

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, JANUARY 28, 2013, AT 5:30 P.M.

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

### Call to Order

Chairman Campbell called the meeting to order.

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

### Recognitions/Presentations

#### Introduction of a new employee

Mr. Steven Bolster, Director of Finance, introduced Ms. Amy Milliner. Ms. Milliner was hired on Tuesday, January 22, 2013, as the Accounts Payable and Administrative Clerk. The Board of Supervisors welcomed Ms. Milliner.

#### Approval of Resolution honoring the late Eugene Browning

Supervisor Lewis read aloud the resolution that honored the late Eugene Browning.

Supervisor Lewis moved adoption of the resolution, seconded by Supervisor Ford, and approved by the following roll call vote:

AYES: Lewis, Ford, Higgins, 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,  
JANUARY 28, 2013

**RESOLUTION REQUESTING THAT EUGENE WYNNE (GENE) BROWNING BE HONORED FOR  
HIS HARD WORK AND DEDICATION TO THE COUNTY OF ROCKBRIDGE**

**WHEREAS**, Eugene Wynne Browning was hired as Building Inspector on June 1, 1992; and,

**WHEREAS**, Mr. Browning was promoted as Building Official on March 25, 1996; and,

**WHEREAS**, Mr. Browning retired on July 1, 2002, but remained a part-time employee as the Carnival Ride Inspector until June 2003; and,

**WHEREAS**, Mr. Browning mentored many with his knowledge, wisdom, and leadership skills and brought respect, integrity, and diligence to the County of Rockbridge.

**NOW, THEREFORE, BE IT RESOLVED** that the Rockbridge County Board of Supervisors hereby expresses sincere gratitude and deepest appreciation to the late Eugene Wynne (Gene) Browning for his many years of commendable service, dedication and commitment to the County of Rockbridge.

Adopted this 28th day of January, 2013.

**Citizen Comments**

Chairman Campbell called for citizen comments, but none were offered.

**Items to be added to the agenda**

Chairman Campbell called for items to be added to the agenda. None were offered by the Board.

**Approval of Minutes for January 14, 2013**

Supervisor Lewis moved adoption of the January 14, 2013 minutes, seconded by Supervisor Ford, and approved by the following roll call vote:

AYES: Lewis, Ford, Higgins, Hinty, Campbell

NAYES: None

ABSENT: None

### **Budget Schedule Approval**

Mr. Bolster introduced the agenda item and provided an overview of the proposed schedule. The Budget Schedule will be uploaded on the county website and will be posted in the display cases located at the front and back lobbies of the County Administrative Office Building.

Supervisor Ford asked what the alternatives would be in the event that a Constitutional Officer could not attend the March 7, 2013 budget meeting for Constitutional Officers and Department Heads.

In response, Mr. Bolster indicated that Constitutional Officers or Department Heads could arrange to attend any of the scheduled budget meetings.

Supervisor Ford moved to approve the budget schedule as presented, seconded by Supervisor Hinty, and approved by the following roll call vote:

AYES: Ford, Hinty, Higgins, Lewis, Campbell

NAYES: None

ABSENT: None

### **Convene Solid Waste Authority**

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

**Consideration of a Board retreat to develop mission and vision statements**

County Administrator Spencer Suter provided an overview of the agenda item. As explained by Mr. Suter, future Board processes would benefit from a detailed and focused discussion, with the ultimate goal of achieving consensus on the mission on the Board, the Board's vision for the County, and goals the Board would like to achieve. He further explained that a third party facilitator, with the Board's approval, could be retained to direct the discussion. He noted that, over the preceding 60 days, he had conducted interviews with several Virginia-based facilitators. Mr. Jerry Burgess was ultimately selected as the best fit for Rockbridge County. Estimated costs of the facilitation services should not exceed \$4,000.

Chairman Campbell thanked Supervisors Ford and Lewis for participating in the final selection process. All members of the Board concurred in the choice of Mr. Burgess and authorized Mr. Suter to finalize arrangements for a Board Retreat.

**Approval of resolution to set PSA Board Member compensation**

Mr. Suter introduced the agenda item. He indicated that Ms. Karen Austin, Executive Director of the Public Service Authority, has requested the Board to adopt a resolution authorizing the compensation of PSA Board members on par with compensation of the Maury Services Authority (MSA) Board.

Supervisor Higgins moved to approve the resolution, effective as of the date of adoption, seconded by Supervisor Hinty, and approved by the following roll call vote:

AYES: Higgins, Hinty, Ford, 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, JANUARY 28, 2013

**RESOLUTION TO SET COMPENSATION RATES FOR APPOINTED MEMBERS OF  
THE ROCKBRIDGE COUNTY PUBLIC SERVICE AUTHORITY BOARD**

WHEREAS, pursuant to Chapter 51, Title 15.2-5113 of the Code of Virginia, 1950, as amended, the Rockbridge County Public Service Authority (PSA) board member compensation is fixed by resolution of the Rockbridge County Board of Supervisors ("Supervisors"); and,

WHEREAS, the Supervisors desire to increase the compensation of the PSA board members;

NOW, THEREFORE, be it RESOLVED by the Board of Supervisors of Rockbridge County, Virginia, as follows:

1. Compensation rates for members of the PSA Board are:
  - a. Board Meeting Compensation. The Board member compensation rate shall be \$50.00 per Board meeting. The PSA Chair compensation rate shall be \$65.00 per Board meeting.
  - b. Mileage Compensation. Mileage reimbursement for official business shall be based on Internal Revenue Service rates current at the time the mileage was incurred.
2. That this Resolution shall be effective on and from the date of its adoption.

Adopted this 28th day of January, 2013.

## **Approval of resolution for Lewis and Clark National Trail**

Mr. Suter introduced the agenda item. He explained that Congress has directed the National Park Service to explore an eastward expansion of the Lewis and Clark National Historic Trail, as the trail is presently afforded official recognition west of the Mississippi River only. Mr. Suter further explained that, based on research completed by Dr. Charles Bodie, William Clark passed through Rockbridge County while returning from the great expedition on his way to report to President Jefferson at Monticello in 1809. Approving the resolution would show Board support for the potential expansion of the Lewis and Clark Trail through Rockbridge County.

Mr. Suter introduced Mr. Don Hasfurther of the Rockbridge County Historic Preservation Committee, who was present to answer questions from the Board.

Chairman Campbell asked if there is any feature of the proposed resolution that would cause restrictions on future economic development.

In response, Mr. Hasfurther confirmed that there would be no restrictions -- only benefits.

Chairman Campbell then asked if there would be any future costs for which the County would be liable.

In response, Mr. Hasfurther confirmed that there would be no future financial costs. He noted that tour maps and signage would be handled independently.

Supervisor Ford moved to adopt the resolution, seconded by Supervisor Lewis, and approved by the following roll call vote:

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

## **Virginia Regional Joint Resolution of Support**

**for the**

### **Proposed Eastward Continuation & Extension of the Lewis & Clark National Historic Trail**

WHEREAS, the **Lewis and Clark National Historic Trail** was officially established by U.S Congress in 1978; and,

WHEREAS, the National Historic Trail extends west of the Mississippi River and across the United States in commemoration of the Meriwether Lewis and William Clark Expedition of 1803 to 1806; and,

WHEREAS, the National Park Service has been directed by Congress to conduct a special resource study to assess the suitability and feasibility of an extension of the Lewis & Clark National Historic Trail east of the Mississippi River, adding sites and overland routes followed by Meriwether Lewis and William Clark, whether independently or together, prior to and following the expedition; and,

WHEREAS, the National Park Service is considering a Virginia historic trail segment in a region consisting of Albemarle, Augusta, Botetourt, and Rockbridge Counties; and,

WHEREAS, the connection of Lewis & Clark to the four counties had historical significance to the westward expansion and development of the United States and to both the personal and professional lives of the two explorers, members of their expedition, and Native American Chief Sheheke and his family; and,

WHEREAS, the historical connection of Lewis and Clark to the counties of Albemarle, Augusta, Botetourt, and Rockbridge is well documented; and

WHEREAS, in their travels through and association with Rockbridge County, Lewis and/or Clark stayed at or visited the following locales:

- I. Springfield Village - McConkey's Tavern, currently located in the vicinity of High Bridge Presbyterian Church, this being the first lodging stop for William Clark in Rockbridge County in 1809. (This community was also home to one of the region's important gunsmiths, John Siler.)
- II. Historic Downtown Lexington -- Shields Tavern -- Shields Tavern (also known as Eagle Tavern) was William Clark's overnight lodging locale on December 4, 1809 as recorded in his travel journal; and according to VMI historian Ed Dooley, Shields Tavern stood where the former McCrum's Drug Store was located, 17 South Main Street.
- III. McDowell's Red House -- The site of Clark's third lodging place in Rockbridge County in 1809, as recorded in his journal, is currently evidenced only by foundation rubble and a buried archaeological context in the vicinity of the extant nineteenth-century brick residence and associated brick-walled historic cemetery just to the north of Route 11 at Timber Ridge. James McDowell (1770-1835) had married Sarah Preston from Botetourt County; hence the Clark connection. The McDowell Cemetery contains Rockbridge County's oldest known burial site, the grave of Captain John McDowell, killed in the 1742 Balcony Downs Settler-Indian confrontation, and the graves of two centuries of McDowell family members; and,

WHEREAS, the proposed eastward extension of the Lewis and Clark National Historic Trail would greatly enhance the opportunity to showcase the famous explorers' connection to- and related history of- Rockbridge County, as well as potentially increase the volume of visitors with positive impact on the local tourism industry,

NOW, THEREFORE, BE IT RESOLVED, the Rockbridge County Board of Supervisors and the City of Lexington, in cooperation with adjacent and regional localities similarly impacted by the historic efforts of the Lewis and Clark Expedition, fully support and endorse the continuation and extension of the Lewis and Clark National Historic Trail to all appropriate venues associated with or visited by the two explorers in the four counties both before and after the great expedition that occurred between 1803 and 1806.

Adopted this 28th day of January, 2013.

#### **Annual Reports for the Natural Bridge Speedway and Dragstrip**

Assistant Director of Community Development Chris Slaydon confirmed that the information included in the reports complies with regulations. The reports will be filed in the office of the Clerk to the Board as well as the office of Community Development.

#### **Acceptance of Fire and Rescue Squad Motor Vehicle Leases**

Mr. Suter informed the Board and those present that new Medicare policies require that the County own or lease the ambulances used for patient transport in order for the County to receive reimbursement for services rendered. He noted that lease agreements are needed in order to recover funds previously billed to Medicare and also for future cost recovery. Mr. Suter then thanked EMS Coordinator Robert Foresman for dedicating time to collect the necessary signatures from the County's volunteer transport agencies, owners of the ambulances.

Supervisor Lewis thanked the Rescue Squads for their cooperative spirit and moved to approve the resolution, seconded by Supervisor Hinty, and approved by the following roll call vote:

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,  
JANUARY 28, 2013

RESOLUTION TO APPROVE AND ACCEPT LEASES OF RESCUE SQUAD MOTOR  
VEHICLES TO PERMIT COLLECTION OF FEES FOR TRANSPORT SERVICES  
BILLED BY THE COUNTY

WHEREAS, the County of Rockbridge, by and through its Emergency Services personnel and its volunteer Fire Departments and Rescue Squads, is committed to protecting the health and safety of all its citizens and the citizens of the Rockbridge region by providing timely responses by trained emergency services personnel to emergency situations; and,

WHEREAS, upon the recommendation of the Fire and Rescue Commission, the County of Rockbridge instituted a billing program to assist its departments and squads with funding and to curtail the escalating costs of providing emergency services; and,

WHEREAS, the cost of emergency transports by trained emergency services personnel is usually covered by most health insurance policies so that charging individuals for the cost of emergency transports to hospital emergency rooms or other appropriate locations for emergency care is an appropriate means of securing such funding; and,

WHEREAS, the General Assembly has authorized localities by ordinance to exercise the powers enumerated in §32.1-111.14, Code of Virginia (1950, as amended); and,

WHEREAS, on February 28, 2011, the Board of Supervisors adopted an Ordinance to amend the Rockbridge County Code in Chapter 14 by adding Article II – Fee for Service to grant franchise permits for operation of emergency medical services vehicles and to make reasonable charges for use of emergency medical services vehicles, including charging insurers, and for other purposes, to assure the provision of adequate and continuing emergency services and to preserve, protect and promote the public health, safety and general welfare of the citizens of Rockbridge County; and,

WHEREAS, upon proceeding with said billing program, it has been determined that certain charges for Medicare have not been approved for payment, since the transport vehicles were neither owned nor leased by the County of Rockbridge; and,

WHEREAS, staff has worked with the County's contracted billing-for-services provider and the fire and rescue departments that provide transport services to acquire a leasehold interest in transport vehicles to permit collection of Medicare payments for the billed emergency services,

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

1. The Motor Vehicle Lease Agreements with the following emergency service providers for lease of the specified motor vehicles to the County are hereby authorized, approved and accepted:

	<u>Make</u>	<u>Unit #</u>	<u>Model</u>
Fairfield Volunteer Rescue Squad, Inc.	Chevrolet	176	G4500 Type III
	Chevrolet	177	K4500 Type I
	Ford	178	E350 Type II
Glasgow Lifesaving & First Aid Crew, Inc.	Ford	35	Unknown
	Ford	36	158 Econo
	Ford	33	Ambulance
	Chevrolet	34	3500
Kerrs Creek Volunteer Fire Company	Chevrolet	46	GMT 400
	Dodge	47	4500 RAM
Effinger Volunteer Fire Department	Ford	Med 1	F-350 Type III
	Ford	Med 1-2	F-350 Type I
Goshen First Aid Crew	Ford	131	F-450 Type I
	Ford	132	F-350 Type I
	Ford	133	E-450 Type III

2. That the County Administrator is hereby authorized to execute each of the above-referenced Motor Vehicle Lease Agreements on behalf of the Board of Supervisors of Rockbridge County, and to take such other and further actions as may be necessary and appropriate to accomplish this transaction, which shall be approved as to form by the County Attorney.

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

Adopted this 28th day of January, 2013.

**Public Hearings at 6:00 p.m.**

**Consideration of Environmental Restoration Sites Tax Exemptions**

County Attorney Vickie Huffman explained that the proposed ordinance establishes environmental restoration sites as a separate class of property, allowing exemption from increased assessment for any improvements or increased value to a qualified property for a period of five (5) years. She noted that this ordinance had been prepared in connection with the Stillwater reclamation project, but that it would also apply to any similar projects in the future.

Chairman Campbell opened the public hearing at 6:02 p.m. With there being no public comments, Chairman Campbell closed the public hearing.

Supervisor Hinty moved to accept the ordinance, seconded by Supervisor Higgins, and approved by the following roll call vote:

AYES: Hinty, Higgins, Ford, 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,  
JANUARY 28, 2013

**ORDINANCE TO AMEND AND REENACT CHAPTER 25 – TAXATION, ARTICLE III,  
DIVISION 4 – EXEMPTIONS FROM REAL ESTATE TAXES, TO ADD SECTION 25-86  
OF THE ROCKBRIDGE COUNTY CODE**

BE IT ENACTED by the Rockbridge County Board of Supervisors that Chapter 25 – Taxation, Article III, Division 4 – Exemptions from Real Estate Taxes of the Rockbridge County Code is hereby amended to add Section 25-86 as follows:

**ROCKBRIDGE COUNTY CODE**

Chapter 25

## TAXATION

- Art. I. In General, §§25-1--25-20**
- Art. II. Personal Property Tax, §§25-21--25-35**
- Art. III. Real Property Tax, §§25-36--25-95**
  - Div. 1. Generally, §§25-36--25-50
  - Div. 2. Special Assessment for Agricultural, Horticultural, Forest or Open Space Real Estate, §§25-51--25-65
  - Div. 3. Assessment of New Buildings, §§25-66--25-75
  - Div. 4. Exemptions from Real Estate Taxes, §§25-76--25-95
- Art. IV. Motor Vehicle License Tax, §§25-96--25-120**
- Art. V. Sales Tax, §§25-121--25-130**
- Art. VI. Use Tax, §§25-131--25-140**
- Art. VII. Utility Tax, §§25-141--25-160**
- Art. VIII. Additional Tax on Telephone Services, §§25-161--25-175**
- Art. IX. Transient Occupancy Tax, §§25-176--25-190**
- Art. X. Tax on Certain Foods and Beverages, §§25-191--25-215**
- Art. XI. Bank Franchise Tax, §§25-216--25-225**
- Art. XII. Recordation Tax, §§25-226--25-227**

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### DIVISION 4. EXEMPTIONS FROM REAL ESTATE TAXES

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#### **Sec. 25-86. Environmental restoration sites.**

A. Pursuant to the authority granted by §58.1-3664 of the Code of Virginia, environmental restoration sites are hereby determined to be a separate class of property which is exempt from real estate taxation for increased assessed valuation or for supplemental assessments of improvements from the date of qualification for this exemption and continuing for a period of five (5) years, as set forth in this Section.

B. An environmental restoration site means real estate which contains or did contain contamination from the release of hazardous substances, hazardous wastes, solid waste or petroleum, the restoration of which would abate or prevent pollution to the atmosphere or waters of the Commonwealth of Virginia and which (i) is subject to voluntary remediation pursuant to §10.1-1232 of the Code of Virginia and (ii) receives a certificate of continued eligibility from the Virginia Waste Management Board during each year for which it qualifies for the applicable tax exemption.

C. An environmental restoration site shall be classified as such for a single five-year period. The classification shall be effective for the current calendar year and subsequent years only; no property shall be eligible for the classification for any year prior to 2012; and requests for classification for years prior to 2012 are both unauthorized and prohibited. No property shall be eligible for more than one (1) five-year classification period.

D. The initial application for exemption pursuant to this section shall be filed by the property owner on forms approved by the commissioner of the revenue, and shall include documentary evidence that the subject real estate qualifies as an environmental restoration site. Upon the commissioner of the revenue's approval of the application, the exemption provided in this section shall be granted and shall be effective for the entire

calendar year, without proration.

E. In order to continue qualifying for the tax exemption in each subsequent year of the five-year tax exemption period beyond initial application, the property owner must renew the application for exemption on an annual basis no later than December 1<sup>st</sup> of each calendar year. The application for renewal shall contain a certificate of continued eligibility for voluntary remediation issued by the Virginia Waste Management Board, or its successor agency.

F. Real property qualifying for classification as an environmental restoration site shall be assessed for taxation at the value of land and improvements on the date of qualification for a period of five (5) years. During the five-year period, any increase in assessed value of the land and improvement shall be exempt. At the end of the five-year period, the exemption shall cease and the value of the land and improvements shall be assessed by the Commissioner of the Revenue at the fair market value of the property, whether by reassessment or by supplemental assessment.

G. If the owner of any property classified hereunder as an environmental restoration site fails to timely pay to the County of Rockbridge any other taxes which are legally owed to the County, he shall be deemed to have waived this claim to have the property classified under this Section. This waiver shall apply for the tax year in question and for all subsequent tax years for which the property otherwise qualified for an exemption. Once the classification of a property is deemed waived under this Section, the waiver shall attach to the property and shall be irrevocable, regardless of possible change of ownership of property.

**Secs. 25-87--25-95. Reserved.**

This Ordinance shall be effective as of January 1, 2013.

Adopted this 28th day of January, 2013.

**Special Exception Permit request by American Hardwood Lumber modifying  
buffer requirements for sawmill in A-2**

Mr. Slaydon introduced Amyas Player and Larry Loudermilk of American Hardwood Incorporated and then read aloud the amendments to the conditions. He provided the Board with a brief history of the issue, noting that neither power line easement maintenance, nor driver sight distance, was considered in the original conditions. Recommended changes include: striking out "Additional pine trees are to be planted with the same spacing to screen the expanded yard and mill approximately another five hundred (500) feet" in Condition #5, and replacing this clause with

"Where power lines are located, use a lower story shrub up to the second entrance at the intersection of Maple Swamp Road", and striking out "existing pine trees" in Condition #6 and replacing this phrase with "landscaping".

Mr. Loudermilk provided the Board with documentation specifying that 16 white pines would be planted in the area close to the office and directly across the road from existing dwellings, and that roughly 24 arborvitae shrubs would be planted below the power lines towards the north entrance to the saw mill.

Chairman Campbell opened the public hearing at 6:08 p.m. With there being no public comments, Chairman Campbell closed the public hearing.

Supervisor Ford thanked American Hardwood Lumber for its positive responses to community concerns. He then moved to approve the ordinance, seconded by Supervisor Lewis, and approved by the following roll call vote:

AYES: Ford, Lewis, Higgins, 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, JANUARY 28, 2013

**Ordinance Granting an Amended Special Exception Permit To American Hardwood Industries, LLC, For Operation of a Sawmill in the Agricultural and General Uses District (A-2), Located Along the West Side of Fredericksburg Road at the Intersection With Maple Swamp Road (Tax Map No. 47-A-58) in the Kerrs Creek Magisterial District**

WHEREAS, American Hardwood Industries, LLC, is the owner of a tract of land, consisting of 64.57 acres, more or less, located along the west side of Fredericksburg Road at its intersection with Maple Swamp Road, and identified upon the Rockbridge County Land Records as Tax Map #47-A-58; and,

WHEREAS, an original special exception permit was granted to the predecessor of American Hardwood Industries, LLC (Shumate's Sawmill), for operation of a sawmill in the Agricultural and General Uses District (A-2), and was amended by Ordinance adopted March 26, 2012, to eliminate the condition for the permit to expire on April 12, 2014; and,

WHEREAS, American Hardwood Industries, LLC, has filed an application for amendment of the special exception permit for operation of a sawmill in the Agricultural and General Uses District (A-2), to eliminate a portion of the frontage buffer requirement which interferes with site distance at the upper entrance and impacts power lines; and,

WHEREAS, the Rockbridge County Planning Commission, following a public hearing on January 9, 2013, reviewed this application and recommended approval to the Board, subject to compliance with the conditions set forth in Exhibit A attached hereto; and,

WHEREAS, after public notice pursuant to Va. Code § 15.2-2204 and § 802.03 of the Land Development Regulations, the Rockbridge County Board of Supervisors held a public hearing on the adoption of this Ordinance on January 28, 2013; 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 an amended special exception permit to American Hardwood Industries, LLC, for operation of a sawmill on its property in the Agricultural and General Uses District (A-2), located along the west side of Fredericksburg Road at the intersection with Maple Swamp Road (Tax Map No. 47-A-58) 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 28th day of January, 2013.

#### EXHIBIT A

#### AMERICAN HARDWOOD INDUSTRIES, LLC SPECIAL EXCEPTION PERMIT CONDITIONS FOR OPERATION OF A SAWMILL:

1. The log yard is to be watered down as needed to control dust.
2. Operation of the log yard will be from 5:30 a.m. until 10:30 p.m. to include all cleanup activities.
3. Log trucks can be loaded and unloaded 24 hours per day 6 days a week.
4. There will be no Sunday operations.
5. One to two (1-2) foot white pine seedlings are to be planted and maintained approximately ten (10) feet apart along state road 623 for a distance of approximately five hundred (500) feet or as needed to screen the log yard and lumber mill from dwellings located across state road 623. Where power lines are located, use a lower story shrub up to the second entrance at the intersection of Maple Swamp Road.
6. Maintain the landscaping in good condition.
7. "Directional" lighting must be used on the grounds of the sawmill as to not infringe on the neighborhood.

#### **Board Room Renovation Update**

Mr. Suter provided an update to the Board and those present concerning the Board Room renovations. He indicated that, due to delays involving electrical work, the project had fallen slightly behind schedule , but that the project should be completed by or around February 11, 2013. He noted that before the end of the week, the walls would be painted, the carpet would be replaced, and the dais chairs would be cleaned; and before the end of the following week, audio/visual work would be completed. He thanked Kenny Wilson, Interim Building Official and member of the Buildings and Grounds Committee, who was present, for his continued good work in managing the project.

**Continued Meeting Announcement**

Chairman Campbell continued the meeting until Wednesday, January 30, 2013, at 5:00 p.m., for a joint meeting with the Rockbridge County School Board at Highland Belle.

**AT A CONTINUED MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY VIRGINIA, HELD WITH THE ROCKBRIDGE COUNTY SCHOOL BOARD AT THE ROCKBRIDGE COUNTY SCHOOL ADMINISTRATIVE OFFICE AT 1927 BIG SPRING ROAD LEXINGTON VIRGINIA ON TUESDAY JANUARY 30, 2013 AT 5:00 P.M.**

**PRESENT:** CHAIRMAN RONNIE R. CAMPBELL  
**MEMBERS:** ALBERT W. LEWIS, JR., JOHN M. HIGGINS, RUSSELL S. FORD,  
DAVID W. HINTY

**COUNTY ADMINISTRATOR  
AND CLERK TO BOARD:** SPENCER H. SUTER  
**FISCAL SERVICES  
DIRECTOR:** STEVEN BOLSTER

**ALSO PRESENT:** School Board members Ben Swisher, David McDaniel, Jay Lewis,  
Laura Hoofnagle, Warren Schmid; RCS Superintendent John  
Reynolds, Assistant Superintendent Jack Donald

**Call to Order:**

Chairman Campbell called the continued meeting to order at 5:01 PM and thanked the Rockbridge County School Board for hosting the meeting. Chairman of the School Board Ben Swisher called the meeting of the School Board to order.

Chairman Campbell recognized the Division Superintendent, John Reynolds, to start the discussion. Superintendent Reynolds provided a look at the current fiscal year (FY) 2013 budget, and explained that the adopted budget had been supplemented by a \$640,285 year-end local

carryover which resulted in an actual current-year local contribution to the operational budget of \$13,807,502.

Mr. Reynolds then gave an overview of the FY2014 preliminary budget request. He indicated that, if all other factors remained the same, operational costs would be \$702,775 lower in FY2014 due to the savings realized through the closure of Rockbridge Middle School. However, he went on to point out that if the State approves 2% raises; the total increased cost to the school system would be \$351,785.

Supervisor Lewis asked if the raises would cover the entire staff. Mr. Reynolds explained that the State-funded raises only cover Standards of Quality (SOQ) positions and that for the sake of morale; he would request funding for an across-the-board raise.

Supervisor Higgins noted that staff on the lowest end of the pay scale should be given the highest consideration for raises. Supervisor Hinty voiced agreement.

Supervisor Higgins sought information on how programs would be impacted with a combined middle school. Mr. Reynolds indicated some additional programs include Agriculture, Computer-Aided Design, Computer-Aided Manufacturing, Introduction to Trades, and the ability to offer more ability-based curriculum.

Chairman Campbell asked about the capital replacement plan for school buses and Mr. Reynolds indicated that the schools try to get 10 years of service out of a bus. Mr. Reynolds continued by stating the recent trend is to replace 4 to 5 buses, with FY2013 realizing at least 3.

Supervisor Ford asked when the percentage increase in health insurance would be known. Mr. Reynolds noted that the budgeted increase

was for 4-6%, and that he should have final numbers by mid-February. Supervisor Higgins noted that the County had been advised to budget for a 10% increase. Mr. Suter then reviewed anticipated revenues for FY14, which he characterized as generally flat. He noted that the prediction of revenues is extremely difficult, and includes reliance on past trends and current economic factors such as the Consumer Price Index, housing starts and unemployment rates. He further discussed the negative economic impacts which resulted from federal wrangling over the "fiscal cliff" and the 2% additional payroll deduction that wage earners experienced at the beginning of calendar year 2013. He pointed out that one piece of recent good news was the fact that national median home sale prices increased by 5.5% in the past year, the greatest increase since 2006. He noted that, given all information currently available, a very preliminary and tentative estimate would include up to 1% growth in revenues, of approximately \$360,000.

In addition, Mr. Suter highlighted some of the County's funding priorities and projects upcoming in FY2014: Education; Fire and Rescue Services; Landfill operations; and 911 Communication System upgrades. He concluded his report by noting that the short legislative session should provide localities with more timely information regarding state revenues this year.

Mr. Reynolds then opened a discussion on school debt service, and expressed a desire to ensure that all debt service be accounted for in the budget. Discussion then took place regarding whether debt should be carried by the schools or the County. At Supervisor Hinty's request, Mr. Bolster agreed to investigate. Supervisor Higgins inquired about

maintenance of the Rockbridge Middle School building in FY2014. Mr. Reynolds noted that \$35,000 of the anticipated budget was set aside for maintenance of grounds and for HVAC. It was agreed that school staff could maintain the building more efficiently than County-contracted the services. After discussion, Mr. Bolster agreed to check into which entity should carry insurance on the building. Chairman Campbell noted that Highland Belle, Effinger and Rockbridge Middle were currently being marketed for economic development purposes. Mr. Reynolds indicated that if Highland Belle were to be sold, the School Board Offices could be moved to Effinger. After some discussion, it was agreed that the County's and Schools' respective Finance Committees should meet during the week of February 18<sup>th</sup> to discuss the budget in greater detail.

Mr. Reynolds then gave an update on the Maury River Middle School (MRMS) renovations, which were expected to be complete by August 15<sup>th</sup>, on time and on budget. He praised Martin Brothers, the general contractor, as being very easy to work with. He noted upcoming challenges over the next four months with regard to shifting construction to the currently occupied section of the school, but indicated that MRMS would work around any issues. He praised MRMS teachers and staff for their positive attitudes and flexibility.

School Board member David McDaniel then noted that the preliminary school budget as presented was generally flat, but that he wanted the Board of Supervisors to be aware that future adjustments to the request could drive it up. He indicated that sources of the potential increase involved increased and specialized programmatic offerings and security issues. Mr. Reynolds discussed the fact that the schools are very serious

about student safety and was currently spending \$16,000 to upgrade locks at Fairfield Elementary. He noted however, that he wanted the schools to be schools and not prisons. Supervisor Ford noted that security has been a priority since the days when Chairman Campbell was a member of the School Board and led discussions on this topic at every school. Supervisor Higgins suggested that security could be discussed in the joint finance committee meeting, and that Sheriff Blalock should be invited to participate.

Supervisor Lewis made the motion to adjourn at 5:55 PM. Supervisor Higgins provided the 2<sup>nd</sup> and the meeting was adjourned with a unanimous vote.