

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, SEPTEMBER 26, 2016, AT 4:30 P.M.

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

**Called to Order**

Chairman Higgins called the Work Session to order.

**Discussion regarding proposal to disperse regional IDA funds in support of  
grant matches for Chessie Trail Improvements**

County Administrator Spencer Suter introduced this item and handed the floor to Community Development Director Sam Crickenberger.

Mr. Crickenberger briefly reviewed the Agenda Item: "Spencer Suter, Noah Simon, Jay Scudder, and I met on September 2<sup>nd</sup> to discuss the status of the Regional IDA. Our initial discussions involved staff recommendations regarding the future of the IDA. Ultimately, we felt that keeping the Regional IDA intact may be a good long term strategy, to keep us nimble as a region in case a major project materializes. However and as you may recall, the IDA currently has a significant amount of funding sitting in a CD, which could potentially be used to advance a regional project which would support economic development for all three localities.

With a total of \$76,897.27 in the CD, the funding distribution to each locality (based on the original percentage basis agreed upon for the former regional industrial park) would be as follows:

- o Rockbridge - 55% - \$42,293.50
- o Buena Vista - 30% - \$23,069.18
- o Lexington - 15% - \$11,534.59

"The regional project which we support involves the Chessie Trail. Owned by VMI, the Chessie Trail connects our three localities and strengthens the marketing of our entire region, as well as providing recreational opportunities for our citizens. There are three points on the trail which require specific improvement projects in order to fully connect the trail.

**1) Jordan's Point - *Connect Woods Creek Trail to the Chessie***

- History

- o Lexington received a grant approximately 15 years ago to connect the Woods Creek Trail to the Chessie Trail. Both Lexington and Rockbridge provided grant matches. The project originally included a plan to build a pedestrian bridge over the Maury River, but has since been scaled back to be more in line with available funds. The project has finally found its footing and is moving ahead.

- Scope

- o The project involves a short extension of the Woods Creek trail on the south side of the Maury River (in Lexington), to the East Lexington Bridge. Pedestrians would then cross the bridge on the sidewalk and exit the bridge to the left

to another short section of trail improvement next to Furr's Mill Road, wrapping under the East Lexington Bridge to connect with the Chessie Trail.

- Cost

- o The total estimated cost for the project is \$425,000. This number may need to be adjusted up based on new environmental testing measures required by VDOT.

- Funding Source

- o In that improvements were planned in both Lexington and Rockbridge, both localities provided grant matches during the original grant award process.
  - Grant - \$400,000
  - Lexington match \$50,000
  - Rockbridge match \$15,750
- o Lexington proposes to use its share of IDA funds to cover the increased cost of the environmental study.

- Project Schedule

- o Barring unforeseen barriers, the projected completion date would be late in 2017.

**2) South River Bridge - Provide direct Chessie Trail Connection across the South River**

- History

- o Historically, a wooden railroad trestle provided Chessie Trail access across the South River. In 2003, flooding caused by hurricane Isabel washed out the trestle. Since

that time, if trail users want to cross the river and continue on the trail, they must exit the trail and traverse approximately ½ mile of Stuartsburg Road and Old Shepherd Road to regain access.

- Scope

- o The project would entail building a swinging suspension bridge where the old railroad trestle was washed away. The goal would be to elevate the structure to avoid future flood damage. Additionally, should flood damage occur, replacement of swinging bridge components would be much less expensive than replacement of a full railroad trestle.

- Cost

- o The total estimated cost for the project is approximately \$200,000. Please note that these are preliminary costs and could change with development of detailed plans.

- Funding Source

- o Base source -\$160,000 Eastern Federal Lands Grant
  - VMI has agreed to apply for and administer the grant on behalf of Rockbridge County.
- o Propose to use Rockbridge County's share of IDA funds to cover grant match (estimate - \$40,000).

- Project Schedule

- o Unknown at this point

**3) Eastern Connection with BV Flood Wall Trail - Via City Sidewalks**

## ***System Through the old Bontex Property***

- History
  - o The BV Flood Wall Trail was established as part of the BV flood wall system. Pedestrians who wish to utilize both the Flood Wall and Chessie Trail in the same trip must traverse several roads, including US 60.
- Scope
  - o The project would entail extending the Chessie from its current terminus on Stuartsburg Road to and under the US 60 Bridge, and then extending the City sidewalk network through the Bontex property to the beginning of the flood wall.
- Cost
  - o The total estimated cost for the project is \$240,000. Please note that these are preliminary costs and could change with development of detailed plans.
- Funding Source
  - o Base source - VDOT Transportation Grant - \$200,000
    - BV unsuccessfully applied for this grant last year, but is applying again this year.
  - o Propose to use BV's share of IDA funds to help cover grant match (\$40,000).
  - o BV General funds to cover the balance of the match
- Project Schedule

o Unknown at this point.

"Other factors to consider:

- In 2015, VMI received a \$330,000 Department of Conservation and Recreation grant for Chessie Trail improvements. It has since worked along the length of the trail on projects including bridge and culvert repair, bike-friendly gates, parking lot improvements and trail signage. Thus, VMI is invested and quite active in doing many necessary repairs on the trail."

Supervisor Campbell asked for clarification on where the monies came from.

Mr. Crickenberger noted that staff is still looking into funding sources for the project; however, there are time restrictions on the grant. He indicated that he thinks the Regional IDA may have received a payment from Buena Vista related to the sale of the Regional Industrial Park.

Supervisor Hinty asked why, if Buena Vista had made a payment to the Regional IDA for the Regional Industrial Park, they would then get \$23,069.18 back.

Mr. Crickenberger replied that this might occur because BV is part of the Regional IDA, and funds would be disbursed based on the agreed percentage allocation.

County Attorney Vickie Huffman shared that she thought Buena Vista had already deducted their portion from the payment to the Regional IDA, leaving the \$76,897.27 for Lexington and the County.

Chairman Higgins stated that the Finance Committee had questions

about this money, seeking definitive answers as to where it came from and why.

Supervisor Ford asked if the Army Corps of Engineers needed to be involved in the South River Bridge install.

Mr. Crickenberger replied they would not if the install did not go in the riverbed.

Chairman Higgins asked if one could bike across the new bridge.

Mr. Crickenberger indicated that bicyclists would have to walk a bike up a ramp to cross it. He noted that the bridge would not be ADA compliant; however, the alternative route is ADA compliant.

Chairman Higgins asked if the bridge would be in the flood zone.

Mr. Crickenberger replied that staff would like to see the bridge above the 100-year flood plain. He added that they are looking to proceed fairly quickly, as they just recently found out that the grant is only available in alternate years. He also added that there is currently a vacancy on the Regional IDA, as Mr. Davis Grist's seat was never filled following his death.

Supervisor Campbell shared his concern about surrounding landowners, and how to protect them from trespassers who may be injured and sue the owner.

County Attorney Vickie Huffman advised that there are State provisions she can look at to see who is protected from liability claims and how they are protected.

Chairman Higgins asked if there are any statistics on how many people used the trail prior to the bridge loss versus after.

Mr. Crickenberger replied that he would find those statistics.

Supervisor Campbell noted that this project could produce a positive economic development impact and that in itself was exciting.

Mr. Crickenberger advised that, during the Virginia Economic Developers Association [VEDA] conference last week, speakers from Roanoke and Deschutes Brewery indicated that Roanoke was selected as the new location of their East Coast brewery in part because of its outdoor recreation and greenway trails.

Supervisor Lewis stated that the Chessie Trail is crucial to our outdoor recreation. He shared that there are salvaged bridges that are available, and it would be great to find one. He added his concern about the proposed bridge not being ADA compliant.

Mr. Crickenberger indicated that in order to make the bridge ADA compliant, it would have to have abutments in the river. He stated we are trying to avoid that because of the cost of repairs should another flood wash out the abutments. He added that, if there is no agreement on the IDA monies, he could try to budget a match into the Economic Development budget for the next fiscal year.

Supervisor Ford asked when the grant deadline was.

Mr. Crickenberger replied that it is November 15<sup>th</sup>.

Chairman Higgins advised that he had spoken to Butch Irvine, who wasn't sure if he wanted to stay on the Regional IDA. If not, Chairman Higgins noted, there may need to be an appointment in his place as well as Mr. Grist's. He asked Mr. Crickenberger to find out more details on the origin of the Regional IDA monies.

## **Discussion on FY2018 Budget Cycle and Budget Priorities**

Mr. Suter briefly reviewed the Agenda Item: "In preparation for each upcoming fiscal year's budget process, the Board considers both a budget schedule and funding priorities. Typically, these are formally adopted by the Board at a regularly scheduled meeting in the fall. In preparation for consideration of these two items at the October 24th regular meeting, staff wishes to encourage prior discussion at the Board level.

"Attached, please find:

- A draft FY 2018 budget schedule
- A copy of the FY 2017 funding priorities, adopted by the Board on November 9, 2015

"Both documents are meant to provide the Board with a starting point/template for discussion. During the work session, Mr. Bolster and I will present the documents and answer any questions that Board members may have."

Finance Director Steven Bolster reviewed the budget schedule.

Supervisor Lewis asked Mr. Bolster if the School Board meetings in April were related to the budget.

Mr. Bolster replied that School Board members usually talk about the budget, but there is no formal action.

Supervisor Lewis requested that the Finance Committee review the budget procurement and see if they could better streamline the process, specifically, having the School Board budget sooner so that adjustments can be made before the end of the cycle.

Supervisor Ford noted that he has suggested combining health insurance plans with all agencies, including the schools, to reduce the costs. As it is, the schools have generally not shared their health insurance needs until very late in the budget cycle.

Supervisor Lewis stated that investing in the schools is one of our best economic development marketing tools.

Mr. Suter stated that we took a very positive step last year with collective review and approval of a capital improvement plan. Regarding combining health insurance, he advised that he had spoken with Lexington earlier about potentially looking at combining coverages.

Supervisor Ford advised that the Community College programs are an important economic development tool as well. Supervisor Lewis agreed.

Mr. Bolster advised that the Finance Committee reviewed the funding priorities for 2017-2018. He stated the following:

- the County's debt service is targeted to increase by \$536,105 for FY 2018, due to the combination of the radio system's field radio units and advance refunding on the 2005 Courthouse loan. In addition, there will be increases for paid ambulance services; school employees' VRS; cost share for Lexington Fire and First Aid Agreement; transfer to the recycling

fund; supplements for constitutional staff; and possibly some unknowns such as the CSA pool fund and county employees' health insurance premiums for next year.

Mr. Suter advised that debt service would be drop again in FY 2019.

Chairman Higgins advised that the schools are doing an energy audit, which will be a major project.

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, SEPTEMBER 26, 2016, AT 5:30 P.M.

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

**Called to Order**

Chairman Higgins called the meeting to order.

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

**Recognitions/Presentations**

**Introduction of New Employee- Nathan Ramsey- Chief of Fire and EMS**

County Administrator Spencer Suter introduced the new Chief of Fire and EMS, Nathan Ramsey, noting that he is a county native. Mr. Suter advised that Chief Ramsey was selected from over 40 applicants. He thanked the Selection Advisory Panel for their time and dedication.

Chief Ramsey thanked the Board for the opportunity to work for the County and said he looked forward to keeping the citizens of the County safe.

**Citizen Comments**

Mildred Feltner of 2379 Old Buena Vista Road, South River District, shared her concern about the runoff coming down a hill and under her home. She stated that she had contacted VDOT multiple times to advise them that

the water crosses the road so rapidly that she was afraid it would cause a vehicle accident.

Chairman Higgins asked the County Administrator to gather contact information from Ms. Feltner and to research the problem to provide further assistance.

Marc Gingerelli of the Walkers Creek District shared his problem with what he feels is an illegal dog kennel near his property that has been operating for 6 years.

Chairman Higgins advised that this issue is already being looked into, and asked Mr. Slaydon to update the Board.

Assistant Director of Community Development Chris Slaydon confirmed that he had written a zoning compliance letter to the owner of this alleged kennel. He noted that the Sherriff's Department had previously looked into the quality of care the dogs and found they are adequately being taken care of. He also noted that zoning could address the commercial sale of dogs, but not the number of dogs, or how often they bark.

Supervisor Campbell asked County Attorney Vickie Huffman to look into this and determine a course of action. He noted that it was not in his district, however, he has visited the property several times when complaints arose.

Chairman Higgins stated that, if there is an illegal activity, the Commonwealth's Attorney can be contacted to press charges.

Supervisor Hinty asked Mr. Slaydon to reach out to the Sheriff's Department to inspect the property again.

**Additional Recognition**

Mr. Suter recognized the new Natural Bridge State Park, reminding the public that the Board had adopted a resolution on June 24, 2014, to help ensure that the Natural Bridge would be perpetually accessible to the public - and that is exactly what happened this past weekend.

Supervisor Campbell thanked Mr. Suter for advising the Board when the Natural Bridge was for sale and asking that they do anything they could to help make it a state or national park.

**Items to be added to the Agenda**

Mr. Suter advised that, in August, the Effinger Volunteer Fire Department had recommended adoption of a resolution authorizing financing for a new fire engine; however, the fire department had not held the required public hearing. He asked the Board to consider adopting the same resolution presented during that time, but with a September 26<sup>th</sup> date.

**Approval of September 12, 2016 Minutes**

Supervisor Ford moved to approve the September 12, 2016 2016 Minutes. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**Approval of School Appropriation Resolution**

Finance Director Steven Bolster presented the School Appropriation Resolution and recommended approval.

Supervisor Hinty moved to approve the School Appropriation Resolution. 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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, SEPTEMBER 26, 2016 AT 5:30 P.M.

On motion by Supervisor \_\_\_\_, seconded by Supervisor \_\_\_\_, the Board, by record vote adopted the following appropriation resolutions:

**APPROPRIATION RESOLUTION**

**BE IT RESOLVED:** By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby are made, for the period ending **June 30, 2017** in **FUND 50, SCHOOL FUND** and expended as follows:

**New Grants**

**21st Century MRMS 2016**

4-50-61100-1121-350-010-863	Teacher Salaries.....	\$82,128.00
4-50-61100-1130-350-010-863	Grant Coordinator.....	\$30,000.00
4-50-61100-1151-350-010-863	Teacher Aide Salaries.....	\$9,600.00
4-50-61100-2100-350-010-863	FICA.....	\$14,292.00
4-50-61100-3160-350-010-863	Purchased Services.....	\$19,700.00
4-50-61100-4000-350-010-863	Internal Services.....	\$12,990.00
4-50-61100-5510-350-010-863	Mileage.....	\$500.00
4-50-61100-5540-350-010-863	In-Service.....	\$500.00
4-50-61100-6013-350-010-863	Materials & Supplies.....	<u>\$28,583.00</u>
<b>Subtotal</b>		<b>\$198,293.00</b>

**Title VI - Part B 619 2016**

4-50-61100-1121-910-200-864	Teacher Salaries.....	\$14,000.00
4-50-61100-6013-910-200-864	Materials & Supplies.....	<u>\$301.00</u>

**Subtotal** **\$14,301.00**

**Title VI - Part B 611 2016**

4-50-61100-1121-910-200-865	Teacher Salaries.....	\$483,789.00
4-50-61100-2100-910-200-865	FICA.....	\$37,010.00
4-50-61100-2210-910-200-865	VRS.....	\$70,953.00
4-50-61100-2300-910-200-865	Hospitalization.....	\$35,925.00
4-50-61100-2400-910-200-865	GLI.....	\$5,709.00
4-50-61100-2500-910-200-865	RHIC.....	\$5,371.00
4-50-61100-3160-910-200-865	Purchased Services.....	<u>\$7,418.00</u>
<b>Subtotal</b>		<b>\$646,175.00</b>

**TOTAL FUND 50 APPROPRIATIONS** **\$858,769.00**

Chairman Higgins rearranged the General Items on the Agenda.

**Consideration of Recommendations from the Regional Fair Group**

Mr. Suter briefly reviewed the Agenda Item: "As you know, last spring the Board solicited public interest in forming a discussion group to discuss the future of the Rockbridge Regional Fair. Approximately 25 individuals expressed interest and, over the past month, have met on several occasions. Discussion has been enthusiastic and productive, and has resulted in the following recommendations:

- The Regional Fair is valued and important to us as a community. Thus, it is important for us to do everything in our power to see it continue, grow and thrive.
- The Fair needs a 'reboot'. Essentially, in order to be successful, the Fair will require a new and fresh approach, to generate increased and enthusiastic community interest and participation.
- A Fair Board should be created and be comprised of representative and

engaged stakeholders to envision and guide.

- o A volunteer Fair Board, however, cannot be expected to do all the "heavy lifting" in planning and executing a successful fair.
  - o Two compensated positions should be added to support the Fair Board
    - Part time / Seasonal Director
    - Part time / Seasonal Operations Manager
  - o Several Committees should be established to assist the Fair Board and staff in planning and executing a successful fair
  - o *A draft organization chart is attached to help illustrate the structure that the group has discussed*
  - As part of the 'reboot', the Fair would benefit from the following:
    - o Reduction to a three-day event (Thursday, Friday, Saturday)
    - o A "main attraction" for each evening should be planned.
- Discussions included:
- Thursday - Opening concert with potential for additional attractions
  - Friday - Major Agricultural attraction - i.e. Livestock show/sale
  - Saturday - Farm Bureau Tractor pull (*would need to be cleared with and supported by the Farm Bureau Tractor Pull Board*)
- o Move to a late summer / early fall date
    - Currently September 7 - 9, 2017 is envisioned
    - Benefits of such a move were discussed and include:

- Increased participation for some student populations including STEM, arts, technical
- Potential to incorporate 4<sup>th</sup> grade "Agriculture Day" event (currently held in October)
- Cooler weather
- More potential attendees (summer vacations over, students back in town)
- Less competition with summer festivals/carnivals, etc.
- Challenges with these dates were discussed and include:
  - Would be a major change in tradition and potentially logistics for the County Youth Stockman's club participants
  - Potential conflicts with school/sports schedules
  - Horticultural displays would be problematic due to lateness in the growing season
- Funding - While the goal of the Fair should be to become fully self-supporting via revenues and sponsors, a 'reboot' will require some seed money to get started and build momentum. The minimum amount discussed was \$25,000, depending upon the costs necessary for the aforementioned staffing. Other expenditures would be for up-front deposits required for concert, attractions, a midway, etc.
- Decisions / Schedule - Should a change in dates occur, it would have to happen with immediacy, to ensure that the many and varied participating groups and individuals have time to plan.

"Again, this is a condensed set of highlights gleaned from a great deal of discussion. Meeting participants have been invited to attend the Board meeting to answer questions and/or offer additional input as requested. Supervisors may discuss as necessary and pose any questions you may have to them or other group participants who may be in attendance. If the Board of Supervisors were to endorse this approach and provide some level of funding, additional private sponsorship may materialize."

Chairman Higgins thanked the Fair Group for their time and dedication.

Steven Wilder, administrator at Rockbridge County High School, indicated that he had pushed for the change in date so that school would be in session. He indicated that he felt the fair could be used as an opportunity to highlight the students' projects. He advised that the potential exists for students to have a "relaxed" day at school to attend the fair.

Supervisor Lewis shared that there were 21 scheduled participants for the first meeting, of which only two were unable to attend. He stated that he felt the Board should make a commitment or endorsement of this notion.

Supervisor Hinty suggested that members of each interested group select members to appoint to a Fair Board.

Chairman Higgins advised that the VHC does not charge for utilizing their space. He added that in the past there have been complaints about having to pay for parking.

Mr. Suter stated that the VHC could not be more accommodating, and that their staff currently runs the fair. He added that the Fair Board would have to discuss the pay-to-park issue - as it has been a source of revenue to offset the expenses of putting on the fair.

Supervisor Ford suggested using the Comcast grant (\$10,000) the County received not long ago to support the fair - if it had not yet been allocated yet.

Mr. Suter replied that he believed those monies were committed to athletic fields.

Chairman Higgins then replied that he did not think the Board committed the funds specifically to athletic fields, but rather just discussed it.

Mr. Bolster confirmed that the monies from the cable company were sitting in a restricted cash account and said he would look into whether or not the Board committed them to something specific.

Supervisor Hinty moved to commit up to \$25,000 towards the fair, \$10,000 of which would come from the cable franchise agreement, if not already committed. 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

The Board recognized those present who participated in the Fair Group Committee.

**Public Hearings**

**Valley Storage LLC- Special Exception in the B-1 Zoning District**

Mr. Slaydon briefly reviewed the Agenda Item: "Valley Storage, 2376 North Lee Highway, Lexington, Virginia, has applied for a special exception permit to expand their mini-storage facility in the General Business District (B-1) per Section 605.03-12 of the Regulations. Valley Storage is located across from the Lexington Coffee Roasters. See materials attached. The Planning Commission has recommended approval contingent on final TCO approval." Mr. Slaydon reviewed the site plan and recommended conditions.

Brandon Dorsey, representing the storage business, stated that Mr. Bobby Berkstresser is in the process of selling the property to Valley Storage Lexington, LLC. He advised that some of the parking would be removed in order to complete the required retention area.

Supervisor Lewis asked if the property would be owned by the storage company.

Mr. Dorsey replied that it would.

Supervisor Ford asked if this matter had gone before the TCO.

Mr. Slaydon replied that it has not, but that approval is contingent upon TCO review.

Supervisor Campbell asked why a landscaping requirement was added.

Mr. Slaydon replied that such would have been a recommendation from the TCO, so the Planning Commission thought the owner would be well served for it to be included in their recommendation. The recommendation was made to break up the visibility of the storage building.

Chairman Higgins opened the public hearing at 6:22 p.m. There were no comments. Chairman Higgins closed the public hearing at 6:23 p.m.

Supervisor Campbell moved to adopt the Ordinance granting the Special Exception Permit with associated conditions. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA,  
HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATION CENTER ON MONDAY, SEPTEMBER 26, 2016

**Ordinance Granting an Amended Special Exception Permit to Valley Storage Lexington, LLC to Expand Its Self-Storage Facility for Additional Units and RV and Boat Parking and Storage, on a Portion of Property Owned by Robert J. Berkstresser and Sue E. Berkstresser in the General Business District (B-1), Located on the East Side of Route 11 at 2376 North Lee Highway (Tax Map No. 62-4-1C3) in the South River Magisterial District**

**WHEREAS**, on June 23, 2003, Leonard F. (Frankie) Pennington of Frankie's Auto Sales and Storage was granted a special exception permit, with no conditions, for a self-storage facility on property identified as Tax Map Nos. 62-4-1C1 and 62-4-1C2; and,

**WHEREAS**, Valley Storage Lexington, LLC, has filed an application for an amended special exception permit pursuant to the Rockbridge County Land Development Regulations §605.03-12, to expand the existing self-storage facility to a portion of Tax Map No. 62-4-1C3, for additional units and for RV and boat parking and storage; and,

**WHEREAS**, the self-storage facility is located in the General Business District (B-1), on the east side of North Lee Highway (Route 11) approximately .6 mile south of its intersection with Valley Pike, at 2376 North Lee Highway in the South River Magisterial District of Rockbridge County; and,

**WHEREAS**, the Rockbridge County Planning Commission held a public hearing on this matter on September 14, 2016, and recommended to the Board of Supervisors that the special exception permit be approved with specified conditions; and,

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

**WHEREAS**, the Board of Supervisors has held a public hearing on this matter on September 26, 2016; 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 Development 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 finds that the granting of an amended special exception permit to Valley Storage Lexington, LLC, to expand its existing self-storage facility (Tax Map Nos. 62-4-1C1 and 62-4-1C2) for additional storage units and for RV and boat parking and storage, to a portion of property identified as Tax Map No. 62-4-1C3, located in the General Business District (B-1), on the east side of North Lee Highway (Route 11) approximately .6 mile south of its

intersection with Valley Pike, at 2376 North Lee Highway in the South River Magisterial District of Rockbridge County, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby granted and approved with and subject to the conditions set forth on Exhibit A attached hereto and incorporated herein by reference.

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

Adopted this 26<sup>th</sup> day of September, 2016.

## **EXHIBIT A**

### **SPECIAL EXCEPTION PERMIT CONDITIONS**

#### **VALLEY STORAGE LEXINGTON, LLC**

1. Substantial compliance with the 'Site Plan' dated August 17, 2016, as submitted.
2. RV and boat parking and storage shall be in the rear behind the storage units.
3. Landscaping, to include no less than 18 shrubs, shall be planted along the southern property line to break up view of the storage unit(s).
4. Approval contingent upon site plan review and approval by the Tourism Corridor Overlay Board.

#### **Solid Waste Update**

Director of Solid Waste Jeremy Garrett briefly reviewed the Agenda Item, with visual aids: "On August 22<sup>nd</sup>, the Board received a Solid Waste planning update by staff as part of an ongoing series of updates. The current update will focus on action items and general updates related to

the Landfill Expansion project currently underway. No formal update will be provided for Collections, Recycling or Transportation; however, staff is prepared for any question the Board may have.

**Disposal (Landfill Expansion):**

- Stormwater BMP Construction
- Cell 1 Grading
- Gas System Modifications
- Cell 1 Access Road Construction
- Leachate Pond Construction / Collection System
- Leachate Access Road Construction
- Liner Installation
- Review of Master Schedule (updated)"

Chairman Higgins asked when the new cell could be utilized.

Mr. Garrett replied that it would be ready on June 30, 2017 with substantial compliance. He added that staff do not want to actively use the new cell until the other one is closed.

**Consideration of Collection Center Task Orders**

Mr. Garrett briefly reviewed the Agenda Item: "On September 12, 2016, the County Board of Supervisors authorized staff to proceed with final legal review and approval to enter into a Master Services Agreement with SCS Engineers to provide Design/Engineering Services for Modification of

Solid Waste and Recycling Collections Centers. The purpose of the agreement is to develop site plans and more detailed budgets for any new sites, so that the Board can consider and determine whether to implement. Additionally, the Board directed staff to return and present each individual task order to gain input from the full Board prior to approval. Based on comments previously received from the Board and in keeping with the published Solid Waste Strategic Plan, staff has worked with SCS Engineers to prepare two Task Orders for your review and consideration."

**Fancy Hill Site (New Center D South):**

TASK 1	TASK 2	TASK 3
Reconn, Suitability, & Survey	Conceptual Design	Final Design
\$11,500	\$10,000	\$17,000

\*\* Review Schedule

**Kerrs Creek Site (New Center A):**

TASK 1	TASK 2
Reconn, Suitability, & Survey	Final Design
\$10,000	\$14,500

Supervisor Ford moved to authorize the Task Orders as presented.

Supervisor Campbell provided the second.

Supervisor Lewis asked at what point is the Board committing to the Fancy Hill site, considering citizens' interest.

Mr. Suter replied that part of the reason for authorizing the Conceptual Design is to show the public what the Center will look like.

Mr. Garrett added that conceptual plans help staff put their best foot forward in working with the designs to make sure, if possible, that changes are made to show what the community wants.

The motion from Supervisor Ford, seconded by Supervisor Campbell, passed by unanimous roll call vote by the Board.

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

#### **Consideration of Support for VACo Legislative Priority Involving Meals Tax**

Mr. Suter briefly reviewed the Agenda Item: "Recently, I received a request from York County to support a legislative initiative to achieve meals tax parity for counties in the Commonwealth. Currently, the State caps the meals tax at 4% for counties, most of which require a referendum to implement, but the ability of cities to set rates is unregulated. Rockbridge is exempt from the referendum requirement. Currently, Rockbridge County's meals tax rate is set at 4%. Both the City of Lexington and the City of Buena Vista tax meals at 6%. This disparity is

similar to that which is described in the attached letter and explanation from York County. Based on current revenue numbers received from our Commissioner of Revenue, an increase of 2% (from 4% to 6%) would result in approximately \$600,000 of new revenue for Rockbridge County annually. For perspective, the current tax on a \$10.00 meal is \$0.40. If the tax rate changed to 6%, the tax on the same meal would be \$0.60 (\$0.20 increase). The approach that York county requests is support for a legislative amendment that would allow Counties the *option* to increase meals tax up to a cap of 8%. Counties would then be able to decide what, if any meals tax to implement up to 8%. Ultimately, a public hearing would be required to make any changes to the County's meals tax rate. I presented the information to the Board Finance Committee members, who asked that I bring the York County request before the full Board. Several options are available for the Board:

- 1) Decline to support the York County request.
- 2) Determine to support the York County request by either:
  - a. Resolution of support and / or
  - b. A letter to our House and Senate representatives supporting the legislative change.
- 3) Table the discussion for another meeting."

Supervisor Ford moved to proceed to request staff to prepare a resolution and to write letters to our Senators and representatives. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**Consideration of 911 Center Renovation Contract**

Mr. Suter briefly reviewed the Agenda Item: "At the Board's last regular meeting on September 12<sup>th</sup>, I presented 911 center renovation bids. The apparent low bidder was Lionberger Construction Company, based in Roanoke. At that time, I reported that the next steps were for the project architect (Moseley) to certify the bid and check references. Moseley has completed these steps. The bid has been deemed inclusive of the scope of work required, and Lionberger has been deemed qualified to complete the project. I have consulted with the Lexington and Buena Vista City Managers, and we are in agreement that the two add-alternates should be included in the total project. The total contract cost would therefore be as follows:

Base Bid -	\$ 728,000
Add/Alt 1 - (Full asbestos abatement) -	\$ 11,200
<u>Add/Alt 2 - (Fire suppression in eq. room) -</u>	<u>\$ 19,200</u>
Total Contract -	\$758,400

"Please be aware that nearly every construction contract has potential for change orders, which can impact costs. Certainly we would try to limit

change orders. Moseley has adjusted a standard AIA contract document for this project, attached hereto. Given the short turnaround, the contract is still under review by the County Attorney. Should any suggested changes result from that review, such recommendation will be made at the Board's next meeting. Should the Board agree to authorize execution of the agreement, notice to proceed would be given immediately. Substantial completion of the project is scheduled for late April, with final completion in late May."

Supervisor Campbell asked if the remaining unfinished part of the building could be added to the contract.

Mr. Suter replied that up to 25% of the total cost could be added to the contract under consideration.

Supervisor Ford asked if coming back at a later date to complete the design of the unfinished area would incur a penalty.

Mr. Suter replied that because the final use of the unfinished area has not been determined by the three localities, it would not be beneficial to add it into the contract. He indicated that the rough plan is for the area to be used as an emergency command post; however, that is not set in stone.

Chairman Higgins asked if the remodel of the unfinished area could be done in-house to save money.

Mr. Suter indicated that was a possibility.

Supervisor Campbell moved to approve the resolution as presented. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY HELD AT THE  
ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES

ON MONDAY, SEPTEMBER 26, 2016

Resolution Authorizing Award of Bid and Approving the Construction Agreement With  
Lionberger Construction for Renovation and Adaptive Reuse Construction of the Former  
Lomax Building for a Regional Emergency Communications Center

WHEREAS, on August 8, 2016, the County of Rockbridge issued an Invitation to Bid for construction of the Rockbridge Regional Emergency Communications Center, generally consisting of renovations and adaptive reuse of the former Amole-Lomax building located at 100 Baner Lane, Buena Vista, VA, 24416, for use as a regional emergency communications center; and,

WHEREAS, four (4) companies submitted bids in accordance with IFB #2016-08-001 by the September 7<sup>th</sup> response date and time; and,

WHEREAS, S. Lewis Lionberger Construction Company, d/b/a Lionberger Construction, submitted the low base bid of \$728,000.00, plus a bid of Add/Alt 1 for full asbestos abatement at \$11,200.00 and a bid of Add/Alt 2 for fire suppression in the equipment room at \$19,200.00; and,

WHEREAS, Moseley Architects, P.C., the project architect, has completed a review of the bid proposal documents and ascertained that the bid is inclusive of the scope of work contained in the request for proposals; and,

WHEREAS, the County has received from Moseley Architects and reviewed references for Lionberger Construction, as well as examples of similar, successfully completed projects, and has determined that Lionberger Construction is a responsive and responsible bidder; and,

WHEREAS, the proposed Agreement, incorporating all of the Contract Documents, has been prepared for execution between the County of Rockbridge and Lionberger Construction, and is presented herewith for approval.

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

1. That the Agreement, incorporating all of the Contract Documents, dated September 19, 2016, with S. Lewis Lionberger Construction Company, d/b/a Lionberger Construction Company, for construction of the Rockbridge Regional Emergency Communications Center, generally consisting of renovations and adaptive reuse of the former Lomax building located at 100 Baner Lane, Buena Vista, VA, 24416, for use as a regional emergency communications center, at the contract price of \$758,400.00, with substantial completion of all contract work associated with the new "IT/COMMS/Radio Equipment" no later than November 20, 2016, with substantial completion of all other work by April 27, 2017, and with final completion of all work being 30 days from each substantial completion date, be and hereby is authorized and approved.

2. That the County Administrator is hereby authorized to execute the Agreement dated September 19, 2016, between the Owner and the County on behalf of the Board of Supervisors of the County of Rockbridge, the Notice of Award, the Notice to Proceed, and such other documents, and to take such further actions, as are necessary to accomplish this transaction, all of which shall be upon form and subject to the conditions approved by the County Attorney.

3. That this resolution shall be effective upon the date of its adoption.

Adopted this 26<sup>th</sup> day of September, 2016.

#### **Added Item**

Mr. Suter presented the Board with a revised resolution approving financing by the Effinger Volunteer Fire Department of up to \$200,000 for the purchase of a new fire engine. The revisions were the changing of the public hearing date and date of approval.

Ms. Huffman advised that provisions needed to be made to the resolution, striking some clauses, and adding another. (The revised resolution is shown below with the new provisions.)

Supervisor Ford moved to approve the amended resolution per Ms. Huffman's recommendations. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board.

AYES: Ford, Campbell, Lewis, Hinty, Higgins  
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, SEPTEMBER 26, 2016

**RESOLUTION TO APPROVE FINANCING BY THE EFFINGER VOLUNTEER FIRE DEPARTMENT OF UP TO \$200,000.00 FOR THE PURCHASE OF A NEW FIRE ENGINE**

WHEREAS, the Effinger Volunteer Fire Department has determined to finance an amount of up to \$200,000 for the purchase of a fire engine, which will be located at and utilized from the Department's facility in Rockbridge County, which operates for the benefit of the citizens of Rockbridge County; and,

WHEREAS, the Effinger Volunteer Fire Department has held its public hearing regarding the financing, with public notice, on August 24, 2016, and has reported the proceedings of the hearing to this Board.

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

1. By approval hereof, the financing shall not under any circumstances be considered an obligation or debt of the County nor is the County extending its credit in any way; the financing shall be payable solely from the revenues of the Effinger Volunteer Fire Department.
2. This Resolution shall supersede and replace the Resolution to Approve Financing adopted September 12, 2016, which is hereby rescinded.
3. This Resolution shall be effective upon the date of its adoption.

Adopted this 26<sup>th</sup> day of September, 2016.

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

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

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

Recorded Vote

Moved By:

Seconded By:

Yeas:

Nays:

\*\*\*\*\*

I hereby certify that the foregoing Resolution was duly adopted at a meeting of the Rockbridge County Board of Supervisors duly called and held on September 26, 2016, and that a quorum was present and acting throughout the meeting. Such resolution remains in full effect as of this date.

Dated this 26<sup>th</sup> day of September, 2016.

[SEAL]

\_\_\_\_\_  
Clerk, Board of Supervisors  
Rockbridge County, Virginia

**Adjourn**

Supervisor Hinty moved to adjourn. Supervisor Lewis provided the second, and the meeting was adjourned by unanimous roll call vote by the Board.

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

Mr. Suter reminded those present that the next Board Meeting will be on Tuesday, October 11<sup>th</sup>, as County Offices will be closed on Monday, October 10<sup>th</sup>, in observance of Columbus Day.