

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, JUNE 24, 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: JEREMY GARRETT, CHRIS SLAYDON, BRANDY
WHITTEN

Call to Order

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

Supervisor Lewis delivered the invocation and led in the Pledge of Allegiance.

Recognitions/Presentations

Chairman Campbell called for recognitions and presentations. Supervisor Ford recognized Sherry Baucom, chemistry teacher at Rockbridge County High School, who has won a study trip to the Oak Ridge National Laboratory in Tennessee. The trip is funded by a grant from the Appalachian Regional Commission (ARC).

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.

Chairman Campbell added a resolution on The Natural Bridge of Virginia. This item was added under "Board Comments".

Approval of Minutes for June 10, 2013

Supervisor Lewis moved to adopt the June 10, 2013 minutes, seconded by Supervisor Higgins, and approved by the following roll call vote:

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

Closeout of FY2012-13 including appropriations and payment of bills

Steven Bolster, Director of Finance, indicated that he had four (4) action items to present. The first agenda item presented was for the closeout of appropriations and bills for FY12-13. He explained the appropriation items under the General

Fund. The first appropriation requested, entitled "Other Professional Services", was for three invoices associated with the VPSA refinancing of the Literary Loan and the VRA refinancing of the Courthouse. The second appropriation request, entitled "LEMPG", was for funds involving the Local Emergency Management Performance Grant in the amount of 10,000, of which \$5,000 would be reimbursed to the County by the Grantor. The grant acceptance and future appropriation had been approved by the Board on May 13, 2013.

After review, Supervisor Higgins moved to approve the Appropriation Resolution and payment of bills. Supervisor Ford provided the second, and the motion carried by unanimous vote of the Board.

The following has been executed and recorded:

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, JUNE 24, 2013, AT 5:30 P.M.

On motion by Supervisor Higgins, seconded by Supervisor Ford, the Board, by record vote, adopted the following appropriation resolutions and payment of bills for the month as follows:

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/s are, and the same hereby is made, for the period ending **June 30, 2013**,

from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-12190-3003 Other Professional Services.....\$46,099.00
4-11-32080-3003 LEMPG.....\$10,000.00

Total General Fund Appropriations **\$56,099.00**

Current County

11 - General Fund \$568,161.73
19 - SWA/Landfill \$6,548.13
20 - SWA/Recycling \$2,469.56

Total County Bills **\$577,179.42**

Current Fiscal Agent

22 - RANA \$1,285.24
80 - Regional Jail \$19,908.61
93 - CSA Administration \$669.11

Total Fiscal Agent **\$21,862.96**

TOTAL ALL BILLS **\$599,042.38**

RECORDED VOTE:

AYES: Higgins, Ford, Lewis, Hinty, Campbell
NAYS: None
ABSTAIN: None
ABSENT: None

Ronnie R. Campbell
Chairman

Attest: _____
Spencer H. Suter
County Administrator

Approval of payment of last payroll for FY2012-14

Mr. Bolster presented the memorandum to approve the last payroll for FY2012-13, stating that final payroll would be completed on June 28th. He requested approval by the Board.

After review, Supervisor Lewis made the motion to approve the request for payment of the last payroll for FY2012-13. Supervisor Ford provided the second, and the motion carried by unanimous vote of the Board.

The following has been executed and recorded:

MEMORANDUM

TO: The Honorable Board of Supervisors
FROM: Director of Fiscal Services
SUBJECT: Approval of payment of last payroll for FY 2012-13

A requirement of the audit is to approve the final payroll that will take place prior to the end of the fiscal year. I'm seeking your approval on this action item.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE OFFICE, 150 S. MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, JUNE 24, 2013 AT 5:30 P.M.

On a motion of Supervisor Lewis, with a second by Supervisor Ford, the Board approved payment of payroll for the end of the 2012-2013 fiscal year.

RECORDED VOTE:

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

ABSENT: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Appropriation of funds for FY2013-14

Mr. Bolster presented the Appropriation Resolution to appropriate funds for Fund Code 11, noting that the funds would be expended only on order of the Board of Supervisors -- with the exception of Social Services activities, which are to be expended only on order of the Board of Public Welfare; funds for Fund Code 19 would be expended only on order of the Board of Supervisors; and funds for Fund 20 would also be expended only on order of the Board of Supervisors.

After review, Supervisor Ford moved to approve the Appropriation in Funds 11, 19, and 20 as presented. He further remarked that all these expenditures had previously been approved by the Board at Budget Adoption in April. Supervisor Higgins provided the second, and the motion carried by unanimous vote of the Board.

The following has been executed and recorded:

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, JUNE 24, 2013 AT 5:30 P. M.

On motion of Supervisor Ford, with second by Supervisor Higgins, the following functions are allowed as appropriations in accordance with the Budget dated FY 2013-2014 that is filed with the records of the Board (to become effective July 1, 2013).

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations be, and the same hereby are made, for the period ending **June 30, 2014**, in the:

GENERAL FUND, FUND 11: (To be expended only on order of the Board of Supervisors with the exception of Social Services activities, which are to be expended only on order of the Board of Public Welfare): **\$38,893,234.**

SOLID WASTE AUTHORITY/LANDFILL, Fund 19: (To be expended only on order of the Board of Supervisors): **\$1,179,155.**

SOLID WASTE AUTHORITY/RECYCLING, Fund 20: (To be expended only on order of the Board of Supervisors): **\$435,093.**

RECORDED VOTE:

AYES: Ford, Higgins, Lewis, Hinty, Campbell

NAYS: None

ABSTAIN: None

ABSENT: None

Ronnie R. Campbell
Chairperson

Attest: _____

Spencer H. Suter
County Administrator

Appropriation of School Funds for FY2013-14

Mr. Bolster presented the Appropriation Resolution for Fund Codes 50 and 56, noting that the funding appropriations are by category. Expenditures for both fund codes are completed on the order of the School Board.

After review, Supervisor Higgins made the motion to approve the Appropriation Resolution approving school funds for FY2013-14. Supervisor Ford provided the second, and the motion carried by unanimous vote of the Board.

The following has been executed and recorded:

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 JUNE 24, 2013, AT 5:30 P.M.

On motion by Supervisor Higgins, seconded by Supervisor Ford, the Board, by record vote, adopted the following resolution to appropriate the FY 2013-2014 School Fund (Fund 50) and the School Cafeteria Fund (Fund 56) in accordance with the Budget dated FY 2013-2014 which is filed with the records of the Board to become effective July 1, 2013. (The School Administration provided account line numbers for the appropriations):

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations be, and the

same hereby are made, for the period ending **June 30, 2014**, in the **SCHOOL EDUCATION FUND (Fund 50)** and expended on the order of the School Board as follows:

4-050-61000	Instruction.....	\$19,285,331
4-050-62000	Administration/Health/Attendance.....	\$1,325,281
4-050-63000	Pupil Transportation.....	\$1,973,457
4-050-64000	Operations and Maintenance.....	\$3,024,165
4-050-66000	Facilities.....	\$20,000
4-050-67000	Debt Service.....	\$3,470,381
4-050-68000	Technology.....	\$1,013,897
TOTAL APPROPRIATIONS SCHOOL FUND.....		\$30,112,512

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation be, and the same hereby is made, for the period ending **June 30, 2014** in the **SCHOOL CAFETERIA FUND (Fund 56)** and expended on the order of the School Board as follows:

4-056-65000	School Cafeteria.....	\$1,232,340
TOTAL APPROPRIATIONS CAFETERIA FUND.....		\$1,232,340

RECORDED VOTE:

AYES: Higgins, Ford, Lewis, Hinty, Campbell
NAYS: None
ABSTAIN: None
ABSENT: None

Ronnie R. Campbell
Chairman

Attest: _____
Spencer H. Suter
County Administrator

Solid Waste Ordinance Review

Director of Solid Waste and Transportation Jeremy Garrett reviewed the Agenda Item, which states, "As discussed in recent Board meetings, the Board's Solid Waste Committee and staff have completed a review of the existing Chapter 16 Health & Sanitation Code. As previously reported, multiple clarifications and amendments to County code have been under consideration. The committee has finalized recommendations with regard to the handling and collection of the waste at the landfill and container facilities, and has included them in the attached draft code amendment. You'll note that the change and clarification of the code was significant enough to warrant addition of a new Chapter entitled, *Chapter 23 - Solid Waste*. Special focus was given to the implications of the pending termination of the use agreement with the City of Buena Vista, fiscal implications (operational cost), state and federal regulations, current/future needs of the public, and the ability of the Rockbridge County Sheriff's Office to police and regulate all waste receiving centers effectively. The County Attorney and Sheriff have reviewed the draft amendments and the Sheriff has indicated that the amendments are a significant improvement from an enforcement perspective. It should be noted that, as a result of additional Board directives in the May 13 meeting, the Solid Waste Committee and staff are moving forward with

development of a more comprehensive solid waste management study, with a target completion date in December, 2013. Additional code amendment recommendations may result upon completion of the study. In addition, logistical and operational changes are underway related to termination of the Buena Vista dumpster usage/recycling center agreement, as requested by the Buena Vista City Manager and approved in concept by this Board. In order to ensure that adequate time is allowed for operational changes and public notifications, it is recommended that the agreement termination be scheduled for August 1, rather than the previously planned date of July 1. Staff is currently working to develop a formal termination agreement for Board consideration at the July 8 meeting."

County Administrator Spencer Suter shared his appreciation to the Solid Waste Committee, Mr. Garrett, Ms. Huffman, Mr. Bolster, and Sheriff Blalock for their work on the proposed code amendments. He stated that while the amendments to the Code were driven by the letter requesting Buena Vista's release from the Dumpster Lease Agreement, the Code had been in need of significant updates.

Chairman Campbell noted that amendments to this chapter of the Code may be necessary in the future, once the Solid Waste Study is complete.

Supervisor Lewis commended the Solid Waste Committee and County staff who participated in drafting this chapter of the Code.

Supervisor Ford of the Solid Waste Committee thanked County Staff and the Sheriff. He noted that the coming Solid Waste Study will emphasize the importance of recycling.

Supervisor Higgins commended the Solid Waste Committee and County staff, stating that it had taken a lot of work to accomplish this chapter of the Code and will take a lot more work to complete the final Solid Waste Study.

Supervisor Ford moved to authorize staff to advertise for a public hearing of the proposed new Code Chapter 23 on July 8, 2013. A second was provided by Supervisor Higgins, and the motion was approved by the following roll call vote:

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

Consideration of Fire and Rescue Audit Options

Mr. Suter reviewed the Agenda Item, which states, "In the past, the Board has required that Fire and EMS agencies provide proof of annual audits in order to be eligible for County funding. Some agencies have expressed frustration about the cost of audits, which can exceed \$3,000 in some cases. Staff

has investigated potential solutions to this issue, with the goal of meeting the intent of an audit, while reducing cost. One option which has worked in other localities is an "Agreed Upon Procedures (AUP)" method. This option essentially reduces the scope of an audit, and accordingly, the cost. The procedure would involve identifying key areas which a standard audit covers and defining a random sampling of those areas, rather than checking each transaction which occurred during a fiscal year. The intent and outcome of the process is essentially the same as with a full audit; however, the random sampling method reduces the amount of work and accordingly, the cost. This process is being used quite successfully in Bedford County. In addition to overall cost savings, the process provides the additional benefits of process simplification and standardization." He further explained that some agencies will likely want to continue doing a full audit; however the Commission requested that he present the Board with the request to issue an RFP with several options. Those options are:

- Cost to complete a full audit for all agencies
- Cost to complete the AUP method only
- Cost to alternate between a full audit and an AUP (Year 1 - Audit / Year 2 - AUP)

Mr. Suter requested that, although the Agenda Item recommends authorization for staff to advertise for an RFP, he recommends authorization to authorize either an RFP or an RFB.

Supervisor Ford stated that he hopes this policy will lead to savings for all agencies.

Mr. Suter stated that this has worked in other localities.

Supervisor Higgins moved to authorize Mr. Suter to advertise for an RFP or RFB. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

Appointments

Regional IDA

Supervisor Ford moved to reappoint Keith Swisher to the Regional IDA. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

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

Supervisor Higgins moved to reappoint Francis Irvine on the Regional IDA. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

Planning Commission

Supervisor Ford moved to reappoint Jim McCown to represent the Kerrs Creek District on the Planning Commission. Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

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

Board Comments

The Natural Bridge of Virginia Resolution

Supervisor Lewis read aloud a resolution to help preserve public access to The Natural Bridge of Virginia. He then moved to adopt the resolution. A second was provided by Supervisor Higgins, and the resolution was adopted by unanimous vote by the Board.

RESOLUTION ENCOURAGING ESTABLISHMENT OF PERPERTUAL PUBLIC ACCESS TO THE NATURAL BRIDGE OF VIRGINIA

Whereas The Natural Bridge of Virginia was formed by the forces of God and nature; and,
Whereas The Bridge has been deemed sacred by all Americans throughout modern history, from native tribes to the present day inhabitants of Rockbridge County and the Cities of Lexington and Buena Vista, and by visitors from every corner of the Nation and the world; and,

Whereas The Bridge was owned by American Founding Father and President of the United States Thomas Jefferson, from 1774 until his death on July 4th, 1826; and,

Whereas President Jefferson believed that The Bridge should forever be available for public access; and,

Whereas The Bridge represents both a literal and symbolic image of the westward expansion of the United States of America; and

Whereas and as a result of its historic significance, the Bridge has been designated as a National Historic Landmark, a Virginia Historic Landmark, and is listed in the National Register of Historic Places; and,

Whereas The County of Rockbridge was named in honor of this this natural and historic treasure; and,

Whereas, The Bridge is a source of pride and honor for Rockbridge County and its regional partners, the Cities of Lexington and Buena Vista; and,

Whereas, the popularity of The Bridge as a destination for tourists and travelers provides significant economic opportunity to the entire region; and,

Whereas our Nation has been exceptionally fortunate that, subsequent to President Jefferson's ownership of The Bridge, a succession of owners has, since 1826, honored his vision by allowing public access and enjoyment of the natural splendor of The Bridge; and,

Whereas The Bridge and its surrounding properties are currently being marketed for public sale; and,

Whereas the Rockbridge County Board of Supervisors fully recognizes the importance of keeping The Bridge fully accessible for future generations, and that one sure way to guarantee perpetual public access is for The Bridge to be publicly owned,

Now therefore be it resolved that the Rockbridge County Board of Supervisors encourages Leaders of our State and Nation to explore every possible avenue to ensure that The Natural Bridge of Virginia be forever preserved for the enjoyment of the citizens of, and visitors to, the United States of America.

Adopted this 24th day of June, 2013

Ronnie R. Campbell - Chairman

Albert W. Lewis, Jr. – Vice Chairman

Russell S. Ford

John M. Higgins

David W. Hinty

Vesuvius Community Center

Chairman Campbell noted that the County is still studying possible acceptance of the Vesuvius Community Center. During the previous meeting, Chairman Campbell had relayed a request by citizens of Vesuvius that the County accept the Vesuvius Community Center as a donation. Chairman Campbell indicated that this would be brought up at the July 8th meeting for further discussion.

Mosquito Control

Supervisor Hinty notified the Board of citizen complaints about mosquito problems.

Supervisor Lewis stated that mosquito control should be carefully monitored. He noted areas in the County with still ponds that can cause such problems. He then requested that Mr. Suter further investigate the areas in which citizens are complaining about mosquitoes.

Mr. Suter stated informed the Board that he had already researched the issue and the methods of mosquito control the County has used in prior years. He noted that there were only

two people in the area who are certified as "Licensed Applicators" of mosquito control measures. He explained that control measures may include using "larvicide" (tablet), with 180 days of control, or "adulticide" (spray), with approximately 15 minutes of control contact. He further explained that using larvicide tablets would be the safer method since it is an organic treatment. He requested that the Board look specifically at treating areas that were treated in the past, rather than expanding into new areas.

Chairman Campbell stated that spraying is not as affective, but that he has a problem with dropping tablets in standing water. He asked for more research.

Supervisor Hinty requested that Mr. Suter call the previous County Administrator to see what was done in past years.

Supervisor Higgins stated that in the past the County has helped control mosquitoes by spraying areas in Goshen and Glasgow. He noted that, should the Board decide to help control mosquitoes in those towns, those towns should be responsible for some of the costs.

Supervisor Ford stated that someone should speak with the County's previous Engineer, who was in charge of ordering supplies in the past. He stated that the County needed to step up and help with the mosquito issues.

Supervisor Lewis indicated that he believed that during previous years, the County would pay expenses for the chemicals to spray and individual towns which used the chemicals would pay the person who was certified to spray.

Supervisor Ford requested that this topic be revisited at the continued meeting on June 26th.

Mr. Suter confirmed.

Chairman Campbell stated that the partner localities should take the lead in what they would like to see done.

Supervisor Hinty stated that it seemed that using the tablets instead of spraying was the way to go.

Public Hearings

Zoning Ordinance Amendments- Keith and Penny Holland- proffer amendment (formerly Oak View Estates)

Assistant Director of Community Development Chris Slaydon reviewed the Agenda Item which stated "The Hollands have purchased a portion of Oak View Estates Subdivision at the end of Gilmore Lane which adjoins their farm. When a portion of this property was downzoned from B-1 to A-2 in order to develop this subdivision in 2006, a proffer requiring a fifty foot buffer along the then property line with Mr. Holland was accepted. This proffer was at the request of Mr. Holland. Now that the

Hollands have purchased this property and incorporated it into their adjoining farm, they would like to eliminate the buffer requirement. The Planning Commission has recommended approval of eliminating the proffer."

Mr. Slaydon introduced Mr. Holland.

Chairman Campbell opened the public hearing at 6:11 p.m. With there being no public comments, Chairman Campbell closed the public hearing.

Supervisor Higgins moved to adopt the ordinance to amend proffered conditions to a prior conditional rezoning to Agricultural and General Uses District (A-2), with conditions, on October 10, 2006, for a 23-acre parcel of land, now 29.71 acre parcel, owned by Keith W. Holland and Penny G. Holland. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JUNE 24, 2013

ORDINANCE TO AMEND PROFFERED CONDITIONS TO A PRIOR CONDITIONAL REZONING TO AGRICULTURAL AND GENERAL USES DISTRICT (A-2), WITH CONDITIONS, ON OCTOBER 10, 2006, FOR A 23-ACRE± PARCEL OF LAND, NOW 27.71-ACRE PARCEL (TAX MAP NO. 89-

20-3) OWNED BY KEITH W HOLLAND AND PENNY G. HOLLAND,
LOCATED AT THE END OF GILMORE LANE OFF OF WESLEY CHAPEL
ROAD IN THE BUFFALO MAGISTERIAL DISTRICT

WHEREAS, a 23-acre tract of land, identified upon the Rockbridge County Land Records as Tax Map #89-20-3, was previously owned by Karen E. Williams, who applied for a conditional rezoning of the property from B-1 (General Business District) to A-2 (Agricultural and General Uses District); and,

WHEREAS, on October 10, 2006, the Board of Supervisors approved the rezoning, with acceptance of the proffered conditions; and,

WHEREAS, one of the conditions of said rezoning was that the developer agreed to maintain a 50' buffer along the Holland property, zoned B-1, in addition to the 50' setback requirement, with 25' of the buffer to be planted and maintained, and the other 25' to be left as open space, and with only nuisance vegetation to be removed from this buffer; and,

WHEREAS, Keith W. Holland and Penny G. Holland are now the owners of a 29.71-acre parcel, which includes the subject 23-acre parcel, and have applied for amendment of the proffered conditions to remove said 50' buffer requirement; and,

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on June 12, 2013, and recommended to the Board of Supervisors that amendment of the proffered conditions be approved; and,

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

WHEREAS, the Board of Supervisors held a public hearing on this matter on June 24, 2013; and,

WHEREAS, the Board of Supervisors has determined that the amendment to the proffered conditions is acceptable and in accordance with sound zoning practices.

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

1. That the amendment to the proffered conditions for the conditional zoning classification Agricultural and General Uses District (A-2) for a certain parcel of real estate containing 29.71 acres±, identified upon the Rockbridge County Land Records as Tax Map #89-20-3, located at the end of Gilmore Lane off of Wesley Chapel Road in the Buffalo Magisterial District of Rockbridge County, is hereby approved, with and subject to the amended conditions as set forth on Exhibit A attached hereto and incorporated herein, and which the Board of Supervisors hereby accepts.

2. That this action is taken upon the application of the property owners, Keith W. Holland and Penny G. Holland.

3. That this ordinance shall be effective on the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

Adopted this 24th day of June, 2013.

Recorded Vote:

AYES: Higgins, Lewis, Ford, Hinty, Campbell

NAYES: None

ABSENT: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

The amended Exhibit is shown below:

EXHIBIT A

PROFFERS

1. ~~The developer agrees to maintain a 50' buffer along the Holland property, which is zoned B-1, in addition to the 50' setback requirement. 25' of the buffer will be planted and maintained and the other 25' will be left as open space. Only nuisance vegetation may be removed from this buffer such as multi-flora rose.~~
2. The developer will notify owners of the proposed lots adjoining this B-1 zone of its presence to avoid future issues.
3. The developer agrees to develop the property in substantial compliance with the plan presented by Balzer & Associates, Inc., dated August 18, 2006.

It is understood that should these proffers be approved, they will be treated as part of the district regulations governing the property and may not be changed unless a new rezoning request is approved by the Board of Supervisors.

1225 06
DATE

J. K. ... E. J. ...
OWNER

**Zoning Ordinance Amendments- Section 707, Manufactured Home
Park Standards**

Mr. Slaydon reviewed the Agenda Item, which stated, "The Planning Commission has recommended approval of this text amendment to the standards governing manufactured home parks. The purpose of this amendment is to allow some flexibility when reviewing proposed improvements to grandfathered, non-conforming parks that may not be able to fully meet the standards for a new park. Additionally, it has recommended deleting the section that requires the park owner to maintain a public record of tenants. I have discussed this with the Sheriff."

Chairman Campbell opened the public hearing at 6:13 p.m. With there being no public comments, Chairman Campbell closed the public hearing.

Supervisor Lewis moved to adopt the ordinance to amend Article 7- use regulations, in section 707.00-manufactured homes, of the County of Rockbridge Land Development Regulations to clarify that the standards for developing a new manufactured home park are to be used as guidelines only, where grandfathered, non-conforming parks which are making improvements but not able to meet all current standards; and to delete the requirement to provide a public record of tenants. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE
COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON MONDAY, JUNE 24, 2013

ORDINANCE TO AMEND ARTICLE 7 – USE REGULATIONS, IN
SECTION 707.00 – MANUFACTURED HOMES, OF THE COUNTY OF
ROCKBRIDGE LAND DEVELOPMENT REGULATIONS TO CLARIFY
THAT THE STANDARDS FOR DEVELOPING A NEW MANUFACTURED
HOME PARK ARE TO BE USED AS GUIDELINES ONLY, WHERE
GRANDFATHERED, NON-CONFORMING PARKS ARE MAKING
IMPROVEMENTS BUT NOT ABLE TO MEET ALL CURRENT
STANDARDS; AND TO DELETE THE REQUIREMENT TO PROVIDE A
PUBLIC RECORD OF TENANTS

WHEREAS, the Rockbridge County Planning Commission held a public hearing
on this amendment to the Land Development Regulations on June 12, 2013, and
recommended approval to the Board; and,

WHEREAS, the Rockbridge County Board of Supervisors held a public hearing
on this amendment on June 24, 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 707.00 – Manufactured Homes of the Rockbridge County Land Development Regulations be amended and reenacted as follows:

**ARTICLE 7
USE REGULATIONS**

707.00 MANUFACTURED HOMES

Any manufactured home placed in Rockbridge County after the date of enactment or amendment of this Ordinance shall meet the following requirements:

- 707.00-1 No manufactured home constructed prior to July 1, 1976, shall be erected, installed, sold or relocated in Rockbridge County except under the following conditions:
- a. the manufactured home existed in the County prior to November 1, 1995, shall be allowed to be relocated into, or remain in a manufactured home park; and
 - b. the manufactured home located outside a manufactured home park shall be allowed to remain as a non-conforming structure per Section 708.00 of these regulations.
- All manufactured homes constructed after July 1, 1976, shall display the HUD seal or the seal of a testing laboratory approved by the State of Virginia;
- 707.00-2 All manufactured homes shall have the tow assembly and wheels removed if applicable, be mounted on and anchored to a permanent foundation, and skirted in accordance with the provisions of the Virginia Uniform Statewide Building Code;
- 707.00-3 All manufactured homes shall be supplied with public water and wastewater disposal or such individual service evidenced by permits from the Health Department;
- 707.00-4 The manufactured home shall be declared a permanently affixed dwelling and taxed as real estate.

707.00-5 A manufactured home shall only be used as a residence or as a temporary residence in conjunction with an active construction project per Section 702.02, or for an office in the Business and Industrial Districts by special exception.

707.00-6 Unless otherwise specified, manufactured homes located in residential zoning districts shall meet the following additional criteria:

- a. the home shall be a minimum of 19 feet wide;
- b. covered with a non-reflective material customarily used on a site built dwelling such as but not limited to lap siding, plywood, brick, stone or stucco; and,
- c. have a 2.5" in 12" minimum pitch roof covered with non-reflective materials such as, but not limited to, fiberglass shingles, asphalt shingles, or wood shakes.

707.01 Manufactured Home Lot Requirements. Individual manufactured home lots shall meet the area and setback requirements of the zoning district in which they are located.

The following sections are standards for new manufactured home parks. It is not the intent of these sections to prohibit older, non-conforming, grandfathered manufactured home parks from making improvements that may reduce their non-conformity but are unable to meet all of the current standards. The Planning Commission and Board of Supervisors may use these sections as a guide when reviewing such applications. The applicant should demonstrate why they cannot comply with these standards when making an application to expand.

707.02 Manufactured Home Park and Setback Requirements. All manufactured home parks shall meet the following minimum area and setback requirements:

707.02-1 All manufactured home parks shall have a minimum area of at least three (3) acres. A minimum of three (3) spaces shall be completed and ready for occupancy before the first occupancy is permitted;

707.02-2 The overall density of any manufactured home development shall not exceed seven (7) units per gross acre. The density of any particular acre within such park shall not exceed eight (8) units per gross acre;

707.02.3 No main or accessory building shall be located closer than twenty-five (25) feet to any property line of a manufactured home park.

707.03 Manufactured Home Park Lot Requirements. All manufactured home lots shall meet the following requirements:

- 707.03-1 The area of any manufactured home lot shall not be less than three thousand four hundred (3,400) square feet;
- 707.03-2 No manufactured home or permanent building shall be closer than seven and a half (7 1/2) feet to any lot line;
- 707.03-3 The minimum length of a manufactured home lot shall be eighty-five (85) feet; the minimum width shall be forty (40) feet;
- 707.03-4 The rear yard of each manufactured home lot may be provided with a clothesline which shall be exempt from setback and other requirements of manufactured home accessory structures.
- 707.04 Manufactured Home Accessory Structures. All manufactured home accessory structures erected or constructed after the date of enactment or amendment of this Ordinance must meet the following requirements:
- 707.04-1 All manufactured home accessory structures must meet the plumbing, electrical connection, wiring, construction, and other applicable requirements of the Building Code;
- 707.04-2 Except in the case of an awning, ramada, or other shade structure, where a manufactured home accessory structure is attached to the manufactured home unit, a substantial part of one wall of the accessory structure shall be flush with part of the manufactured home unit, or such accessory structure shall be attached to the manufactured home unit in a substantial manner by means of a roof. All manufactured home accessory structures, whether attached or detached, shall be designed and constructed as free standing structures. No detached manufactured home accessory structure, except ramadas, shall be erected closer than seven and a half (7 1/2) feet to a manufactured home;
- 707.04-3 Manufactured home accessory structures, except ramadas, shall not exceed the height of the manufactured home;
- 707.04-4 No manufactured home accessory structure shall be erected or constructed on any manufactured home lot except as an accessory to a manufactured home.
- 707.05 Manufactured Home Park Application and Site Plan. Applicants for manufactured home parks shall meet the following special requirements:
- 707.05-1 Site plans shall be legibly drawn at a scale consistent with its purpose;
- 707.05-2 The following information shall be required of site plans:

- (a) The date of the site plan, the name of the surveyor and the number of sheets comprising the site plan;
- (b) The scale and the north designation;
- (c) The name and signature of the owner, and the name of the proposed park; said name shall not closely approximate that of any existing manufactured home park or subdivision in Rockbridge County;
- (d) A vicinity map showing the location and area of the proposed park;
- (e) The boundary lines, area, and dimensions of the proposed park, with the locations of property line monuments shown;
- (f) The names of all adjoining property owners;
- (g) Proposed layout, including interior streets with dimensions and such typical street cross sections and centerline profiles as may be required in evaluating the street layout; water, sewer, drainage, and utility lines, facilities and connections, with dimensions shown; location and type of solid waste collection facilities; interior monuments and lot lines, dimensions, and areas of manufactured home lots, common open space and recreation areas, common parking areas, and other common areas; locations and dimensions of manufactured home stands and parking spaces, management offices, laundry facilities, recreation buildings, and other permanent structures; location and nature of fire-fighting facilities, including hydrants, fire extinguishers, and other fire fighting equipment; location of fuel storage facilities and structure of high flammability; and location and dimensions of landscaping amenities, including street lights, sidewalks, planted areas, significant natural features to be retained, and fencing and screening;

707.05-3 The site plan shall be accompanied by a narrative statement describing how the standards and requirements set forth herein are to be met; a statement from the Health Official certifying approval of the proposed site plan; and where appropriate, statements from the Highway Engineer certifying approval of the street and drainage; water and sewer, or utility system layouts by the owner/operator.

707.06 Manufactured Home Park Design Standards.

707.06-1 Streets. An internal street system shall be provided to furnish convenient access to manufactured home stands and other facilities in the park, shall be designed such that connection to existing drainage and utility systems is convenient, and shall meet the following requirements; in addition to such other reasonable standards and requirements as may be established by the Board of Supervisors;

- (a) All internal streets shall be permanently paved with a durable, dust proof, hard surface. Minimum pavement widths shall be sixteen (16) feet for streets;
- (b) Dead-end streets shall be limited in length to six hundred (600) feet, shall be provided with cul-de-sacs with turning areas of not less than forty (40) feet in radius;
- (c) Streets shall be adapted to the topography, shall follow the contours of the land as nearly as possible, and shall have safe grades and alignments;
- (d) Driveway entrances to manufactured home parks from any public street or road shall conform to the current construction standards of the Department of Transportation.

707.06-2 Vehicle Parking. Off-street parking shall be provided for the use of occupants at the minimum ratio of 2.0 car spaces (each space containing a minimum of one hundred eighty [180] square feet) for each manufactured home. Each off-street parking space shall be paved or graveled and have unobstructed access to either a public or private street. On street parking is prohibited unless the paved street on which the manufactured home fronts is expanded to accommodate additional parking lanes or parking bays.

707.06-3 Lighting. All streets and walkways within the manufactured home development shall be lighted.

707.06-4 Disposition of Garbage and Rubbish. It shall be the responsibility of the manufactured home park to collect or cause to be collected and disposed of garbage and rubbish as frequently as may be necessary. Dumpsters may be used with the approval of the Health Department, but shall be so located as to not be more than one hundred fifty (150) feet from any manufactured home.

707.06-5 Installation of Storage Tanks. Gasoline, liquefied petroleum, gas, or oil storage tanks shall be so installed as to comply with all County, State, and Federal fire prevention and protection regulations.

707.06-6 Open Spaces. Where manufactured home lot sizes are relied on primarily to provide for open space, lots and stands shall be so grouped as to maximize the amount of usable space, while meeting the minimum yard requirements set forth in Section 707.01 of this Ordinance.

~~707.06-7 Record of Tenants for Manufactured Home Parks. The operator of a manufactured home park shall keep an accurate register of all tenants occupying manufactured homes located in the park. The register shall show the name and permanent residence address of the owner and occupants of any manufactured home located~~

~~in the park; the make and registration of any manufactured home; the time and date of arrival and departure; and such other information as might be necessary to provide information about the occupants of the manufactured home. These records shall be open to the law enforcement officers and public officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period of three (3) years following the date of departure of the registrant from the park.~~

707.06-8 Certificate of Use and Occupancy Required. No manufactured home or accessory structure shall be occupied in any manufactured home park until a certificate of occupancy shall have been issued by the County Building Inspector to the effect that the manufactured home park or the portion thereof for which such certificate is requested is in compliance with all applicable provisions of this chapter and the Uniform Statewide Building Code. Such certificate shall not be issued until after the same has been approved by the Health Department, Zoning Administrator, and other agencies concerned.

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

Adopted this 24th day of June, 2013.

Recorded Vote:
AYES:
NAYES:
ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Special Exception Review- Long's Campground- eliminate camping and expand manufactured home park in A-2

Mr. Slaydon reviewed the Agenda Item, which states, "Bean's Bottom, LLC, has applied for a special exception permit to convert the former campground portion of this property to six manufactured home lots. The campground consisted of approximately 24 spaces for motor homes and camper trailers, while the manufactured home park consisted of sites for 10 single-wide homes. The new project will provide sites for a total of 16 single-wides. Russ Orrison has calculated less net traffic than when the campground was fully operational. The Health Department has approved the application for new drainfields to support the six new sites; and VDOT has agreed that this proposal is an improvement over the previous use of property and is not going to oppose the entrance. We have learned since our last meeting that some of the existing homes may have been set over drainfield locations, so the Health Department is holding a permit to replace #20 Campground Lane until this is resolved. The Planning commission has recommended approval with the following conditions:

1. Total number of manufactured homes in the park shall not exceed sixteen.

2 Relocation of the first single-wide (4 Campground Ln.) when ownership changes in order to improve access and sight distance on to Maury River Road.

3. Thinning of trees and vegetation along the north curve of Maury River Road in order to improve sight distance to the north.

4. Create a mailbox center within the property in order to remove the boxes along Maury River Road.

5. Substantial compliance with plan presented."

Chairman Campbell opened the public hearing at 6:14 p.m. With there being no public comments, Chairman Campbell closed the public hearing.

Supervisor Ford moved to adopt the ordinance granting a Special Exception Permit to Bean's Bottom LLC for an expanded manufactured home park, formerly known as Long's Campground, replacing 24 campground sites with 6 new mobile home units, for a total of 16 single-wide homes, in the Agricultural and General Uses District (A-2). Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATION CENTER ON MONDAY, JUNE 24, 2013

ORDINANCE GRANTING A SPECIAL EXCEPTION PERMIT TO BEAN'S BOTTOM LLC FOR AN EXPANDED MANUFACTURED HOME PARK FORMERLY KNOWN AS LONG'S CAMPGROUND, REPLACING 24 CAMPGROUND SITES WITH 6 NEW MOBILE HOME UNITS, FOR A TOTAL OF 16 SINGLE-WIDE HOMES, IN THE AGRICULTURAL AND GENERAL USES DISTRICT (A-2), LOCATED ON MAURY RIVER ROAD (ROUTE 39) AND IDENTIFIED AS TAX MAP #49-A-10 IN THE KERRS CREEK MAGISTERIAL DISTRICT

WHEREAS, Bean's Bottom LLC has filed an application for a special exception permit for an expanded manufactured home park, formerly known as Long's Campground, replacing 24 campground sites with 6 new mobile home units, for a total of 16 single-wide homes, located on Maury River Road (Route 39) and identified on the Rockbridge County Land Records as Tax Map #49-A-10, in the Kerrs Creek Magisterial District; and,

WHEREAS, the Planning Commission held a public hearing on this application on April 10, 2013, and after further review on May 8, 2013, and June 12, 2013, recommended approval with specified conditions to the Board of Supervisors; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing on this matter on June 24, 2013; and,

WHEREAS, legal notice and advertisement has been provided as required by law; and,

WHEREAS, the Board of Supervisors has given due consideration to the factors set forth in Section 802.03-5 of the Rockbridge County Land Regulations, for issuance of a special exception permit.

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 Bean's Bottom LLC, for the expansion of a manufactured home park formerly known as Long's Campground, replacing 24 campground sites with 6 new mobile home units, for a total of 16 single-wide homes, located on Maury River Road (Route 39) and identified on the Rockbridge County Land Records as Tax Map #49-A-10, in the Kerrs Creek Magisterial District, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby approved with and subject to the conditions set out 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 24th day of June, 2013.

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

**EXHIBIT A
BEAN'S BOTTOM LLC
(formerly Long's Campground)
SPECIAL EXCEPTION PERMIT CONDITIONS**

- Total number of manufactured homes in the park shall not exceed sixteen (16).
- 2. Relocation of the first single-wide (#4 Campground Lane) when ownership changes in order to improve access and sight distance on to Maury River Road.
- 3. Thinning of trees and vegetation along the north curve of Maury River Road in order to improve sight distance to the north.
- 4. Create a mailbox center within the property in order to remove the boxes along Maury River Road.
- 5. Substantial compliance with site plans dated February 25, 2013, with the most recent revision dated April 29, 2013.

**Special Exception Review- Timber Ridge Storage-
manufactured office building in B-1**

Mr. Slaydon reviewed the Agenda Item, which states, "Brandon Dorsey has applied for a special exception permit per Section 707.00-5 of the Regulations to place a manufactured office building for his surveying business on his B-1 property located off of Boundary Line Lane at Timber Ridge. The office would be located next to the mini-storage units. The Planning Commission has recommended approval conditioned on substantial compliance with plan presented." Mr. Slaydon noted that Mr.

Dorsey sends his apologies for not being able to attend the meeting due to an urgent matter outside the state.

Chairman Campbell opened the public hearing at 6:17 p.m. With there being no public comments, Chairman Campbell closed the public hearing.

Supervisor Lewis moved to adopt the ordinance granting an amended Special Exception Permit to Timber Ridge Storage, LLC, to allow use of a manufactured building for office space and continue self-storage use in the General Business District (B-1). Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATION OFFICES ON MONDAY, JUNE 24, 2013

Ordinance Granting An Amended Special Exception Permit To Timber Ridge Storage, LLC, To Allow Use of a Manufactured Building for Office Space and Continue Self-Storage Use in the General Business District (B-1), Located on Route 1025 (Boundary Line Lane) in the Walkers Creek Magisterial District and Identified as Tax Map #49-10-16

WHEREAS, in 2007, a special exception permit was issued to Timber Ridge Storage, LLC, for a mini-storage facility in the General Business District (B-1) on two

parcels of land located on Boundary Line Lane (Route 1025), one consisting of 1.89 acres (Tax Map #49-10-15) and the other consisting of .45 acre (Tax Map #49-10-16), located in the Walkers Creek Magisterial District; and,

WHEREAS, the 1.89-acre parcel, identified upon the Rockbridge County Land Records as Tax Map #49-10-15, has since been sold to LSS II LC; and,

WHEREAS, Timber Ridge Storage, LLC, remains the owner of the .45-acre parcel (Tax Map #49-10-16), and has filed an application for an amended special exception permit for said parcel, to allow use of a manufactured building for office space for Phase 1 and to continue self-storage use for Phase 2, as shown on the Site Plan dated May 18, 2013; and,

WHEREAS, the Planning Commission, following a public hearing, reviewed this application on June 12, 2013, and recommended approval to the Board with conditions; and,

WHEREAS, legal notice and advertisement has been provided as required by law; and,

WHEREAS, the Board of Supervisors has given due consideration to the factors set forth in Section 802.03 of the Rockbridge County Land Regulations, for issuance of a special exception permit.

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 an amended special exception permit to Timber Ridge Storage, LLC, to allow a manufactured building for office space on Phase 1 and to allow self-storage use on Phase 2 in the General Business District (B-1), on a .45-acre parcel of land located on Boundary Line Lane (Route 1025) approximately 325' north of Route 11 in the Walkers Creek Magisterial District, and identified upon the Rockbridge County Land Records as Tax Map #49-10-16, 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 707.00-5 of the Rockbridge County Land Development Regulations, subject to the following conditions:

a. Substantial compliance with the site plan, entitled 'PLAT SHOWING PROPOSED SITE PLAN OF A PARCEL OWNED BY TIMBER RIDGE STORAGE LLC', dated May 18, 2013, as submitted.

b. The manufactured office building shall be similar in appearance to a residence.

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 24th day of June, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Ordinance to set the Board of Supervisors' Salaries

County Attorney Vickie Huffman reviewed the Agenda Item, which states, "Between May 1st and June 30th of each year, the Board of Supervisors is required to establish the annual salary of its members for the ensuing year, following notice and public hearing. The Board has authorized public hearing on the attached proposed Ordinance to maintain the salaries at the same amount as in previous years, and not to provide for an inflation factor." Ms. Huffman noted that there had been no inflation to the Board's salaries since 1996.

Chairman Campbell opened the public hearing at 6:19 p.m. With there being no public comments, Chairman Campbell closed the public hearing.

Supervisor Lewis moved to adopt the ordinance to establish and authorize the annual salary of the members of the Board of Supervisors of Rockbridge County at \$5,500 per year, and to establish the additional annual salary of the Chairman at \$1800, and additional compensation to the Vice-Chairman at \$23 per week to serve as substitute for the Chairman during extended absences, up to a maximum of \$1200 per year. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, June 24, 2013

ORDINANCE TO ESTABLISH AND AUTHORIZE THE ANNUAL SALARY OF THE MEMBERS OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY AT \$5,500 PER YEAR, AND TO ESTABLISH THE ADDITIONAL ANNUAL SALARY OF THE CHAIRMAN AT \$1800, AND ADDITIONAL COMPENSATION TO THE VICE-CHAIRMAN AT \$23 PER WEEK TO SERVE AS SUBSTITUTE FOR THE CHAIRMAN DURING EXTENDED ABSENCES, UP TO A MAXIMUM OF \$1200 PER YEAR

WHEREAS, Virginia Code §15.2-1414.3 establishes the maximum annual salaries of members of boards of supervisors within certain population brackets, and allows for an annual adjustment by an inflation factor not to exceed 5%; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, has heretofore established the annual salaries of Board members at the maximum of \$5,500.00, with the additional annual salaries of \$1,800.00 for the Chairman and \$1,200.00 for the Vice-Chairman; and,

WHEREAS, for the 2011-2012 fiscal year, the Board determined to reduce the additional compensation to the Vice-Chairman from an annual salary to an amount of \$23.00 per week, up to a maximum of \$1,200.00 per year, for serving in the place and stead of the Chairman during any extended absence; and,

WHEREAS, the Board has determined not to adjust the annual salary by an inflation factor and to continue the compensation to the Vice-Chairman based upon the time serving in the place and stead of the Chairman; and,

WHEREAS, the establishment of Board member salaries requires the adoption of an ordinance, following notice and a public hearing, which was held on June 24, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, as follows:

1. The annual Board member salary of \$5,500.00 is hereby established and authorized pursuant to Virginia Code §15.2-1414.3.
2. An additional annual salary of \$1,800.00 shall be paid to the Chairman of the Board.
3. Additional compensation shall be paid to the Vice-Chairman of the Board in the amount of \$23.00 per week, up to a maximum of \$1,200.00 per year, to serve in the place and stead of the Chairman during any extended absence.
4. That this ordinance shall be effective on and from July 1, 2013.

Adopted this 24th day of June, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Ordinance to approve South River Property Lease Renewal-

Tony Bryant

Ms. Huffman reviewed the Agenda Item which states "Tony L. Bryant has been leasing the 0.458-acre parcel of land (Tax Map #64-4-23), formerly owned by Carl and Brenda Hostetter, which adjoins his residence property. He is interested in continuing to lease the parcel of another five (5) years. A copy of the tax map is attached for the Board's reference. In accordance with the Open Space Policy, the lease to Mr. Bryant would be for a five (5) year period at a total annual rental of \$33.00, and would be subject to all of the conditions imposed on the property in connection with the FEMA grant. The proposed new lease is the same as the previous one, with appropriate date changes." She noted that there would be one (1) more South River Property Lease renewal to come.

Chairman Campbell opened the public hearing at 6:20 p.m. With there being no public comments, Chairman Campbell closed the public hearing.

Supervisor Higgins moved to adopt the ordinance authorizing and approving execution of Land Lease Agreement with Tony L. Bryant to lease County-owned property acquired in connection with the South River Flood Mitigation Project. Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE
COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON
MONDAY, JUNE 24, 2013

**ORDINANCE AUTHORIZING AND APPROVING EXECUTION OF LAND
LEASE AGREEMENT WITH TONY L. BRYANT TO LEASE COUNTY-
OWNED PROPERTY ACQUIRED IN CONNECTION WITH THE SOUTH
RIVER FLOOD MITIGATION PROJECT, BEING 0.458 ACRES IDENTIFIED
AS TAX MAP #64-A-28, LYING ON THE SOUTHEAST SIDE OF STATE
ROAD #608, A SHORT DISTANCE NORTH OF CORNWALL IN THE
SOUTH RIVER MAGISTERIAL DISTRICT OF ROCKBRIDGE COUNTY**

WHEREAS, the County of Rockbridge has acquired a number of properties within the flood plain along South River using grants awarded from the Federal Emergency Management Agency (FEMA), through the Virginia Department of Emergency Management (VDEM), and from the Virginia Department of Housing and Community Development (VDHCD) for this Project; and,

WHEREAS, pursuant to the conditions of the grants, all structures on the parcels were demolished and the properties are to be maintained as open space in perpetuity; and,

WHEREAS, on March 13, 2006, the Board of Supervisors adopted the 'South River Flood Mitigation Project Open Space and Land Lease Policy, and the Board determined that those properties not located directly on South River could be leased to former or adjoining property owners as provided in the Policy; and,

WHEREAS, Tony L. Bryant is an adjoining property owner to the parcel of land acquired from Carl and Brenda Hostetter, located on the southeast side of State Road

#608, a short distance north of Cornwall in the South River Magisterial District of Rockbridge County, Virginia, and has been leasing the subject parcel since 2008, with his current lease to expire on June 30, 2013; and,

WHEREAS, the Mr. Bryant has expressed an interest in continuing to lease the subject parcel for another five (5) years; and,

WHEREAS, the lease of said property requires the adoption of an ordinance, following notice and a public hearing, which was held on June 24, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, as follows:

1. That lease of the 0.458-acre parcel of land lying on the southeast side of State Road #608, a short distance north of Cornwall, and identified upon the Rockbridge County Land Records as Tax Map #64-A-28, to Tony L. Bryant, for a period of five (5) years at a total annual rental of \$33.00, payable annually in advance, is hereby authorized and approved, subject to the Open Space and Land Lease Policy adopted by the Board on March 13, 2006, and on file in the office of the Clerk to the Board and attached as Exhibit A to the Land Lease Agreement.

2. That the funds generated by this lease shall be placed in the General Fund of the County.

3. That the County Administrator is hereby authorized to execute a land lease agreement on behalf of the Board of Supervisors of the County of Rockbridge and to execute such other documents and take such further actions as are necessary to accomplish this transaction, all of which shall be upon form and subject to the conditions approved by the County Attorney.

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

Adopted this 24th day of June, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Ordinance to vacate plat of Round Top, Phase II

Assistant Director of Community Development Chris Slaydon reviewed the Agenda Item, which stated, "Roundtop, Phase II, located off Stoney Run Road, was approved in 2008 for 23 lots. Mr. Holland had planned to connect to the Long Hollow Water Project when the PSA took it over, but a new source well was never located. He has been carrying a letter of credit on the project in the amount of \$95,000 since that time period and has decided to vacate the plat per Section 911 of the Regulations." The recommendation brought forth was to approve the vacation of this subdivision plat. The Planning Commission did not recommend reimbursing the associated fees in the amount of \$4,750 due to the length of time since recordation and staff time to date involved in the project, which has included updating the parcel

layer and associated land records and tracking the letter of credit.

Chairman Campbell opened the public hearing at 6:23 p.m.

Mr. Keith Holland stated that due to economic conditions and change in PSA regulations, he would like to vacate the plat.

Chairman Campbell closed the public hearing at 6:24 p.m.

Supervisor Hinty moved to adopt the ordinance to vacate the plat showing Roundtop Phase II, recorded in plat cabinet 4, slide 189 and 189A, and the "Remaining Land 6.95 ac" portion, added and combined with the Open Space of Roundtop Phase II, on plat showing boundary line adjustment for Roundtop, Inc., recorded in plat cabinet 4, slide 446, located in the South River Magisterial District. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE
COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON
MONDAY, JUNE 24, 2013

**Ordinance To Vacate the Plat Showing Roundtop Phase II, Recorded
in Plat Cabinet 4, Slide 189 and 189A, and the "REMAINING LAND
±6.95 AC" Portion, Added and Combined with the Open Space of
Roundtop Phase II, on Plat Showing Boundary Line Adjustment for**

Roundtop, Inc., Recorded in Plat Cabinet 4, Slide 446, Located in the South River Magisterial District

WHEREAS, by survey plat dated June 1, 2007, and recorded on May 22, 2008, in the Clerk's Office of the Circuit Court of Rockbridge County, Virginia, in Plat Cabinet 4, at Slide 189 and 189A (the "Plat"), the owner/developer created the subdivision of "ROUNDTOP PHASE II"; and,

WHEREAS, ROUNDTOP, INC., the owner and developer of Roundtop Phase II, provided the County with a Letter of Credit to insure the completion of the infrastructure outlined on the Plat; and

WHEREAS, by survey plat entitled 'Plat Showing Boundary Line Adjustment for Roundtop, Inc.,' dated January 31, 2011, and recorded on February 16, 2011, in the aforesaid Clerk's Office, in Plat Cabinet 4, at Slide 446 (the "Boundary Adjustment Plat"), ROUNDTOP, INC., added and combined an 6.95-acre parcel of land (portion of Tax Map #78-9-2), designated on said plat as "REMAINING LAND ±6.95 AC", with the "OPEN SPACE" of ROUNDTOP PHASE II (Tax Map #07800016001000B0); and,

WHEREAS, to date no portion of the infrastructure has been started, no facilities have been constructed on any related section of the property located within the subdivision within five years of the date on which the plat was first recorded, and no portion of the subdivision has been conveyed to any third party; and

WHEREAS, ROUNDTOP, INC., the owner and developer, now desires to vacate the Plat and a portion of the Boundary Adjustment Plat, and has petitioned the Board of Supervisors of Rockbridge County to do so in accordance with Section 911 of the Rockbridge County Land Development Regulations and §15.2-2271.2 of the Code of Virginia (1950, as amended).

WHEREAS, §15.2-2271.2 of the Code of Virginia (1950, as amended) requires that such action be accomplished by the adoption of an ordinance by the governing body; and,

WHEREAS, notice has been given as required by §15.2-2204 of the Code of Virginia (1950, as amended), and the public hearing was held on June 24, 2013.

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

1. That, upon the application of ROUNDTOP, INC., the survey plat of “ROUNDTOP PHASE II”, dated June 1, 2007, and recorded on May 22, 2008, in the aforesaid Clerk’s Office in Plat Cabinet 4, at Slide 189 and 189A, be and hereby is vacated in its entirety and of no further force and effect, and that portion designated as “REMAINING LAND ±6.95 AC”, added and combined with the “OPEN SPACE” of ROUNDTOP PHASE II, on the ‘Plat Showing Boundary Line Adjustment for Roundtop, Inc.’ dated January 31, 2011, and recorded on February 16, 2011, in the aforesaid Clerk’s Office in Plat Cabinet 4, at Slide 446, be and hereby is vacated, pursuant to Section 15.2-2271 of the Code of Virginia (1950, as amended), subject to the condition that all costs and expenses associated herewith, including but not limited to publication, survey and recordation costs, shall be the responsibility of the applicant.

2. That a certified copy of this Ordinance shall be recorded in the Clerk’s Office of the Circuit Court for the County of Rockbridge, in accordance with §15.2-2272.2 of the Code of Virginia (1950, as amended), and shall be indexed under ROUNDTOP, INC., and under the following tax map numbers:

Tax Map #0780001600100010
Tax Map #0780001600100020
Tax Map #0780001600100030

Tax Map #0780001600100040
Tax Map #0780001600100050
Tax Map #0780001600100060
Tax Map #0780001600100070
Tax Map #0780001600100080
Tax Map #0780001600100090
Tax Map #0780001600100100
Tax Map #0780001600100110
Tax Map #0780001600100120
Tax Map #0780001600100130
Tax Map #0780001600100140
Tax Map #0780001600100150
Tax Map #0780001600100160
Tax Map #0780001600100170
Tax Map #0780001600100180
Tax Map #0780001600100190
Tax Map #0780001600100200
Tax Map #0780001600100210
Tax Map #0780001600100220
Tax Map #0780001600100230
Tax Map #07800016001000B0

3. That the Subdivision Agent is hereby authorized to cancel and release the Letter of Credit provided to the County by ROUNDTOP, INC., for the development.

4. That the County Administrator or County Subdivision Agent is hereby authorized to execute such documents and take such actions as may be necessary to accomplish the provisions of this ordinance, all of which shall be on form approved by the County Attorney.

5. That this ordinance shall be effective on and from the date of its adoption.

Adopted this 24th day of June, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Continued Meeting

Chairman Campbell continued the meeting after announcing that there would be an Intergovernmental Dinner to be held at the Double Top Pavilion at Glen Maury Park in Buena Vista, Virginia, on June 26, 2013 at 5:30 p.m.

AT A CONTINUED MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY VIRGINIA, AND A JOINT MEETING BETWEEN THE CITY OF BUENA VISTA AND LEXINGTON, HELD AT THE DOUBLE TOP PAVILION AT GLEN MAURY PARK, IN BUENA VISTA, VIRGINIA, ON WEDNESDAY, JUNE 26, 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

Call to Order

Chairman Campbell called the continued meeting to order at 5:50 p.m.

Supervisor Higgins delivered the invocation.

Discussions

Chairman Campbell commended Buena Vista for their support and organization of "Bike Week", which hosted approximately 1300 bicyclists at Glen Maury Park. He then requested support from the Cities of Lexington and Buena Vista via consideration of a resolution requesting that State and Federal leaders support perpetual public access to the Natural Bridge of Virginia.

Supervisor Lewis read aloud the resolution. Buena Vista Council member Larry Tolley then related his childhood memories of growing up near, and working for, The Natural Bridge. Members of both City Councils expressed support.

Chairman Campbell thanked the City Managers of Buena Vista and Lexington for providing dinner for this meeting.

Buena Vista City Manager Jay Scudder spoke on behalf of Buena Vista, thanking all for attending this meeting.

Rockbridge County Administrator Spencer Suter then introduced Suzanne Sheridan, Director of The Rockbridge Area Health Center. She briefed the Board and Councils on the recent advancements that the Center has made and then reviewed population and service statistics. She detailed future plans and thanked the Board and Councils for their ongoing support.

Mr. Suter then presented the Board with a packet including information on the Vesuvius Community Center. He briefly

reviewed the information and noted that that a more formal presentation could be planned for an upcoming Board meeting.

Mr. Suter then reviewed information regarding mosquito spraying in the County. He provided the Board with packets which described mosquito control techniques and costs. The Board discussed the history of mosquito control in the County, which has been limited to the Goshen and Glasgow areas. Mr. Suter noted that he had discussed joint efforts with the Glasgow Town Manager and the Mayor of Goshen and that both wished to partner with the County on a larvicide solution. He noted that the biggest challenge at this point is to find a person licensed as an applicator, who could oversee the application. He noted that the Town of Glasgow could provide a licensed technician to do the work in that area. Prior control procedures have included parts of the area known as "The Glades" to the west of Glasgow, and the Board expressed its wish that the county cooperate with Glasgow to include this area in the current, proposed larvicide coverage.

Supervisor Hinty moved to instruct Mr. Suter to locate an applicator, and that the towns and county bear their own costs associated with mosquito control. A second was provided by Supervisor Lewis, and the motion was approved by unanimous vote by the Board.

Adjourn

On a motion by Supervisor Higgins, seconded by Supervisor Hinty, the meeting was adjourned by unanimous vote by the Board.