lyons, Chairman

Attest: _____
Spencer H. Suter, Clerk

EXHIBIT A

**HOLOCENE CLEAN ENERGY
AMENDED SPECIAL EXCEPTION PERMIT CONDITIONS
JULY 26, 2021**

- (1) Substantial compliance with the "Site Plan and Landscape Plan" prepared by Perkins and Orrison, PLC, dated October 25, 2019, and revised December 2, 2019, January 15, 2020, January 28, 2020, and June 18, 2021, on file in the office of the Clerk to the Board of Supervisors.
- (2) The maximum height of the tilt for the solar array shall be fifteen feet (15').
- (3) Landscaping shall be maintained in healthy condition for the life of the project.

- (4) Acceptance of Decommissioning Agreement, incorporating decommissioning plan dated August 26, 2019, in lieu of bond, but which shall be re-evaluated every five years.

**Buffalo Creek Foundation - (31 Steeles Fort Loop, Steeles Fort Rd.) -
Application for a Special Exception Permit to Build and Operate a Private
Boys School in the Agricultural Transitional (A-T) Zoning District:**

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

"Buffalo Creek Foundation (Lee and Rebecca Taylor), 401 Lime Kiln Road, Lexington VA 24450 has made an application for a special exception permit in order to develop a private school. The private school is proposed on a portion of the property that is owned by BJB Properties LLC, 2440 Raphine Road, Raphine VA 24472. The property is located in the Agricultural Transitional (A-T) Zoning District and per section 603B.03-17 of the County of Rockbridge Land Development Regulations, private schools are a use by special exception in the A-T District. The property is located at 31 Steeles Fort Loop, Raphine VA 24472 and is on the westside of Steels Fort Road (Route 706), and the northside of Moores Trail (Route 794). and is further identified as tax map number 40-1-1. The property is located in the South River Magisterial District.

Per the enclosed draft subdivision plat, the school is proposed on a 34.86 acres potion of the existing 155.27-acre tract. The applicant has meet with VDOT and is proposing to have a single entrance on Moores Trail (State Route 794). The applicant and VDOT are currently discussion what improvements will be require to be made on Moores Trail. Per the enclosed

written description of plans, the development of the school is being proposed in two phases. Phase one includes two classroom buildings for sixth, seventh, and eighth grade with a total of 36 students. While a portion of the property is located within the 100-year flood hazard overlay, the classrooms will be located outside of the 100-year flood hazard overlay. Phase two would include two additional classroom buildings for high school students. The enclosed schematic site plan is for phase one. The current special exception permit would be for phase one. Phase two would require a sperate Special Exception Permit/ approval. If the special exception permit is approved, a site plan will be developed and reviewed by the Planning Commission.

The current location of the Buffalo Creek Boys School is located at the Taylors residence and was approved on April 27, 2017 with the following conditions:

1. Total number of full-time students and staff not to exceed 25.
2. Approval contingent on VDOT, Health Department, Building Department, and Department of Education approvals.

On July 14, 2021, the Planning Commission held its Public Hearing and has recommended approval of the Special Exception Permit Application with the following conditions:

- (1) Substantial compliance with the "Schematic Site Plan Buffalo Creek Foundation" dated June 10, 2021, on file in the office of the Clerk to the Board of Supervisors.

- (2) All new structures to be located outside of the 100-year flood hazard zone
- (3) All new development to be serviced by public and sewer.
- (4) Total number of students not to exceed thirty-six (36).
- (5) The school will be limited to sixth, seventh, and eighth grades.
- (6) The existing private bridge will be closed and gated during all school operations.
- (7) Plan to be implemented within two (2) years from date of approval.
- (8) Approval contingent on VDOT, Health Department, Building Department, and Department of Education approvals."

Applicant, Mr. Taylor, who was present via Zoom, advised of their plan to add either 5th or 9th grade classes and recommended approval to add both to the conditions. He also asked the Board to consider removing condition number (6), leaving the decision up to VDOT as to whether or not that entrance would need to be closed and gated.

Chairman Lyons opened the public hearing at 6:38 p.m. There were no comments. Chairman Lyons closed the public hearing.

Mr. Slaydon read aloud the following comment received via email:

"TO: Rockbridge County Planning Commission and Rockbridge County Board of Supervisors:

My husband and I live at 162 Steele's Fort Rd, which is directly across from 31 Steele's Fort Loop, the property being discussed. My

siblings and I also owned that named property prior to selling to BJB Properties, LLC in 2019, having inherited it from our parents upon their passing. My husband and I have lived at our present address since 1975, building on part of the original Steele's Fort farm property. I give you this information to emphasize our knowledge of the area.

My vision for the property of my childhood home would not have included it to be used for a private school facility, since we will be living right across the road. However, we recently talked with Mr. and Mrs. Taylor about their plans and have a somewhat better feeling about it at this time.

We do, however, have great concern about the increased traffic that it will bring to the area, on an already very busy road. We also understand that there is a plan for Mr. Bender (owner of Blue Ridge Christian Homes, Beulah Land Campus) to build a housing development in the area adjacent to our property, which will result in even more traffic on Steele's Fort Rd. With more traffic comes the greater possibility of injury or death due to accidents because of the excessive speed that is allowed to continue without law enforcement. We witness the speeding every day that includes both local traffic and out-of-town traffic occurring with overflow traffic from I-81. Steeles Fort Rd is a cross road from US 11 to I-81 in Raphine and heavily traveled with everything from farm tractors to big logging trucks and 18 wheelers, etc. We ask that some enforcement of posted speed be done in order to discourage speeding, especially on the dangerous curve in front of our residence.

Thank you for your consideration.

Dorothy and Gary Gearhart”

Mr. Slaydon advised that there were safety concerns about the entrance to the house and elimination of use at that entrance.

Supervisor McDaniel asked if signage would be placed to address the correct entrance and if Supervisor Day had been contacted since it was in his district and if he had any comments.

Mr. Slaydon replied that signage to the correct entrance would be in place and that he had spoken with Supervisor Day but did not receive any comments as to whether or not he was for or against it.

Supervisor McDaniel moved to adopt an amended ordinance that would grant the applicant his two (2) recommendations, as follows: adding 5th and 9th grades to condition number 5, and removing condition number 6. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATION OFFICES ON MONDAY, JULY 26, 2021

Ordinance Granting a Special Exception Permit to Buffalo Creek Foundation (Lee R. Taylor and Rebecca L. Taylor) for Operation of a Private School in the Agricultural Transitional District (A-T), on a 34.86-Acre Parcel of Land Located at 31 Steeles Fort Loop, Raphine, VA, in the South River Magisterial District and Designated as a Portion of Tax Map No. 40-1-1 (Proposed Tax Map No. 40-1-1H)

WHEREAS, Buffalo Creek Foundation has filed an application for a special exception permit to develop and operate a private school on a 34.86-acre parcel of land owned by BJB Properties, LLC,

located at 31 Steeles Fort Loop in Raphine, Virginia, on the west side of Steeles Fort Road (Route 706) and the north side of Moores Trail (Route 794), identified as a portion of Tax Map No. 40-1-1, per Section 603B.03-17 of the Rockbridge County Land Development Regulations in the Agricultural Transitional (A-T) Zoning District; and,

WHEREAS, the Planning Commission reviewed this application on July 14, 2021, following a public hearing thereon, and has recommended approval of the special exception permit to the Board of Supervisors, subject to the specified conditions; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing in this matter on July 26, 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 to Buffalo Creek Foundation to develop and operate a private school on property, containing 34.86 acres, owned by BJB Properties, LLC, located at 31 Steeles Fort Loop in Raphine, Virginia, on the west side of Steeles Fort Road (Route 706) and the north side of Moores Trail (Route 794), identified as a portion of Tax Map No. 40-1-1 (proposed Tax Map No. 40-1-1H), in the Agricultural Transitional

(A-T) Zoning District, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby granted and approved pursuant to 603B.03-17 of the Rockbridge County Land Development Regulations, with and subject to the conditions set forth on Exhibit A attached hereto and incorporated herein by reference.

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

Adopted this 26th day of July, 2021.

Recorded Vote:

AYES: McDaniel, Ayers, Lewis, Lyons

NAYES: None

ABSENT: Day

ABSTAIN: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Daniel E. Lyons, Chairman

Attest: _____
Spencer H. Suter, Clerk

EXHIBIT A

SPECIAL EXCEPTION PERMIT CONDITIONS

**Applicant: Buffalo Creek Foundation
(Lee R. Taylor and Rebecca L. Taylor)**

Portion of TM# 40-1-1 (proposed Tax Map #40-1-1H)

1. Substantial compliance with the "Schematic Site Plan Buffalo Creek Foundation" dated June 10, 2021, on file in the office of the Clerk to the Board of Supervisors.
2. All new structures to be located outside of the 100-year flood hazard zone.
3. All new development to be serviced by public water and sewer.
4. Total number of students not to exceed thirty-six (36).
5. The School will be limited to fifth, sixth, seventh, eighth, and ninth grades.
- 6.
7. Plan to be implemented within two (2) years from date of approval.
8. Approval contingent on VDOT, Health Department, Building Department, and Department of Education approvals.

**Karen and John Siegfried - (55 Kennedy-Wades Mill Loop, Raphine Rd.)
- Application for a Special Exception Permit to Operate a Special Events
Venue in the Agricultural General (A-2) Zoning District:**

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

"Siegfried Holdings LLC (Karen & John Siegfried), 250 Tupelo Lane, Raphine VA 24472, has made an application for a special exception permit in order to develop a special events venue. The property is located in the General Agricultural (A-2) Zoning District and per section 603.03-24 of

the County of Rockbridge Land Development Regulations, special events are a use by special exception in the A-2 District. The property is owned by Siegfried Holdings LLC, 55 Kennedy-Wade's Mill Loop, Raphine VA 24472 and is on the northside of Kennedy-Wade's Mill Loop (Route 816), approximately .11 miles north of the intersection of Kennedy-Wade's Mill Loop (Route 816) and Raphine Road (Route 606) and is further identified as tax map number 27-1-1B. The property is located in the Walkers Creek Magisterial District.

The property is currently known as Wades Mill. Wades Mill was founded in 1750 and is Virginia's oldest continuously operating commercial grist mill. Current operations are open to the public for tours and the retail sale of whole grain products. Wades Mill has hosted an annual Apple Butter Festival on the property. The property has been approved by VDOT for a low volume commercial entrance, has appropriate emergency vehicle access, and parking that can accommodate up to ninety cars.

For discussion purposes, staff has drafted the following conditions that could be associated with the Special exception Application:

1. Substantial Compliance with concept plan prepared by applicant.
2. Events will be limited to a maximum of 200 attendees.
3. All site activities will be concluded by 11:00 p.m.
4. Adequate off-street parking facilities and traffic controls will be provided. No parking along Kennedy Wads Mill Loop (Route 816) nor Raphine Road (Route 606).
5. Alcoholic beverages will not be self-served.

6. All trash shall be taken directly to the landfill and not to County collection centers or County green boxes.

7. Any amplified music must be within an enclosed structure and concluded by 11:00 p.m.

8. Lighting shall be in compliance with 1303.00 of the Rockbridge County Land Development Regulations.

9. No aerial fireworks shall be permitted. No outdoor fires shall be permitted by attendees.

10. Approval contingent on County Building Department, Virginia Department of Transportation, and Health Department approvals."

Applicant, Ms. Siegfried, who was present in-person, shared that it appeared to be tradition to host weddings and events at the mill prior to her ownership and wished to continue with tradition.

Chairman Lyons opened the public hearing at 6:53 p.m. There were no comments. Chairman Lyons closed the public hearing.

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

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATION CENTER ON MONDAY,
JULY 26, 2021

Ordinance Granting a Special Exception Permit to Wade's Flour Mill, LLC, d/b/a Wade's Mill, for Special Events on Property in the Agricultural and General Uses District (A-2), Located on the North Side of Kennedy-Wade's Mill Loop (Route 816), Identified as Tax Map #27-1-1B, in the Walkers Creek Magisterial District

WHEREAS, Wade's Flour Mill, LLC, d/b/a Wade's Mill (Karen and John Siegfried) has applied for a special exception permit to develop a special events venue in the Agricultural and General Uses District (A-2), on property owned by Siegfried Holdings, LLC (Karen and John Siegfried), located at 55 Kennedy-Wade's Mill Loop, Raphine, Virginia, on the north side of Kennedy-Wade's Mill Loop, approximately .11 miles north of the intersection of Kennedy-Wade's Mill Loop (Route 816) and Raphine Road (Route 606), identified as Tax Map #27-1-1B, in the Walkers Creek Magisterial District; and,

WHEREAS, the Planning Commission reviewed this application on July 14, 2021, following a public hearing thereon, and has recommended approval of the special exception permit to the Board of Supervisors, subject to the specified conditions; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing in this matter on July 26, 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 to Wade's Flour Mill, LLC, d/b/a Wade's Mill (Karen and John Siegfried) to develop a special events venue and hold Special Events pursuant to Section 603.03-24 of the Rockbridge County Land Development Regulations in the Agricultural and General Uses District (A-2), on property owned by Siegfried Holdings, LLC, located at 55 Kennedy-Wade's Mill Loop, Raphine, Virginia, on the north side of Kennedy-Wade's Mill Loop, approximately .11 miles north of the intersection of Kennedy-Wade's Mill Loop (Route 816) and Raphine Road (Route 606), in the Walkers Creek Magisterial District, and identified on the Rockbridge County Land Records as Tax Map #27-1-1B, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby granted and approved with and subject to the conditions set forth on Exhibit A attached hereto and incorporated herein by reference.

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

Adopted this 26th day of July, 2021.

Recorded Vote:

AYES: Lewis, Ayers, McDaniel, Lyons

NAYES: None

ABSENT: Day

ABSTAIN: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____

Daniel E. Lyons, Chairman

Attest: _____
Spencer H. Suter, Clerk

Exhibit A

SPECIAL EXCEPTION PERMIT CONDITIONS

Owner: SIEGFRIED HOLDINGS LLC (Karen and John Siegfried)

Applicant: Wade's Flour Mill, LLC, d/b/a Wade's Mill (Karen and John Siegfried)

1. Substantial Compliance with concept plan prepared by applicant.
2. Events will be limited to a maximum of 200 attendees.
3. All site activities will be concluded by 11:00 p.m.
4. Adequate off-street parking facilities and traffic controls will be provided. No parking along Kennedy Wads Mill Loop (Route 816) nor Raphine Road (Route 606).
5. Alcoholic beverages will not be self-served.
6. All trash shall be taken directly to the landfill and not to County collection centers or County green boxes.
7. Any amplified music must be within an enclosed structure and concluded by 11:00 p.m.
8. Lighting shall be in compliance with 1303.00 of the Rockbridge County Land Development Regulations.
9. No aerial fireworks shall be permitted. No outdoor fires shall be permitted by attendees.
10. Approval contingent on County Building Department, Virginia Department of Transportation, and Health Department approvals.

Appointments:

EDA Vacancy- David Ferris Resigned- Term Expires 4/10/2025:

Supervisor Lewis moved to appoint W. Frank Patterson, Jr. to serve on the EDA in place of Mr. Ferris who resigned. Supervisor McDaniel provided

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

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

Library Board- Doug Horan- Term Expired 6/30/2021:

Applicant, Robert Kramer who was present in-person, shared his willingness to serve on the Library Board.

Supervisor McDaniel moved to appoint Robert Kramer to serve on the Library Board in place of Mr. Horan. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

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

Building Code Board of Appeals Vacancy- Term Expires 7/31/2025:

There was no appointment made to the Building Code Board of Appeals.

Monthly Staff Reports:

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

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

Adjournment:

Supervisor McDaniel moved to adjourn at 6:58 p.m. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

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