

AT A CONTINUED MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY  
VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING,  
150 SOUTH MAIN STREET LEXINGTON, VIRGINIA,  
ON WEDNESDAY, AUGUST 13, 2014, AT 7:00 P.M.

PRESENT: CHAIRMAN J.M.HIGGINS  
MEMBERS: R.S.FORD, A.W.LEWIS, JR., D. W. HINTY, JR.  
CLERK TO BOARD: SPENCER H. SUTER  
COUNTY ATTORNEY: VICKIE L. HUFFMAN  
FISCAL DIRECTOR: STEVEN BOLSTER  
STAFF:

Chairman Higgins and Supervisors Lewis, Ford, and Hinty were participants at the Planning Commission Meeting held on Wednesday, August 13, 2014 at 7:00 P.M. in the Board of Supervisors Meeting Room at the County Administration Office Building. Chairman Higgins called the continued meeting to order at 7:00 P.M. The Board of Supervisors and the Planning Commission received an update from Washington and Lee University (W&L) regarding plans for a new on-campus housing and natatorium.

The Board of Supervisors then continued their meeting until August 22, 2014 for a tour of the Mead Westvaco plant in Covington, Virginia.

AT A CONTINUED MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY  
VIRGINIA, HELD AT THE MEAD WESTVACO PLANT IN COVINGTON, VIRGINIA  
ON FRIDAY, AUGUST 22, 2014, AT 9:00 A.M.

PRESENT: CHAIRMAN J.M.HIGGINS  
MEMBERS: R.S.FORD  
CLERK TO BOARD: SPENCER H. SUTER

Chairman Higgins did not reconvene the Continued Meeting due to the lack of a quorum.

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY  
VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING,  
150 SOUTH MAIN STREET LEXINGTON, VIRGINIA,  
ON MONDAY, AUGUST 25, 2014, AT 4:30 P.M.

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

**Call to Order**

Chairman Higgins called the Work Session to order at 4:34 P.M.

**Consideration of Regional Dispatch Center/EOC Facility**

County Administrator Spencer Suter explained the following: "It has long been discussed that the current regional dispatch center is inadequate for long-term needs. In addition, there have been concerns about the use of the building as collateral in association with the BV golf course loan. As such, the Regional Public Safety Communications Board has had discussions regarding the potential for construction of a new dispatch center, also known as the "PSAP" (Public Safety Answering Point). A suitable location which has been discussed is the property between the Greenhouse Road collection center and the Sheriff's Office/Jail. It is owned by the County and is currently being leased to Mr. Randy Hostetter."

Mr. Suter then shared a schematic map showing the location of the proposed center. "Sheriff Blalock, who is also the Chair of the Regional Communications Center Management Board, initiated discussions with Wiley Wilson - the Architect for the Sheriff's Office / Jail expansion, who suggested an RFP process. Subsequently, a scope of services has been developed and attached hereto. Discussions included the opportunity to provide additional space for an Emergency Operations Center [EOC] and Fire/EMS/EM Administration. As currently envisioned, the building would be funded/constructed by the County, and the Regional Communications Center Management Board would lease space from the county. Consideration is also being given to the timing of such an endeavor, relative to coordinating any construction with implementation of the new radio system. Sheriff Blalock presented the proposal to the Communications Center Management Board on Thursday and gained consensus for the draft plan of action."

At 4:36 P.M., Sheriff Blalock arrived to answer questions related to this agenda item.

Supervisor Hinty asked how the cost-share percentages were broken down for the various local government partners. Mr. Bolster replied the cost-share is based on population. Mr. Hinty followed by asking what the actual percentages were for Lexington and Buena Vista. Mr. Bolster stated the County's share is approximately 59%, while the remaining cost-share balance is split nearly 50/50 by Lexington and Buena Vista.

Chairman Higgins asked County Attorney Vickie Huffman how the County could incorporate the price of the property into the agreement with the 911 Board.

Ms. Huffman replied that language to include the value of the land could be incorporated into the agreement.

Supervisor Ford noted that Harris Corporation recently laid off 30 employees and asked if this would further delay projects the County has with Harris. Mr. Suter replied that he didn't think so. Supervisor Ford then asked if the Sheriff's Department might move into the new facility as well. Mr. Suter replied that he had not heard of any discussions in regards to the Sheriff's Department moving into the new facility.

Supervisor Lewis asked if the suggested RFP includes the specific site currently under consideration. Mr. Suter replied that it would. Supervisor Lewis then asked if consideration had been given to other, existing buildings nearby, which could potentially be retrofitted for beneficial use. Further discussion centered on a building across the road from the Sheriff's Office/Jail, owned by Randy Hostetter. Mr. Suter explained that, though he is not an engineer or architect, it was his understanding that such a building may prove challenging to convert to a 911 center.

Chairman Higgins suggested exploring the option of using the building and suggested having a discussion with Mr. Hostetter.

Supervisor Hinty asked Sheriff Blalock if he had walked through the Hostetter facility. Sheriff Blalock responded that he had done a walk through some time back and concluded that it was not the optimum facility

to survive a major disaster. There would also be issues with fitting radio and communications cable and equipment in a building not designed for the purpose.

Chairman Higgins asked what the estimate was to move the phone lines from the current 911 operations center. Sheriff Blalock responded around \$10,000.

Supervisor Hinty added that, on a positive note, following a disaster where electricity is lost, the location of the proposed facility (Greenhouse Road) would allow for electricity to be turned back on very quickly. He gave an example that, during the aftermath of the 2012 Derecho, power was restored in that area within just a couple of hours. He added that the proposed facility is eligible for a three (3) phase power system. He then asked how much the new structure would cost to build. Chairman Higgins responded that the cost is estimated between \$1 and \$2 Million.

Mr. Suter added that new furnishings would need to be included in the amount to complete the project, because the furnishings in the current 911 Center facility would likely not be optimal for use in a new facility.

Supervisor Hinty asked Mr. Suter if the proposed PSAP structure would be built of brick or steel. Mr. Suter responded that it would be up to the builder. Supervisor Hinty stated that most localities are using steel structures.

Chairman Higgins asked Sheriff Blalock to ask the 911 Board to receive estimates on the costs to construct the proposed facility.

Supervisor Ford suggested consideration that the 911 Board become an "Authority" and hold its own debt, instead of the County funding the project.

Supervisor Lewis moved to moved forward with advertising an RFP.

Chairman Higgins asked for consensus by the Board to move ahead with an RFP. All members voiced approval. He added the request to have staff rank the proposals and bring them back to the Board.

#### **Consideration of amended Solid Waste Agreement with the City of Lexington**

Mr. Suter indicated that he and Lexington City Manager Jon Ellestad had been working to draft a proposed agreement. He then briefly reviewed the draft:

"Whereas; the Rockbridge County Board of Supervisors created the Rockbridge County Solid Waste Authority on Jan. 3, 1991 for the purpose of acquiring, financing, constructing, equipping, operating and maintaining a garbage and refuse collection and disposal system, or systems, including recycling facilities; and

"Whereas; on November 13,1995, the Cities of Lexington and Buena Vista entered into an agreement with the Solid Waste Authority of Rockbridge County for the purpose of establishing a mutually beneficial basis for the use and operation of the County Sanitary Landfill (landfill); and

"Whereas, such agreement will terminate with the end of the landfill vertical expansion capacity allowed by the Va. Department of Environmental Quality for 'Cell 1'; and

"Whereas; the County of Rockbridge and the City of Lexington wish to continue the joint use of future lined cell capacity at the existing landfill site through the creation of a new Rockbridge Regional Solid Waste Authority.

"Now, Therefore, for and in consideration of the mutual covenants and conditions set forth herein, the County of Rockbridge and the City of Lexington hereby agree as follows:

1. That the existing Rockbridge County Solid Waste Authority be re-established as the Rockbridge Regional Solid Waste Authority with the City of Lexington as an added member.
2. That the newly established Authority Board shall consist of six members, with five being the sitting members of the Rockbridge County Board of Supervisors and the sixth being appointed by the Lexington City Council from among the Mayor and the City Council.
3. That the purpose of the newly established Authority be for the acquiring, financing, construction, equipping, operating and maintaining of solid waste and recycling disposal facilities only, not to include collection activities or facilities which may in the future be addressed via separate agreement.
4. That the newly established Authority meet on a monthly basis, prior to regularly scheduled meetings of the Rockbridge County Board of Supervisors.

5. That the newly established Authority establish as a quorum, four members for an official meeting and have as a rule that a majority vote of those present is required for action to be taken.

6. That there be established a Regional Solid Waste Management Advisory Committee consisting of the County Administrator, the County Director of Fiscal Services, the County Solid Waste Director, the Lexington City Manager, and the Lexington Director of Public Works, or their designees. The purpose of the Committee shall be to bring issues and recommendations pertaining to the management and operation of the Authority to the attention of the Authority Board for disposition.

7. That generally, the terms established in the 1995 Solid Waste Agreement covering Operations and Finances be adopted by the Authority.

8. That any land, improvements, personal property, equipment or cash assets of the Rockbridge County Solid Waste Authority, at the time of the termination of the 1995 solid Waste Agreement be carried over to the new Regional Authority, less any fiscal assets owed to the City of Buena Vista.

9. That existing bylaws be replaced by new bylaws in accordance with the conditions set forth above and that the appropriate application(s) be submitted to the State Corporation Commission for approval in accordance with the Code of Virginia.

Chairman Higgins asked how Buena Vista would be charged for using the landfill under this arrangement. Mr. Suter replied that Buena Vista would be charged a tipping fee at the customer rate. He noted that the above document was in draft form and that he wanted to ensure that he and Mr. Ellestad were moving in a direction sanctioned by the Board. He stated

that, with Board approval, he would continue working with Mr. Ellestad to refine the agreement and bring a final draft back to the Board.

By consensus of the Board, Mr. Suter was asked to continue with drafting the amended agreement.

Supervisor Campbell introduced a new topic. He asked if, during recent meetings, the School and Board Finance Committees had discussed the proposed tuition fees assessed on the City of Lexington. Chairman Higgins responded that the two School Boards were scheduled to meet and work out the fees. Supervisor Campbell encouraged each of the Board of Supervisors to sit down with the School Board member of their district to discuss.

#### **Adjourn**

With their being no further business to discuss, the Work Session was closed at 5:22 P.M.

**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, AUGUST 25, 2014, AT 5:30 P.M.**

**PRESENT: CHAIRMAN J.M.HIGGINS**  
**MEMBERS: R.S.FORD, A.W.LEWIS, JR., D.W.HINTY, JR., R.R.CAMPBELL**

**CLERK TO BOARD: SPENCER H. SUTER**  
**COUNTY ATTORNEY: VICKIE L. HUFFMAN**  
**FISCAL DIRECTOR: STEVEN BOLSTER**  
**STAFF: BETTY TROVATO, SAM CRICKENBERGER, CHRIS SLAYDON,  
JEREMY GARRETT, BRANDY WHITTEN**

**Call to Order**

Chairman Higgins called the meeting to order at 5:34 P.M.

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

### **Recognitions/Presentations**

#### **RARO Director Introduction**

County Administrator Spencer Suter introduced John Trudgeon, Executive Director of RARO.

Mr. Trudgeon stated that he was excited to form a team in Rockbridge County to successfully improve the RARO facilities.

### **Citizen Comments**

Chairman Higgins called for citizen comments. There were none.

### **Items to be added to the Agenda**

Chairman Higgins called for items to be added to the Agenda. There were none.

### **Approval of Minutes**

Mr. Suter noted that the minutes on BoardDocs had been revised since being posted, with proposed changes given to each Board member prior this the meeting. Those changes, he stated, were related to the Treasurer's Report given by the Director of Fiscal Services during the August 11<sup>th</sup> meeting.

Supervisor Ford moved to approve the amended minutes for August 11, 2014. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote.

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

#### **Convene Solid Waste Authority**

Chairman Higgins convened the Solid Waste Authority at 5:40 P.M.

#### **Consideration of additional disposal fees for electronics**

Director of Solid Waste and Transportation Jeremy Garrett briefly reviewed the Agenda Item: "Under current Virginia Solid Waste Regulations, all cathode ray tube televisions, monitors, and projection television are considered prohibited waste due to their high toxicity, primarily mercury content. Until recently, many local businesses assisted the community by accepting these items for charity, resale, or recycling. In the last few months, the final participating business announced that they would no longer accept these items and, therefore, left the area with no proper means of disposal. Currently, the landfill facility has been accepting all televisions and monitors and storing them on site for future disposal.

In an attempt to respond to the identified need, the Solid Waste Authority entered into an agreement with Scott Recycling of Knoxville, TN, on August 20, 2014. The agreement is for a term of 2 years with either party retaining the right to cancel with a written 30-day notice, thus allowing for flexibility pending the completion of the on-going solid waste comprehensive plan. Additionally, this agreement provides the County with the ability to offer E-Waste Recycling to all citizens and businesses within the County and the cities of Lexington and Buena Vista. All E-Waste, including televisions and monitors, must be delivered to the County Landfill for proper disposal. New fees will need to be assessed only on CRT televisions, monitors, and projection televisions (excluding flat panels) to cover the cost associated with proper disposal and recovery. No fees will be charged for source-separated E-Waste declared for recycling, and Scott Recycling will provide all shipping materials and hauling cost in exchange for the materials being collected. The fee table being proposed is based on information gathered on average weights of all CRT televisions (>19", <19"), monitors, and projection televisions produced from 1980 to 2007. Staff used the information gathered in conjunction with the fees associated with the Scott Recycling agreement to establish an average to simplify the final fee structure and account for the limits of the existing scale system on site." He then recommended the following: "Review the proposed fee schedule and make a recommendation. Pending the approval of the final fee schedule and final coordination with Scott Recycling, staff would recommend the advertising of the E-Waste recycling services with a target start date of September 1, 2014."

Supervisor Ford moved to adopt the new fee schedule. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board.

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

With there being no further business to discuss by the Solid Waste Authority, Chairman Higgins closed the Solid Waste Authority and reconvened in the regular Board of Supervisors meeting at 5:47 P.M.

#### **Event Application for the Monacan Indian Nation Fall Festival**

Director of Community Development Sam Crickenberger briefly explained that The Monacan Indian Nation will be holding their Fall Festival at Natural Bridge September 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> (Friday through Sunday).

Supervisor Hinty moved to approve the Event Application. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

With there being no further business to discuss other than the Public Hearings which could not begin until 6:00 P.M., Chairman Higgins allowed for a 10 minute break.

## **Public Hearings**

### **Ben Salem, LLC- conditionally rezone from R-1 to B-1**

Assistant Director of Community Development Chris Slaydon introduced John Hall, Keith Holland, Paul Baker and John Hash. Mr. Slaydon then briefly reviewed the Agenda Item: "Ben Salem LCC have applied to conditionally rezone 5.059 acres located at the corner of East Midland Trail and Forge Road from R-1 to B-1 to develop a business park. Water and sewer will be provided by Buena Vista through an agreement with our PSA. The owner has proffered to develop this property in substantial compliance with the plan submitted. The Planning Commission determined this to be a good use of the property and consistent with the Comprehensive Plan and has recommended approval contingent on approvals by VDOT, the PSA and E&S" and recommended the following: "Approve this conditional rezoning application and acceptance of the proffer per the Planning Commission's recommendation and the attached ordinance."

Mr. Hash then showed the site plan of the proposed project.

Chairman Higgins opened the public hearing at 6:04 P.M. With there being no public comments, Chairman Higgins closed the public hearing.

Supervisor Campbell moved to approve the proposed ordinance.

Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote.

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

\*\*\*The following has been executed and filed in the office of the  
Clerk to the Board of Supervisors\*\*\*

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE  
OFFICES ON MONDAY, AUGUST 25, 2014

Ordinance to Change the Zoning Classification from Residential General District (R-1) to General Business District (B-1), With Conditions, for Development of a Small Business Park on Two Parcels of Land Totaling 5.059 Acres (Tax Map Nos. 89-2-1C and 89-2-1D) Owned by Ben Salem LLC, Located at the Southwest Intersection of East Midland Trail and Forge Road in the Buffalo Magisterial District

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on August 13, 2014, and recommended to the Board of Supervisors that the proposed zoning classification amendment, with acceptance of 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 August 25, 2014; and,

WHEREAS, the Board of Supervisors has determined that the conditional rezoning of the subject parcels of land would promote the health, safety, convenience and general welfare of the public, and that it accomplishes one or more of the objectives set forth in §15.2-2200 of the Code of Virginia (1950, as amended), and serves one or more of the purposes set forth in §15.2-2283 of the Code of Virginia.

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

1. That the zoning classification of two parcels of real estate owned by Ben Salem, LLC, containing a total of 5.059 acres, identified upon the Rockbridge County Land Records as Tax Map #89-2-1C and #89-2-1D, located at the southwest corner of the East Midland Trail and Forge Road intersection in the Buffalo Magisterial District of Rockbridge County, is hereby changed from R-1, Residential General District, to B-1, General Business District, with and subject to the proffered conditions as set forth on Exhibit A attached hereto and incorporated herein, and which the Board hereby accepts, contingent upon the required approvals by the Virginia Department of Transportation, the Rockbridge County Public Service Authority, and the County Erosion and Sediment Control and Stormwater Management Administrator.

2. That this action is taken upon the application of the property owner, Ben Salem LLC.

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

Adopted this 25<sup>th</sup> day of August, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Spencer H. Suter, Clerk

**Old Jacktown, LLC- conditionally rezone from A-T to B-1**

Mr. Slaydon introduced Philip Clayton, principal owner of Old Jacktown, LLC. He then briefly reviewed the agenda item: "Old Jacktown, LLC has applied to conditionally rezone the core Maple Hall property consisting of 7.65 acres from A-T to B-1 in order to reopen the Inn and Restaurant. A portion (1.5 acres) of the property is currently zoned B-1. Mr. Clayton has proffered to develop this property in substantial compliance with the plan submitted and has recommended establishing additional standards for any future development such as limiting the height and footprint of any new structures, buffers from "Historic" structures, and architectural facade standards. Current height restrictions in B-1 are 35 feet, but we allow up to 45 feet with an additional foot of sideline setback required for every foot over 35 feet. It is Mr. Clayton's desire that these standards apply to all of the former Maple Hall property. The Planning Commission has determined this to be a good use of the property and consistent with the Comprehensive Plan and has recommended approval contingent on approval by the PSA." He then read aloud the Proffer Amendments attached to the proposed ordinance.

Mr. Clayton then showed in detail a map of the proposed property via PowerPoint. He then noted that the current facilities are already providing 15 jobs.

Chairman Higgins opened the public hearing at 6:11 P.M. With there being no public comments, Chairman Higgins closed the public hearing.

Supervisor Campbell moved to approve the proposed ordinance. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote.

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

\*\*\*The following has been executed and filed in the office of the  
Clerk to the Board of Supervisors\*\*\*

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE  
OFFICES ON MONDAY, AUGUST 25, 2014

Ordinance to Change the Zoning Classification from Agricultural Transitional District (A-T) to General Business District (B-1), With Conditions, for Continued Use of the Property as a Bed and Breakfast Inn and Restaurant, Known as Maple Hall, on Two Parcels of Land Totaling 7.65 Acres (Tax Map #50-A-99 And Portion Of #50-A-100) Owned by Old Jacktown LLC, Located on the West Side of North Lee Highway North of the Timber Ridge Interchange of I81 in the South River Magisterial District

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on August 13, 2014, and recommended to the Board of Supervisors that the proposed zoning classification amendment, with acceptance of 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 August 25, 2014; and,

WHEREAS, the Board of Supervisors has determined that the conditional rezoning of the subject parcels of land would promote the health, safety, convenience and general welfare of the public, and that it accomplishes one or more of the objectives set forth in §15.2-2200 of the Code of Virginia (1950, as amended), and serves one or more of the purposes set forth in §15.2-2283 of the Code of Virginia.

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

4. That the zoning classification of two parcels of real estate owned by Old Jacktown, LLC, containing a total of 7.65 acres, shown on the 'Plat Showing Boundary Line Adjustment of Properties Deeded

to Historic Country Inns, L.C. in Deed Book 501 Page 171' recorded in Plat Cabinet 4, Slide 699, in the Clerk's Office of the Circuit Court of Rockbridge County on June 17, 2014, identified upon the Rockbridge County Land Records as Tax Map #50-A-99 (.33 acre) and a portion of Tax Map #50-A-100 (7.32 acres), located on the west side of North Lee Highway north of the Timber Ridge Interchange of Interstate 81 in the South River Magisterial District of Rockbridge County, is hereby changed from Agricultural Transitional District (A-T) to General Business District (B-1), with and subject to the proffered conditions as set forth on Exhibit A attached hereto and incorporated herein, and which the Board hereby accepts, contingent upon approval by the Rockbridge County Public Service Authority.

5. That this action is taken upon the application of the property owner, Old Jacktown LLC.

6. 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 25<sup>th</sup> day of August, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Spencer H. Suter, Clerk

**Historic Country Inns, LLC.- conditionally rezone from A-T and A-2 to B-1**

Mr. Slaydon introduced John Janson, applicant/contract purchaser. He briefly reviewed the agenda item: "John Janson has applied to conditionally rezone the balance of the Maple Hall property consisting of 47.2 acres from A-T and A-2 to B-1 to develop interstate-oriented businesses. Mr. Janson has proffered to develop this property in substantial compliance with the plan submitted. He has further suggested some design standards and buffers consistent with Mr. Clayton's, such as a maximum building height of 40 feet, buffers from adjoining properties, preserving existing vegetation where possible and maintaining 30% open space, use of underground utilities, facade construction of brick, stone or wood, and careful lighting. The Planning Commission has determined this to be a good use of the property and consistent with the Comprehensive Plan and has recommended approval contingent on approvals by the PSA, VDOT and E&S." He then read aloud the proffer amendments attached to the proposed ordinance.

Mr. Janson then showed a map of the proposed property via a sketched site plan, noting that only about half of the entire property is suitable for his business use.

Chairman Higgins opened the public hearing at 6:18 P.M. With there being no public comments, Chairman Higgins closed the public hearing.

Supervisor Lewis noted that there had been some discussion during the Planning Commission meeting in regards to the property not being used for farming. It was noted that during the Planning Commission meeting that an adjoining farmer stated that the land is not suitable for farming.

Supervisor Lewis moved to approve the proposed ordinance. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote.

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

\*\*\*The following has been executed and filed in the office of the  
Clerk to the Board of Supervisors\*\*\*

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE  
OFFICES ON MONDAY, AUGUST 25, 2014

Ordinance to Change the Zoning Classification from Agricultural Transitional District (A-T) and Agricultural and General Uses District (A-2) to General Business District (B-1), With Conditions, for Business Development on a Parcel of Land Totaling 47.2 +/- Acres (portion of Tax Map #50-A-100) Owned by John M. Janson, Located on the West Side of North Lee Highway North of the Timber Ridge Interchange of I81 in the South River Magisterial District

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on August 13, 2014, and recommended to the Board of Supervisors that the proposed zoning classification amendment, with acceptance of 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 August 25, 2014; and,

WHEREAS, the Board of Supervisors has determined that the conditional rezoning of the subject parcels of land would promote the health, safety, convenience and general welfare of the public, and that it accomplishes one or more of the objectives set forth in §15.2-2200 of the Code of Virginia (1950, as amended), and serves one or more of the purposes set forth in §15.2-2283 of the Code of Virginia.

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

7. That the zoning classification of a parcel of real estate owned by John M. Janson, containing a total of 47.2+/- acres, shown on the 'Plat Showing Boundary Line Adjustment of Properties Deeded to Historic Country Inns, L.C. in Deed Book 501 Page 171' recorded in Plat Cabinet 4, Slide 699, in the Clerk's Office of the Circuit Court of Rockbridge County on June 17, 2014, identified upon the Rockbridge County Land Records as a portion of Tax Map #50-A-100, located on the west side of North Lee Highway north of the Timber Ridge Interchange of Interstate 81 in the South River Magisterial District of Rockbridge County, is hereby changed from Agricultural Transitional District (A-T) for 5.5 acres and from Agricultural and General Uses District (A-2) for 41.65 acres, to General Business District (B-1), with and subject to the proffered conditions as set forth on Exhibit A attached hereto and incorporated herein, and which the Board hereby accepts, contingent upon the required approvals by the Virginia Department of Transportation, the Rockbridge County Public Service Authority, and the County Erosion and Sediment Control and Stormwater Management Administrator.

8. That this action is taken upon the application of the property owner, John M. Janson.

9. 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 25<sup>th</sup> day of August, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Spencer H. Suter, Clerk

**Max Ivankov- conditionally rezone from B-2 to B-1**

Mr. Slaydon explained that the next two items on the Agenda are dealing with the same property. He introduced Russ Orrison. He then briefly reviewed the Agenda Item: "Max Ivankov has applied to conditionally rezone 1.238 acres from B-2 to B-1 to develop a small retail/professional office center concurrent with a special exception application for upper level apartments in B-1 per Section 605.03-24 of the Regulations. This project is located directly across the parking lot from The Jefferson Florist. The reason for the rezoning is that all uses are by special exception in B-, and this requested action presents an opportunity to simplify procedures, as we have discussed in the past. The B-2 zone had formerly been used to impose design and landscaping regulations on projects in the days prior to having such implementing regulations administered by the Corridor Review Board. Mr. Ivankov has proffered to develop this property in substantial compliance with the plan submitted, and limiting some of the uses currently permitted in B-1 that may not be a good fit at this location. The Planning Commission determined this to be a good use of the property and consistent with the Comprehensive Plan and has recommended approval contingent on approvals by VDOT, the PSA and E&S." He then read aloud the Proffer Amendments attached to the proposed ordinance.

Mr. Orrison showed in detail a map of the proposed property via site plan.

Chairman Higgins opened the public hearing at 6:24 P.M.

Mr. Larry Atwood, current owner of Holly Company LLC, stated that Mr. Ivankov was purchasing approximately .9 acres of the 1.238 acres. Mr. Slaydon clarified that the rezoning and associated proffers would be for the whole 1.238 tract.

Chairman Higgins closed the public hearing at 6:25 P.M.

Supervisor Lewis read aloud the following Financial Disclosure Statement: "I hereby abstain from all matters, discussions, or voting related to the Applications by Holly Company, LLC, owner, and Max Ivankov, contract purchaser, for rezoning with conditions from B-2 to B-1 and a special exception permit, and my disclosure statement required under the Conflict of Interest Act is on file with the Clerk to the Board of Supervisors."

Supervisor Ford moved to adopt the proposed ordinance. Supervisor Campbell provided the second, and the motion carried by the following roll call vote:

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

\*\*\*The following has been executed and filed in the office of the

Clerk to the Board of Supervisors\*\*\*

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE  
OFFICES ON MONDAY, AUGUST 25, 2014

Ordinance to Change the Zoning Classification from Planned Business District (B-2) to General Business District (B-1), With Conditions, on a 1.238-Acre Parcel of Land (Tax Map No. 61A1-A-31) Owned by Holly Company, LLC, in the Kerrs Creek Magisterial District

WHEREAS, Holly Company, LLC, owner of the subject property, and Max Ivankov, the contract purchaser of the property, have filed an application for rezoning of a 1.238-acre parcel of land, identified upon the Rockbridge County Land Records as Tax Map No. 61A1-A-31, located along the northwest corner of North Lee Highway and Furrs Mill Road, from Planned Business District (B-2) to General Business District (B-1), with conditions; and,

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

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on August 13, 2014, and recommended to the Board of Supervisors that the proposed zoning classification amendment, with acceptance of proffered conditions, be approved; and,

WHEREAS, the Board of Supervisors held a public hearing on this matter on August 25, 2014; and,

WHEREAS, after review of the application and all other documentation submitted by the applicant, the Planning Commission and the public, and after due consideration to the presentations and comments at the public hearing hereon, the Board of Supervisors has determined that the rezoning of the subject 1.238-acre parcel of land would generally promote the health, safety, convenience and general welfare of the public, and that it accomplishes one or more of the objectives set forth in §15.2-2200 of the Code of Virginia (1950, as amended), and serves one or more of the purposes set forth in §15.2-2283 of the Code of Virginia.

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

10. That the zoning classification of the parcel of real estate owned by Holly Company, LLC, containing 1.238 acres, identified upon the Rockbridge County Land Records as Tax Map #61A1-A-31, located

along the northwest corner of North Lee Highway and Furrs Mill Road in the Kerrs Creek Magisterial District of Rockbridge County, is hereby changed from Planned Business District (B-2) to General Business District (B-1), with and subject to the proffered conditions as set forth on Exhibit A attached hereto and incorporated herein, and which the Board hereby accepts, contingent upon the required approvals by the Virginia Department of Transportation, the Rockbridge County Public Service Authority, and the County Erosion and Sediment Control and Stormwater Management Administrator.

11. That this action is taken upon the application of the property owner, Holly Company, LLC, and the contract purchaser, Max Ivankov.

12. 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 25<sup>th</sup> day of August, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Spencer H. Suter, Clerk

**Special Exception- Max Ivankov- upper story housing in B-1**

Mr. Slaydon explained that the special exception permit would be for upper level apartments in B-1 per Section 605.03-24 of the Regulations as referred to during the previous public hearing.

Chairman Higgins opened the public hearing at 6:29 P.M. With there being no public comments, the public hearing was closed.

Supervisor Ford moved to approve the proposed ordinance granting the special exception permit. Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

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

\*\*\*The following has been executed and filed in the office of the

Clerk to the Board of Supervisors\*\*\*

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE  
OFFICES ON MONDAY, AUGUST 25, 2014

Ordinance to Grant a Special Exception Permit to Max Ivankov for Upper Story Apartments Over a Small Business Center on a 1.238-acre Parcel of Land (Tax Map No. 61A1-A-31) in the General Business District (B-1), With Conditions, Owned by Holly Company, LLC, Located Along the Northwest Corner of North Lee Highway and Furrs Mill Road in the Kerrs Creek Magisterial District

WHEREAS, Holly Company, LLC, owner of the subject property, and Max Ivankov, the contract purchaser of the property, have filed an application for a special exception permit for upper story apartments in the proposed small business/professional office center in the General Business District (B-1), with conditions, and in accordance with Section 605.03-24 of the Rockbridge County Land Development Regulations, on a 1.238-acre parcel of land, identified upon the Rockbridge County Land Records as Tax Map No. 61A1-A-31, located along the northwest corner of North Lee Highway and Furrs Mill Road, in the Kerrs Creek Magisterial District; 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 Rockbridge County Planning Commission held a public hearing on this matter on August 13, 2014, and recommended to the Board of Supervisors that the special exception permit be granted; and,

WHEREAS, the Board of Supervisors held a public hearing on this matter on August 25, 2014; and,

WHEREAS, after evaluation of the factors set forth in §802.03-5 of the Rockbridge County Land Development Regulations, the Board of Supervisors has determined that, with the specified conditions, the proposed use is consistent with the Comprehensive Plan, the policies of Rockbridge County and the public interest.

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

13. That the Board finds that the granting of a special exception permit to Max Ivankov for upper level apartments on the 1.238-acre parcel of land (Tax Map #61A1-A-31) in the B-1 District, Kerrs Creek Magisterial District, in accordance with Section 605.03-24 of the Rockbridge County Land Development Regulations 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.

14. 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 25<sup>th</sup> day of August, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Spencer H. Suter, Clerk

**County Code Chapter 2 Amendments**

County Attorney Vickie Huffman briefly reviewed the Agenda Item: "Chapter 2 of the Rockbridge County Code covers provisions related to the County Administration. An update to Article V - Officers and Employees, is needed due to the recent adoption of the Rockbridge County Personnel Guidelines and Policies manual, effective June 1, 2014. Divisions 2 and 3 are proposed to be deleted as unnecessary and to avoid conflict with the manual. Article VI of Chapter 2 relates to County Boards, Commissions, and Authorities. The Economic Development Commission, provided for in Division 2, has been dissolved and is therefore proposed to be deleted from County Code. Provisions pertaining to Emergency Management have been incorporated into Chapter 14 - Fire, EMS and Emergency Management, so Division 3 is proposed to be deleted. In Section 2-146, establishing the

Rockbridge County Solid Waste Authority, and in Section 2-191, establishing the Rockbridge County Public Service Authority, the reference to the state code enabling legislation has been updated. In Section 2-172, the provisions for membership on the Planning Commission have been amended to correspond with current practice to appoint 5 members and no longer appoint a Board member to the Commission. Following the Board's previous review of the proposed amendments, Section 2-46, relating to the payment of bills has been reorganized to conform to current practice and state code. The proposed amendments are shown as additions and deletions in the attached copy of Chapter 2. A clean version of the proposed Ordinance is also attached."

Chairman Higgins opened the public hearing at 6:33 P.M. With there being no public comments, he closed the public hearing.

Supervisor Lewis moved to approve to the proposed ordinance. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote.

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

\*\*\*The following has been executed and filed in the office of the

Clerk to the Board of Supervisors\*\*\*

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA,  
HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, AUGUST 25, 2014

**Ordinance to Amend and Reenact Chapter 2 – Administration, of the Rockbridge County Code to Correspond with Recent Policies and Current Practice, Including Incorporation of the New Rockbridge County Personnel Guidelines and Policies Manual, Deletion of Provisions for the Previously Dissolved Economic Development Commission, and Removal of Provisions for the Office of Emergency Management Now Incorporated into Chapter 14 of the Code**

**BE IT ENACTED** by the Rockbridge County Board of Supervisors that:

1. Chapter 2 – Administration, of the Rockbridge County Code is hereby amended and re-enacted as follows:

**ROCKBRIDGE COUNTY CODE**

Chapter 2

**ADMINISTRATION**

**Art. I. In General, §§2-1--2-20**

**Art. II. Board of Supervisors, §§2-21--2-35**

**Art. III. County Administrator, §§2-36--2-45**

**Art. IV. County Finances, §§2-46--2-70**

**Art. V. Officers and Employees, §§2-71--2-110**

Div. 1. Generally, §§2-71--2-110

**Art. VI. Boards, Commissions, and Authorities, §§2-111--2-191**

Div. 1. Generally, §§2-111--2-145

Div. 2. Solid Waste Authority, §§2-146--2-160

Div. 3. Economic Development Authority, §§2-161--2-170

Div. 4. Planning Commission, §§2-171--2-190

Div. 5. Public Service Authority, §2-191—2-195

Div. 6. Industrial Development Authority of the County of Rockbridge and the Cities of Lexington and Buena Vista, §§2-196--2-197

Div. 7. Board of Zoning Appeals, §§2-198--2-205

**ARTICLE I. IN GENERAL**

**Sec. 2-1. Acts by deputy or designee.**

Whenever a power is granted to, or a duty is imposed upon, a public officer or employee, the power may be performed by any authorized deputy or designee, unless this Code expressly provides otherwise.

**Secs. 2-2--2-20. Reserved.**

## ARTICLE II. BOARD OF SUPERVISORS

### **Sec. 2-21. Seal of Board of Supervisors.**

The Board of Supervisors shall use a seal with the following superscription: "The Board of Supervisors, Rockbridge County, Virginia."

### **Sec. 2-22. Publication of County matters.**

All public notices and advertisements of County matters requiring publication shall be published in any newspaper having general circulation in Rockbridge County and permitted to accept legal advertisements as provided by the Code of Virginia, as amended.

### **Sec. 2-23. Public meetings.**

The meetings of the Board of Supervisors are open to the public and any citizen has the right and privilege of being present.

**State law reference(s)**--Meetings of governing bodies of localities, Code of Virginia, §15.2-1415 et seq.

### **Secs. 2-24--2-35. Reserved.**

## ARTICLE III. COUNTY ADMINISTRATOR

### **Sec. 2-36. Office created.**

The office of County Administrator to the Board of Supervisors, the governing body of the County of Rockbridge, is created in accordance with §15.2-1540 of the Code of Virginia (1950, as amended) and his powers and duties shall be in accordance with §15.2-1541 and §15.2-1541.1 of the Code of Virginia (1950, as amended). (Amended by Ord. of 9-22-08)

### **Secs. 2-37--2-45. Reserved.**

## ARTICLE IV. COUNTY FINANCES

### **Sec. 2-46. Payment of bills.**

Upon proper approval of bills by the Board of Supervisors, the payment thereof will be made by the Treasurer of the County.

The County Administrator is authorized to issue orders or warrants on behalf of the Board of Supervisors without counter-signature of the Board Chairman, for payment of routine claims or recurring expenditures that become due and payable on dates between board meetings during which financial matters are considered, provided each such expenditure has been audited for validity and checked for availability of appropriated funds by the Director of Fiscal

Services. Such expenditures shall be reported to the Board of Supervisors at its next regular meeting for approval of bills.

**Sec. 2-47. Reserved.**

**Sec. 2-48. Deposits of county funds.**

The County Treasurer shall deposit County funds in any bank or banks which are insured by the Federal Deposit Insurance Corporation in his discretion.

**Secs. 2-49--2-70. Reserved.**

## ARTICLE V. OFFICERS AND EMPLOYEES

### DIVISION 1. GENERALLY

**Sec. 2-71. Personnel Policy.**

The "Rockbridge County Personnel Guidelines and Policies" manual adopted and effective as of June 1, 2014, is incorporated herein by reference, as the same may from time to time be amended by Ordinance or Resolution of the Board of Supervisors. The manual is available and on file in the Office of the County Administrator.

**Secs. 2-72--2-110. Reserved.**

## ARTICLE VI. BOARDS, COMMISSIONS, AND AUTHORITIES

### DIVISION 1. GENERALLY

**Secs. 2-111--2-145. Reserved.**

### DIVISION 2. SOLID WASTE AUTHORITY

**Sec. 2-146. Creation of the authority; powers.**

On January 4, 1991, the Rockbridge Board of Supervisors created the Rockbridge County Solid Waste Authority, an authority under the Virginia Water and Sewer Authorities Act, (Code of Virginia, 1950, as amended, §§15.2-5100 et seq.), now the Virginia Water and Waste Authorities Act (Code of Virginia, 1950, as amended, §§15.2-5100, et seq.), for the purpose of acquiring, financing, constructing, equipping, operating and maintaining a garbage and refuse collection and disposal system(s) and other property and facilities incident thereto, including but not limited to recycling facilities, for the purpose of furnishing such services and facilities to residents within the county, and to otherwise have, possess and exercise the powers granted by the Virginia Water and Sewer Authorities Act and as otherwise authorized or permitted by law.

**State law reference(s)--**Authority for above section, Code of Virginia, §§15.2-5100 to 15.2-5159.

## **Sec. 2-147. Board of Authority.**

The number of members of the Rockbridge County Solid Waste Authority shall be the same as the number of members of the Board of Supervisors of Rockbridge County, which is currently five (5). Each member of the Rockbridge County Board of Supervisors shall be a member of the Rockbridge County Solid Waste Authority for a term to run concurrent with such member's terms on the Board of Supervisors.

**State law reference(s)**--Authority for above section, Code of Virginia, §15.2-5113.

## **Secs. 2-148--2-160. Reserved.**

### **DIVISION 3. ECONOMIC DEVELOPMENT AUTHORITY**

## **Sec. 2-161. Creation of the authority; powers.**

There is hereby created pursuant to Virginia Code §§ 15.2-4900, et seq., a political subdivision of the Commonwealth of Virginia with such public and corporate powers as are set forth in the Industrial Development and Revenue Bond Act, including such powers as may hereafter be set forth from time to time in said act. The name of the political subdivision of the Commonwealth created hereby shall be the Economic Development Authority of Rockbridge County, Virginia (the EDA).

**State law reference(s)**--Authority for above section, Code of Virginia, §15.2-4903.

(Amended by Ord. of 8-22-11)

## **Sec. 2-162. Directors.**

The EDA shall be governed by a board of directors in which all powers of the EDA shall be vested, composed of seven (7) members appointed by the Board of Supervisors as provided by law. Appointments shall be for terms of four (4) years, except appointments to fill vacancies, which shall be for the unexpired terms.

**State law reference(s)**--Appointment, terms, etc., of directors, Code of Virginia, §15.2-4904.

(Amended by Ord. of 8-22-11)

## **Secs. 2-163--2-170. Reserved.**

### **DIVISION 4. PLANNING COMMISSION**

## **Sec. 2-171. Creation of planning commission.**

A county planning commission is hereby created, in force and effect from and after March 15, 1966, for the County of Rockbridge, Virginia, in accordance with the provisions of Chapter 22, Article 2, Title 15.2 of the Code of Virginia, 1950, as amended.

**State law reference(s)**--Duty of board of supervisors to create planning commission, Code of Virginia, §15.2-2210.

## **Sec. 2-172. Membership.**

The commission shall consist of five (5) appointed members and their terms shall be four years.  
(Ord. of 6-28-04)

**Sec. 2-173. Compensation.**

All members of the county planning commission who are not County employees shall be paid mileage and a fee per official meeting as set by the Board of Supervisors.

**State law reference(s)**--Authority for above section, Code of Virginia, §15.2-2212.

**Sec. 2-174. Functions, powers and duties.**

The County planning commission shall have all the functions, powers, and duties that are prescribed by law.

**State law reference(s)**--Powers and duties of planning commission, Code of Virginia, §15.2-2200 et seq.

**Sec. 2-175. Repeal of previous actions.**

All previous actions creating a planning commission are hereby repealed.

**Secs. 2-176--2-190. Reserved.**

**DIVISION 5. PUBLIC SERVICE AUTHORITY**

**Sec. 2-191. Creation of authority; powers.**

On September 12, 1966, the Board of Supervisors created the Rockbridge County Public Service Authority, an authority under the Virginia Water and Sewer Authorities Act, (Code of Virginia, 1950, as amended, §§15.2-5100 et seq.), now the Virginia Water and Waste Authorities Act (Code of Virginia, 1950, as amended, §§15.2-5100 et seq.), for the purpose of acquiring, financing, constructing, operating, and maintaining one or more water systems and one or more sewer systems, or any combination thereof, including pipe line and other property and facilities incidental thereto for the primary purpose of furnishing water and sewer facilities, or both, to residents and places of business in certain areas of Rockbridge County, and for the purposes of exercising the powers conferred by the Act and as otherwise authorized by law. Said authority shall be named "Rockbridge County Public Service Authority."

**State law reference(s)**--Authority for above section, Code of Virginia, §15.2-5100 to 15.2-5159.

**Secs. 2-192--2-195. Reserved.**

DIVISION 6. INDUSTRIAL DEVELOPMENT AUTHORITY  
OF THE COUNTY OF ROCKBRIDGE AND THE CITIES OF LEXINGTON AND  
BUENA VISTA

**Sec. 2-196. Creation of the authority; powers.**

The governing bodies of the County of Rockbridge, the City of Lexington, and the City of Buena Vista have reached agreement on the general structure of a joint industrial development authority in the form of the Regional Economic Development Agreement executed by the three localities and dated March 7, 1996, and have created a joint industrial development authority to be known as "The Industrial Development Authority of the County of Rockbridge and the Cities of Lexington and Buena Vista" ("the Regional IDA"). The Regional IDA is a political subdivision of the Commonwealth and has all those public and corporate powers set forth in Chapter 49 of Title 15.2 of the Code of Virginia, 1950, as amended, that are not inconsistent with the terms of the Agreement, as the Agreement may be amended from time to time.

(Ord. of 5-28-96, §§1, 2)

**State law reference(s)**--Authority for above section, Code of Virginia, §§15.2-4903, 15.2-4905, 15.2-4916

### **Sec. 2-197. Board of Directors.**

The Board of Directors of the Regional IDA shall consist of seven (7) members. The seven Board members shall be appointed by the governing bodies of the three Jurisdictions, with each Jurisdiction to appoint 2 members. The seventh (7th) board member is to be recommended by the six (6) Regional IDA Directors to the governing bodies of the Jurisdictions, who shall thereafter agree on the 7th appointment, either from the recommendation provided by the remaining six (6) Directors, or another individual of their choice. The terms of the Board shall be staggered consistent with the terms of Virginia Code §15.2-4904. After the initial appointments, the term of each Director shall be four (4) years.

(Ord. of 6-9-97)

**State law reference(s)**--Authority for above section, Code of Virginia, §15.2-4904.

## DIVISION 7. BOARD OF ZONING APPEALS

### **Sec. 2-198. Reserved.**

### **Sec. 2-199. Membership.**

The Board of Zoning Appeals shall consist of five (5) members, each of whom are recommended by the Board of Supervisors to be duly appointed by the Circuit Court. Their terms of office shall be for five (5) years each.

**State law reference(s)**--Code of Virginia, §15.2-2308

### **Sec. 2-200. Functions, powers and duties.**

The board of zoning appeals shall have all the functions, powers, and duties that are prescribed by law.

**State law reference(s)**--Powers and duties of board of zoning appeals, Code of Virginia, §15.2-2309 et seq.

### **Secs. 2-201--2-205. Reserved.**

2. This Ordinance shall be effective on and from the date of its adoption.

Adopted this 25<sup>th</sup> day of August, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Spencer H. Suter, Clerk

**Adjourn**

With no further business to discuss, the meeting was adjourned by unanimous vote by the Board at 6:34 P.M.