

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE
COUNTY VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING,
150 SOUTH MAIN STREET LEXINGTON, VIRGINIA, ON MONDAY,
NOVERMBER 25, 2013, AT 5:30 P.M.

PRESENT: CHAIRMAN R.R.CAMPBELL
MEMBERS: J.M.HIGGINS, R.S.FORD, D.W.HINTY, JR.,
A.W.LEWIS, JR
CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN
FISCAL DIRECTOR: STEVEN BOLSTER
STAFF: SAM CRICKENBERGER, CHRIS SLAYDON,
DAN GRIM, ROBERT FORESMAN,
BRANDY WHITTEN

Call to Order

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

Supervisor Lewis delivered the invocation. He then led in
the Pledge of Allegiance.

Recognitions/Presentations

Resolution Honoring Glasgow Mayor Sam Blackburn

Chairman Campbell introduced this agenda item.

Supervisor Lewis noted that Mr. Blackburn could not attend
the meeting and then read the following resolution aloud:

RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO SAMUEL H. BLACKBURN, GLASGOW TOWN MAYOR, ON THE OCCASION OF HIS RETIREMENT AFTER FORTY-FIVE YEARS OF SERVICE

WHEREAS, Samuel H. Blackburn was a member of the Glasgow Town Council from 1965 until 1973, and from 1976 until 1981; and,

WHEREAS, Mr. Blackburn served as Mayor for the Town of Glasgow from 1981 until 2013; and,

WHEREAS, Mr. Blackburn has long supported community activities in Rockbridge County; and,

WHEREAS, Mr. Blackburn served Rockbridge County as a member of the Rockbridge County Building Code Board of Appeals from 1989 until September 26, 2012; and,

WHEREAS, Mr. Blackburn served on the Rockbridge County Economic Development Authority (EDA), formerly named the Industrial Development Authority (IDA), from 2005 until April 10, 2012; and,

WHEREAS, Mr. Blackburn also served on the Rockbridge County Regional Jail Commission from 2010 until January 14, 2012; and,

WHEREAS, Mr. Blackburn has served the citizens of the Town of Glasgow and Rockbridge County with honor and distinction for forty-five years, and will retire as Glasgow Town Mayor on December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Supervisors of the County of Rockbridge, Virginia, does hereby express deep appreciation to Samuel H. Blackburn, for his many years of dedicated service to the citizens of Glasgow and Rockbridge County, and offers sincere congratulations and best wishes for a happy and productive retirement.

Adopted this 25th day of November, 2013.

Rockbridge County Board of Supervisors:

Ronnie R. Campbell, Chairman

Albert W. Lewis, Jr., Vice Chairman

Russell S. Ford, Supervisor

David W. Hinty, Jr., Supervisor

John M. Higgins, Supervisor

(SEAL)

Supervisor Hinty commended Mr. Blackburn for his many dedicated years of service.

Supervisor Higgins also commended Mr. Blackburn, noting that they had worked together on the Regional Jail Commission for approximately 20 years. He then wished Mr. Blackburn the best of luck with following his retirement.

Supervisor Higgins moved to approve the resolution. A second was provided by Supervisor Hinty, and the resolution was adopted by unanimous roll call vote of the Board.

AYES: Higgins, Hinty, Ford, Lewis, Campbell
NAYES: None
ABSENT: None

Citizen Comments

Chairman Campbell called for citizen comments. There were none.

Items to be added to the Agenda

Chairman Campbell called for items to be added to the agenda. He added a Public Service Announcement/Press Release from the National Weather Service/ the Virginia Department of Emergency Management. Chairman Campbell explained that December 1st through 7th has been designated Winter Preparedness Week in Virginia. He stated that it is important for County staff to notify citizens on how they should prepare themselves for winter weather. He noted that the forecast for a wintry mix following the meeting was a perfect example. He stated that everyone should take steps to prepare themselves and their family for whatever winter may bring. He announced that copies on the press release had been made available to the local press. Additional copies for those present during the meeting were also made available.

Approval of November 12, 2013 Minutes

Supervisor Ford moved to approve the November 12, 2013 minutes, seconded by Supervisor Higgins, and approved by unanimous roll call vote of the Board.

AYES: Ford, Higgins, Lewis, Hinty, Campbell
NAYES: None
ABSENT: None

FY14-15 Funding Priorities

Director of Finance Steven Bolster reviewed his Board Report as well as the FY14-15 Funding Priorities. The following was included in the report: "We are beginning the FY14-15 budget cycle with a call for budget estimates beginning on December 3, 2013. Part of the budget process includes the establishment and approval of funding priorities to guide the Board of Supervisors and budget-submitting organizations/departments during the development of the FY14-15 budget. The Board's Finance Committee met to discuss and develop the funding priorities for FY14-15.

Below are items for your review. These reflect the external fiscal challenges which may impact our unencumbered reserves for current and future fiscal years.

- Second round of automatic federal-spending cuts (sequestration) in 2014 include \$20 billion+ in additional cuts beyond those established in 2013
- Temporary fix of October 2013 federal government shutdown
 - Federal government funded through January 15, 2014
 - Debt ceiling suspended until February 7, 2014
- National economy is expected to grow by 2.6%¹
- State budget reduction in Aid to Locality ended in FY13-14; however, the impact of the State's fiscal austerity

measures, which began in FY08-09, will not be offset by modest gains in state support

- No change in funding Line of Duty Act requirement; it remains the responsibility of localities
- Continue expenditures for VRS Hybrid Plan employees' short- and long-term disability coverage

Fiscal challenges we face internal to our locality include:

- Construction of "piggyback" lined landfill (\$145-150M over 40-46 years)
- Adjustment of landfill tipping fees (TBD)
- Radio system upgrade (\$7 Million+)
- Modification of fire and EMS delivery system (\$210 thousand annually)
- First stage of reassessment effort (\$193 thousand)
- Annual Comprehensive Services Act expenditures could exceed budget by \$100-200 thousand to meet needs of connected programs"

Chairman Campbell asked for Board comments. There were none.

Supervisor Ford moved to adopt the Funding Priorities for FY14-15, as presented. A second was provided by Supervisor Lewis, and the motion carried by unanimous roll call vote of the Board.

AYES: Ford, Lewis, Higgins, Hinty, Campbell
NAYES: None
ABSENT: None

Rockbridge County Board of Supervisors

Funding Priorities for FY14-15 Budget

The Board of Supervisors recognizes our citizens will continue to face financial challenges associated with a modestly growing economy. A continuing trend of federal spending cuts may result in less funding for grants and reimbursement programs. The local impacts resulting from 5+ years of state fiscal austerity will not be offset by modest gains projected in K-12 support. Local revenues are projected to remain flat. Considering each of these factors, the Board will make every effort to limit overall expenditures, to include modifying services as necessary to pass a balanced budget. In the FY13-14 budget process, multiple priorities were established by the Board, including public safety and solid waste expenditures. The Board remains committed to these ongoing, multi-year improvements.

Federal and state cuts will likely continue to shift the funding of basic and mandated requirements, such as education, health and human services, public safety, and general government, down to localities. The Board must take a critical look at all funding requests and make difficult decisions in order to pass a balanced budget that fully supports mandated programs. The Board and county staff will adhere to its mission, vision and values statements, which will drive strategic plans and future funding decisions. We will strive to support services that provide a critical “safety net” for citizens in need, due to circumstances beyond their control. To meet our goals, the Board establishes the following funding priorities and directives for FY14-15:

1. The Board has a legal and/or moral obligation to fund debt payments, federal and state mandates, and existing contracts. Funding for these requirements will be included in the budget.

2. Funding for public education, fire and EMS services, solid waste management, emergency communications (911), and economic development initiatives are high priorities. Some programs may require increased funding compared to prior years.
3. Organizations funded by contractual formula, mandates, or other agreements shall provide evidence of efficiency measures to reduce the county's share. Only those programs specifically approved by agreements shall be included in funding requests. Documentation showing program requirements and associated costs shall be included in budget submissions.
4. Organizations which have traditionally been supported by the county must provide detailed justification for funding requests. Those organizations which clearly demonstrate value, efficiency of operations, and a demonstrated effort to secure non-county funds will receive priority consideration.
5. The Board shall include an emphasis on maintaining existing county infrastructure. It will also sustain a quality workforce via a compensation plan that is competitive and rewards exemplary performance.
6. Budget submissions shall contain revenue projections from all sources for the current year as well as expected revenues in FY14-15. No organization should expect the Board to make up revenue lost from any other source.

Adopted this 25th day of November, 2013.

RECORDED VOTE (November 25, 2013):

AYES:

NAYS:

ABSTAIN:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____

Spencer H. Suter, Clerk

Convene Solid Waste Authority

With there being no business to discuss, the Solid Waste Authority did not convene.

Update from Scott Sayre with Sayre Enterprise/ Stonebridge Center

Scott Sayre, President and owner of Sayre Enterprise and the Stonebridge Center, introduced members of his staff who are among those working at the Center. Those present were: his wife, Mary Sayre, who would be speaking about special events; Pastor Ray Newton, who would be speaking about celebrating church; Bart Bellairs, who is setting up sales and marketing; and Jim Williams, who is the comptroller. Mr. Sayre indicated that he continues to read news articles about local jobs and what happens to children who graduate from Rockbridge County High School and must leave the county to find work. He was happy to say that he now has 25 full-time workers at the Stonebridge

Center, seven of whom are recent Rockbridge County High School graduates.

Mr. Sayre then announced that internet service at the Stonebridge Center is much faster since connecting to RANA's broadband project. He noted cost savings of approximately \$1,900 a month as a result of establishing a VoIP network between his business locations.

Pastor Ray Newton advised that the gym at the Stonebridge Center has been opened to his church since 2010, allowing him to provide church-related services to teens and children. He noted that, just this past week, 40 teens had gathered to play basketball, enjoy snacks, and listen to church lessons. He stated that he envisions reaching out beyond just the southern part of the County to reach children and teens, as well as those suffering from drug and alcohol abuse. (I think he noted three main points as well.)

Mr. Sayre offered the Board access to the "Man Cave" at the Stonebridge Center. He stated the room offers a big screen television, surround sound, and leather furniture for men and their older sons to have a place to hang out and watch sports, where the fathers can teach their sons to be upstanding young men.

Mrs. Sayre explained that she is in charge of generating and creating jobs at the Stonebridge Center. She noted that she

will provide a tour to anyone interested in using the facility to host an event. Earlier this year, a wedding was held at the facility followed by a reception in the old lunchroom, which has been converted to a banquet facility. She stated that she has been asked to submit an article for the "Virginia Wedding Event" magazine. She then listed other possible uses of the facility: buffets; reunions; theatre; an "Oktoberfest" event; or Friday night dinners. She noted that food for such events could be handled by Effie Wallace, owner of Kenney's in Lexington, who runs a catering service out of the Stonebridge Center.

Mr. Sayre noted that the old lunchroom is now the banquet hall and includes many chandeliers and makes for a special event.

Public Hearings

Zoning Ordinance Amendment- Robert Berkstresser- Electronic Fuel Pricing Signs in B-1 and I-1

Assistant Director of Community Development, Chris Slaydon, explained that Bobby Berkstresser had applied to amend the Land Development Regulations to allow for the use of electronic fuel pricing signs. He further explained that regulations for Electronic Messaging Centers (EMC) were previously adopted by

the Board, but that this regulation under consideration pertained only to the Raphine interchange. As included in the planning report, the overall square footage requirements for signage, if approved, would not change, and these signs could replace existing price signs. Mr. Slaydon then read aloud section 706.05-2b of the County Code. (This information is included in the ordinance below.)

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, NOVEMBER 25, 2013

Ordinance to Amend the Rockbridge County Land Development Regulations in Section 605.02-35 of Section 605.00 – General Business District B-1, and Section 607.02-20 of Section 607.00 – General Industrial District I-1, of Article 6 – Uses in Districts, and in Section 706.00 – Signs of Article 7 – Use Regulations, By Addition of Section 706.05-2b To Allow For the Use of Electronic Fuel Pricing Signs More Widely

WHEREAS, the Rockbridge County Planning Commission held a public hearing on the amendments in Article 6 – Uses in Districts of the Rockbridge County Land Development Regulations on October 11, 2013, and upon continuing the matter to November 13, 2013, recommended approval to the Board; and,

WHEREAS, the Rockbridge County Planning Commission held a public hearing on the amendments in Article 7 – Use Regulations of the Rockbridge County Land Development Regulations on November 13, 2013, and recommended approval to the Board; and,

WHEREAS, the Rockbridge County Board of Supervisors held a public hearing on this amendment on November 25, 2013; and,

WHEREAS, legal notice has been provided in accordance with Section 15.2-2204 of the Code of Virginia (1950, as amended) and Section 802.04 of the Land Development Regulations; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, has determined that the provisions of this ordinance generally promote the health, safety and welfare of the public, that the amendment is required by good zoning practice and accomplishes the objectives set forth in Va. Code Section 15.2-2200, and that the amendment serves one or more of the purposes set forth in Va. Code Section 15.2-2283 of the Code of Virginia.

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

1. That the Rockbridge County Land Development Regulations be amended and reenacted as follows:

**ARTICLE 6
USES IN DISTRICTS**

605.00 GENERAL BUSINESS DISTRICT B-1

605.02 Permitted Uses. Within the General Business District B-1, the following uses are permitted:

605.02-35 Signs as provided in Article 7, *to include Electronic Fuel Pricing Signs;*

607.00 GENERAL INDUSTRIAL DISTRICT I-1

607.02 Permitted Uses. Within the General Industrial District I-I, the following uses are permitted:

607.02-20 Signs as provided in Article 7, *to include Electronic Fuel Pricing Signs;*

**ARTICLE 7
USE REGULATIONS**

706.00 SIGNS

706.05 The Following Signs Require a Building and Zoning Permit.

706.05-2b *Electronic Fuel Pricing Signs subject to the following requirements:*

1. *The electronic display shall be limited to showing the price per gallon, expressed numerically, for the fuels offered for sale on premise*
2. *No more than one such sign shall be permitted on any fuel center*
3. *No such sign shall have more than three separate panels capable of displaying information electronically, and each such panel shall be limited to the display of a single grade of fuel. The total area of the portion of that sign this is capable of electronic displays shall not exceed fifteen (15) square feet;*
4. *The pixel pitch of the electronic display portion of such signs shall be twenty (20) millimeters or smaller;*

5. *Fuel prices shall not be changed more often than three (3) times in any twenty-four (24) hour period, and scrolling, flashing, blinking or any other type of intermittent movement or illumination of elements of the electronic display shall be prohibited. Change sequences shall be accomplished by means of instantaneous re-pixelization;*
6. *Electronic displays shall consist of no more than two (2) colors;*
7. *Audio speakers on, or electronically connected to, such signs shall not be permitted;*
8. *Nighttime illumination shall be limited to 1000 NIT's; and*
9. *The electrical service lines providing power to such shall be underground.*

2. That this ordinance shall be in full force and effect on and from the date of its adoption.

Adopted this ___ day of November, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Chairman Campbell opened the public hearing at 6:04 p.m. With there being no public comments, Chairman Campbell closed the public hearing.

In regard to section 706.05-2b, requirement 6, Supervisor Higgins asked why such signs are permitted just two colors.

Mr. Slaydon replied that it is the industry standard to allow the two colors and it is also similar to other localities that allow for electronic fuel pricing signage. He explained that one color typically represented diesel and the other displayed gas prices.

Supervisor Lewis asked if the size of the signs at the Raphine interchange will change.

Mr. Slaydon stated that this amendment would not change the square footage of existing signage.

Supervisor Ford asked about the possibility of changing digital fuel prices more than three times in a single day.

Mr. Slaydon replied that, after looking at similar ordinances adopted by other localities, he has found most limited to one to two times a day and that that three times seemed reasonable to the TCO Board and Planning Commission.

Supervisor Ford moved to adopt the ordinance as presented. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call by the Board.

AYES: Ford, Higgins, Lewis, Hinty, Campbell
NAYES: None
ABSENT: None

**Zoning Ordinance Amendment- Propane/Butane Distribution
Facilities in I-1**

Assistant Director of Community Development Chris Slaydon explained that the proposed code amendment would allow propane and butane distribution facilities as a use by special exception in industrial districts. He advised that the Planning Commission has recommended approval of the amendment. He noted that the proposed amendment had been prompted by private interest expressed in potential development of the Greenlee chipping yard as a propane transfer facility.

Chairman Campbell opened the public hearing at 6:10 p.m. With there being no public comment, Chairman Campbell closed the public hearing.

Supervisor Lewis moved to adopt the ordinance. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call vote by the Board.

AYES: Lewis, Higgins, Ford, Hinty, Campbell
NAYES: None
ABSENT: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, NOVEMBER 25, 2013

Ordinance to Amend Section 607.03-6 in Section 607.00 – General Industrial District I-1, Article 6 – Uses in Districts of the Rockbridge County Land Development Regulations to Add Propane and Butane Distribution Facilities as a Use by Special Exception Permit in the General Industrial Zoning District

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this amendment to the Land Development Regulations on November 13, 2013, and recommended approval to the Board; and,

WHEREAS, the Rockbridge County Board of Supervisors held a public hearing on this amendment on November 25, 2013; and,

WHEREAS, legal notice has been provided in accordance with Section 15.2-2204 of the Code of Virginia (1950, as amended) and Section 802.04 of the County of Rockbridge Land Development Regulations; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, has determined that the provisions of this ordinance generally promote the health, safety and general welfare of the public, that the amendment is required by good zoning practice and accomplishes the objectives set forth in Va. Code Section 15.2-2200, and that the amendment serves one or more of the purposes set forth in Va. Code Section 15.2-2283 of the Code of Virginia.

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

1. That Section 607.03-6 – General Industrial District I-1, of Article 6 – Uses in Districts of the Rockbridge County Land Development Regulations be amended and reenacted as follows:

**ARTICLE 6
USES IN DISTRICTS**

607.00 GENERAL INDUSTRIAL DISTRICT I-1

607.03 Special Exceptions. In General Industrial I-1, special exceptions may be granted for one or more of the following uses:

607.03-6 Petroleum storage, *Propane and Butane Distribution Facilities*;

2. That this ordinance shall be in full force and effect on and from the date of its adoption.

Adopted this 25th day of November, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Special Exception Permit- Higgins Kennel- commercial kennel in A

-2

Prior to introduction of this item, Supervisor Hinty read aloud the following Disclosure Statement: "This statement is to disclose that the property owners who have submitted this application are family members. However, they are not immediate family members, do not reside in my household, and I have no

personal or business financial interest either in the subject property or in any contract with the owners. The County Attorney has advised that I am not required to abstain under the Conflict of Interest Act, and to the extent of my participation, I feel I am able to participate fairly, objectively, and in the public interest."

Mr. Slaydon presented this agenda item, noting that the application had been brought before the Board in 2010 - at which time it was denied due to neighbors' opposition. The opposition was based on customers' use of a right-of-way through the Lawrence property, where the current location of the gate did not allow for an adequate turn around without encroachment on the Lawrences' yard.

The Planning Commission recommended Board approval with condition amendments as such: the maximum number of dogs permitted at the commercial kennel at any given time is 10; and the gate entrance to the property shall be designated with an adequate turnaround for clients on the Higgins property, rather than on the neighboring property, and shall be developed prior to opening the kennel for business.

Mr. Slaydon then stated that since the last Planning Commission meeting, there had been conversations on increasing the total number of dogs. He reminded the Board that their last

approved kennel in A-2 [Hecht] had allowed for 20 dogs.

Granville Higgins advised that when the kennel is open, the gate will be open and that there will be a sign by the gate to include hours of operation. He stated that he and his wife will have around \$20,000 invested in the kennel, which will be a 24 x 30 facility. Included outside the facility will be an area where the dogs can exercise. Mr. Higgins shared that, over the next year, he and his wife will be adding other farming activities on their property as his wife transitions to full-time work at home.

Ms. Marianna Higgins, applicant, commented regarding traffic and noise. She indicated that animals will be kept indoors a majority of the time and therefore, noise should not be a problem.

Mr. Higgins advised that he is the 6th generation owning this property.

Supervisor Hinty asked if the facility would be climate controlled.

Mr. Higgins confirmed that the facility would be climate controlled, with insulated walls to contain noise.

Chairman Campbell opened the public hearing at 6:22 p.m. With there being no public comments, Chairman Campbell then closed the public hearing.

Mr. Slaydon reported that staff had provided a handout to the Board, in the form of an email from adjoining property owner Susan Lawrence pertaining to public notification. Mr. Slaydon stated that the property was posted at the required time; however, Ms. Lawrence notified staff before the Planning Commission meeting that the required sign had been removed and discarded in a nearby creek. County staff reposted the property that day, added Mr. Slaydon, who went on to state that Ms. Lawrence and all other adjoiningers were notified via certified mail prior to the Planning Commission Public Hearing.

Supervisor Lewis asked if the Lawrences' question regarding the right-of-way is an issue.

Mr. Slaydon replied that the Board was taking a zoning action on a parcel of land and was not legitimatizing the use of the right-of-way.

Supervisor Ford moved to adopt the ordinance granting a Special Exception Permit, amended to permit a maximum of twenty dogs at any given time. Supervisor Higgins provided the second, and the motion carried by the following roll call vote, with

Supervisor Hinty abstaining.

AYES: Ford, Higgins, Lewis, Campbell
NAYES: None
ABSENT: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA,
HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON MONDAY, NOVEMBER 25, 2013

Ordinance Granting A Special Exception Permit To Granville G. Higgins and Marianna M. Higgins For A Commercial Dog Kennel In The Agricultural and General Uses (A-2) Zoning District, Located At 1720 Big Hill Road on an 87.25-Acre Parcel (Tax Map #44-A-44) in the Kerrs Creek Magisterial District

WHEREAS, the Granville G. Higgins and Marianna M. Higgins have filed an application for a special exception permit for a commercial dog kennel on their property in the Agricultural and General Uses (A-2) Zoning District, located at 1720 Big Hill Road on an 87.25-acre parcel of land in the Kerrs Creek Magisterial District, identified upon the Rockbridge County Land Records as Tax Map #44-A-44; and,

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on November 13, 2013, and recommended to the Board of Supervisors that the special exception permit be approved with 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 November 25, 2013; 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 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 Granville G. Higgins and Marianna M. Higgins for a commercial dog kennel at 1720 Big Hill Road on an 87.25-acre parcel identified upon the Rockbridge County Land Records as Tax Map #44-A-44, in the Agricultural and General Uses (A-2) 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, subject to the following conditions:

(a) The maximum number of dogs permitted at the commercial kennel at any given time is twenty (20).

(b) The gate entrance to the property shall be designed with an adequate turn-around for clients on the Higgins property (Tax Map #44-A-44), rather than on the neighboring property, and shall be developed prior to opening the kennel for business.

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 25th day of November, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Acceptance of School Surplus Property

County Attorney Vickie Huffman explained that the County Administrator had worked closely with the School Superintendent and staff to consolidate Rockbridge Middle School to Maury River Middle School and to be able to market Rockbridge Middle School (RMS). She advised that the schools have agreed to continue maintenance of RMS until June 30, 2014, since funding to do so has already been approved. Following that date, the County will become responsible for further maintenance. Ms. Huffman noted that the School Board declared RMS as surplus during their November 4th meeting.

County Administrator Spencer Suter noted that the schools have done a great job winterizing RMS by draining waterlines and

shutting off the water. He confirmed that the County would budget maintenance costs of RMS following June 30, 2014.

Supervisor Lewis asked Mr. Suter if all items had been removed from RMS.

Mr. Suter replied that the schools had removed a majority of the items and that just a very small amount still remains in the facility.

Supervisor Lewis moved to adopt the resolution authorizing acceptance of Rockbridge Middle School as surplus property. A second was provided by Supervisor Hinty, and the motion carried by unanimous roll call vote by the Board.

AYES: Lewis, Hinty, Ford, Higgins, Campbell
NAYES: None
ABSENT: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, NOVEMBER 25, 2013

RESOLUTION TO AUTHORIZE THE ACQUISITION AND ACCEPTANCE OF SURPLUS PROPERTY FROM THE ROCKBRIDGE COUNTY SCHOOL BOARD, NAMELY THE FORMER ROCKBRIDGE MIDDLE SCHOOL LOCATED IN THE WALKERS CREEK MAGISTERIAL DISTRICT

WHEREAS, the Rockbridge County School Board (the "School Board") has instituted major improvements to and expansion of the Maury River Middle School; and,

WHEREAS, the middle schools have been consolidated in Maury River Middle School and the former Rockbridge Middle School has been closed; and,

WHEREAS, the former Rockbridge Middle School is no longer being used for school or education purposes; and,

WHEREAS, the School Board determined that the former Rockbridge Middle School is no longer needed for public education purposes, and adopted a Resolution on November 4, 2013, to declare the former School as surplus property and authorized conveyance of the property to the Board of Supervisors of Rockbridge County.

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

1. That the acquisition and acceptance of the real estate, known as the Rockbridge Middle School, located on Sterrett Road in the Walkers Creek Magisterial District of Rockbridge County, Virginia, more particularly described on Exhibit A attached hereto and by reference incorporated herein, be, and hereby is, authorized and approved.

2. That the acceptance is subject to an agreement with the School Board for the School Board to continue routine maintenance of the building and grounds through June 30, 2014.

3. That the County Administrator is hereby authorized to execute such documents and take such actions, on behalf of the Board of Supervisors, as are necessary to accomplish the acquisition and acceptance of the real estate described herein, and the maintenance agreement with the School Board, all of which shall be approved as to form by the County Attorney.

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

Adopted this 25th day of November, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____

Chairman

Attest: _____

Spencer H. Suter, Clerk

EXHIBIT A

All of those certain tracts or parcels of land, together with all improvements thereon, rights incident thereto, and appurtenances thereunto belonging, known as the Rockbridge Middle School, lying and being on the east side of Route 717 (Sterrett Road) in the Walkers Creek (formerly South River) Magisterial District of Rockbridge County, Virginia, and more particularly described as follows, to-wit:

- (1) That certain 15.00 acres of land as shown on that certain ' of a Portion of R.R. R Land, South River District, Rockbridge Co., V e dated May 25, 1955, prepared by J.W. Clark, Certified Surveyor, of record in the C Office of the Circuit Court of Rockbridge County in Deed Book 228, page 442. Said parcel is identified upon the Rockbridge County Land Records as Tax Map #38-4-1.

This being all of the same real estate conveyed to The County School Board of Rockbridge County, Virginia, by deed dated June 10, 1955, from R. R. Runkle, of record in the aforesaid Clerk's Office in Deed Book 228, page 443.

- (2) That certain parcel of land lying southeast of the Rockbridge Middle School lot (formerly the school lot of the Brownsburg-Fairfield High School), two miles west of Fairfield, containing 0.057 acres, as shown on the ' of Brownsburg-Fairfield High School S compiled June 18, 1960, by D. E. Brady, Sarveyor, recorded in the aforesaid C Office in Deed Book 255, page 525. Said pardel is identified upon the Rockbridge County Land Records as Tax Map #38-4-2.

This being all of the same real estate conveyed to The County School Board of Rockbridge County, Virginia, by deed dated June 30, 1960, from R. R. Runkle, of record in the aforesaid Clerk's Office in Deed Book 255, page 526.

- (3) That certain parcel of land containing 5.315 acres, more or less, and being more particularly described upon a plat by John F. Hartis, C.L.S., dated January 29, 1980, and entitled " of Land of Rockbridge High S I recorded in the aforesaid o C Office in Deed Book 385, page 699. Said parcel is identified upon the Rockbridge County Land Records as Tax Map #38-A-70A.

This being all of the same real estate conveyed to The School Board of Rockbridge County, Virginia, by deed dated May 16, 1980, from Walter L. Martin and Edith L. Martin, of record in the aforesaid Clerk's Office in Deed Book 385, page 700.

Board Comments

Chairman Campbell asked that everyone remember those in need during the holidays. He advised that the Department of Social Services had several programs in which anyone can participate. Programs he mentioned were "A Gift for a Child" and "Toys 4 Tots".

Chairman Campbell then noted that there had been movement on the selling of The Natural Bridge during the previous week. He reminded those present of a resolution the Board previously approved regarding The Natural Bridge, which included the Board's desire for the property to remain open to the public in perpetuity.

Adjourn

With there being no further business to discuss, and upon a motion by Supervisor Higgins, seconded by Supervisor Hinty, the meeting was adjourned.

AYES: Higgins, Hinty, Ford, Lewis, Campbell
NAYES: None
ABSENT: None