

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, NOVEMBER 28, 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. (absent from the dais until 4:37 p.m.)
CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN

Called to Order

Chairman Higgins called the Work Session to order at 4:33 p.m.

CIP Update

Assistant Director of Community Development Chris Slaydon reviewed the CIP line items.

During Mr. Slaydon's review of the Public Works (944XX) line items, Supervisor Lewis asked if the wording of "Site A (Wades Mill/Brownsburg) Collection Center" could be renamed. He suggested changing it to "Northwest Quadrant".

During his review of the elevator replacement project for the Administration Building, Mr. Slaydon noted that the ultimate cost would likely be lower, based on the fact that we have determined that replacement may not be necessary - rather that the existing elevator could be refurbished at a lower cost. County Administrator Spencer Suter suggested changing the line item entitled "Replace Elevator at Admin. Bldg." to "Renovate Elevator at Admin. Bldg.".

Supervisor Ford asked if the new estimate for the elevator renovation would be incorporated into the CIP before its adoption.

Mr. Slaydon replied that it would likely remain the same in that it will not take place in the next budget cycle, and that a more refined cost could be added in the next CIP cycle.

Under the Parks and Recreation (94711) line, Mr. Slaydon changed "Cabins at Lake Robertson" to "Cabin at Lake Robertson".

Under the Public Safety line, Mr. Slaydon advised that the County would try to utilize some old police vehicles if possible before purchasing a new E&S/SWM Control vehicle.

Under the Public Works (954XX) line, Mr. Slaydon advised that the "Air Compressor and Relocation of Compressor" would likely be removed because that purchase could be made with the Maintenance Garage's current-year savings.

Under the Parks and Recreation (957XX) line, Mr. Slaydon advised that the purchase of a riding mower would be removed as that department was able to make this purchase using internal savings.

During review of the SWA's line item entitled "Landfill Closure & Intermediate Cover", Chairman Higgins asked if there were enough funds already budgeted in the closure fund to cover this cost.

Finance Director Steven Bolster replied that current funding for the entire closure and post/closure process is adequate.

After Mr. Slaydon's complete review of the CIP line items, Mr. Suter advised that there would be additional items to be added at some point in the future. For example, he noted, the schools are working on a capital improvement plan which should be rolled into the County's overall plan, and that the County's financial software would need to be updated at some point.

Supervisor Campbell asked if it would be beneficial for the County to go in with the schools and update the financial software at the same time, as this change could possibly be more cost effective.

Mr. Suter replied that it probably would be beneficial in the long run for both the County and the Schools to use the same financial software system. He noted however, that just last year, the County had upgraded some modules of the existing system - and that it made sense to maximize the investment.

Mr. Bolster added that a key requirement for the schools' new financial software is that it be able to transfer data with the existing county financial software. County staff has been involved in sales demonstrations of the packages under consideration by the schools.

Supervisor Lewis shared his appreciation of the work done to the CIP to make it clear and understandable.

Chairman Higgins closed the Work Session at 5:08 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, NOVEMBER 28, 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 at 5:31 p.m.

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

Recognitions/Presentations

Chairman Higgins called for recognitions and presentations. There were none.

Citizens Comments

Chairman Higgins called for citizen comments.

Marc Gingerelli of the Walkers Creek Magisterial District renewed his complaint against his neighbors running a dog breeding operation. He stated that the operation had been running consecutively for over 2,312 days.

Items to be added to the Agenda

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

Approval of the November 14, 2016 Minutes

Supervisor Ford moved to approve the November 14, 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

Convene Solid Waste Authority (SWA)

The Solid Waste Authority did not convene.

Consideration of HVAC Contract

County Administrator Spencer Suter briefly reviewed the Agenda Item: "At its regular August 22nd meeting, the Board approved issuance of a Request for Proposals for improvements to the HVAC system in the County Administration building. Seven proposals were received and reviewed by a team consisting of:

- Kenny Wilson - Building Official
- Buster Lewis - BOS Building Committee Member
- Kenny Beard - Rockbridge County Schools Maintenance Department

After review, the team returned the following ranking of the top three proposals for Board consideration:

- 1) Blauch Brothers, Inc.

2) Southern Air, Inc.

3) Varney, Inc.

"At its regular meeting on November 14th, the Board approved the recommended ranking and authorized staff to enter into negotiations; we have subsequently negotiated the attached contract with Blanch Brothers, based in Harrisonburg. The contract includes replacement of the existing chiller unit, to include all associated piping and wiring necessary to upgrade the system. It also includes replacement of the existing temperature control system and balancing of the system building-wide. Cost for these upgrades is \$231,948. The contract also includes an annual maintenance and service agreement for the entire HVAC system. The cost of the initial, two-year term would be \$6,000 per year, with two additional, optional two year extensions. Cost escalation could not exceed 3% for each two-year extension. Finally, given the lead time required to build and deliver the chiller unit, we have extended the final completion date until March 30, 2017."

Supervisor Lewis moved to approve the resolution shown below.

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

AYES: Lewis, Hinty, Ford, Campbell, 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, NOVEMBER 28, 2016

Resolution to Authorize and Approve a Service Agreement With Blauch Brothers, Inc., for
Design, Installation and Total Solution for Replacement of Chiller and Controls, and for

On-going Preventative Maintenance and Services for Entire Heating and Cooling System,
for the Rockbridge County Administration Building

WHEREAS, on September 7, 2016, Rockbridge County issued a Request for Proposals for Design, Installation, and Total Solution for Replacement of Chiller and Controls for the Rockbridge County Administration Building; and,

WHEREAS, the review team members reviewed and ranked the proposals, with a recommendation to the Board to authorize negotiation of a contract with Blauch Brothers, Inc.; and,

WHEREAS, on November 14, 2016, the Board of Supervisors approved Blauch Brothers, Inc., as the first-ranked proposer and authorized staff to negotiate a contract for the required services; and,

WHEREAS, the Service Agreement providing for Renovation Services and Maintenance Services, with Attachments, has been presented to the Board of Supervisors for approval.

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

1. That the Services Agreement, with an effective date of December 1, 2016, between the County of Rockbridge and Blauch Brothers, Inc., as the Contractor, for Renovation Services that include replacement of the cooling system in the County Administration building for the contract price of \$231,948.00, with a 10% contingency, and for Maintenance Services that include quarterly preventive maintenance to the entire heating and cooling systems in the County Administration building for a contract price of \$6,000.00 per year for the first, two (2) year term, renewable for two (2) additional two (2) year terms, with price escalation not to exceed three percent (3%) of the preceding term, and for other service and emergency calls at an hourly rate of \$80.00 per hour (billed at time and one-half during after- work hours) and a truck charge of \$35.00, plus the cost of materials and parts, is hereby authorized and approved.

2. That the County Administrator is hereby authorized to execute the Service Agreement and such other documents, and to take such further actions, on behalf of the Rockbridge County Board of Supervisors, as are necessary to accomplish this transaction, all of which shall be subject to approval as to form by the County Attorney.

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

Adopted this ____ day of November, 2016.

Consideration of Benefits Plan Consulting Ranking

Mr. Suter briefly reviewed the Agenda Item: "As you may recall, last year the Board determined to employ the services of a benefits plan consultant. The Board included funding in the FY2017 (current) budget and authorized staff to issue a Request for Proposals for these services. The scope of work includes full benefit plan consulting, with a concentration on health insurance benefits. It also includes flexibility in contracted services, so that the County could consider the cost vs. benefit of joining with one or more other governmental units (such as the County Schools) in provision of health insurance. A copy of the request for proposals is attached. Four proposals were received by the November 2 deadline and were reviewed by a selection advisory team consisting of Ronnie Campbell (Board Personnel Committee representative), Human Resources Manager Heidi Conner and County Administrator Spencer Suter. Evaluation criteria and weighting included:

1. Demonstrated experience and technical expertise - 15%
2. Demonstrated understanding of employee benefits laws and regulations and other laws and regulations relevant to each service to be provided - 15%
3. Past record of performance with governmental clients in Virginia, including quality of work, timeliness, and cost control - 10%
4. Independence, with no direct or indirect financial relationships or incentives to promote or support any type or design of benefit program or any particular product, line of products or provider of products. Any direct or indirect financial relationships to any

broker, agent or provider of products or services must be specifically and fully disclosed and described - 10%

5. Completeness and quality of proposal - 25%

6. Cost of Services - 25%

Initial proposal evaluations resulted in the decision to interview two proposers: Independent Benefit Consulting, LLC, and One Digital Health and Benefits, Inc. Upon completion of the interviews, staff checked references and the evaluation team met again to discuss final rankings. The result is a recommended ranking of:

1) One Digital Health and Benefits, Inc.

2) Independent Benefit Consulting, LLC

It is important to note that the teams feels that either company could meet the County's needs. Should the Board choose to approve the ranking as presented, the team would enter into negotiations in the order of ranking. Should we be unable to reach agreement with the top-ranked offeror, we would cease negotiations with that offeror and begin negotiations with the second-ranked offeror. In either case, we would bring a contract back to the Board for final approval."

Supervisor Ford asked if the contract would need to be finalized before the County would be able to discuss with other agencies who may want to be participants.

Mr. Suter replied that he has kept the schools and the City of Lexington informed of the progress on this matter.

Supervisor Campbell moved to authorize staff to enter into

negotiations with the top ranked firm. 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

Chairman Higgins called for a break at 5:41 p.m. until the Public Hearings at 6:00 p.m.

Chairman Higgins reconvened the Board of Supervisors meeting at 5:59 p.m.

Public Hearings at 6:00 p.m.

Boy Scouts of America- Special Exception to Expand Campground Dining Hall in A-2

Assistant Director of Community Development Chris Slaydon briefly reviewed the Agenda Item: "The Boy Scouts have applied for a special exception permit to replace their existing dining hall in order to better accommodate their current number of campers in the Agricultural and General Uses District (A-2), per Section 603.03-15 of the Regulations. They will be demolishing the current facility and building an approximately 11,000 square foot dining hall so all scouts may be served at a single seating. In addition, they will be building a new access road off of Millard Burke Memorial Highway and making improvements to the waste management system. As a grandfathered use in the A-2 district dating back to the 1960's, the Scouts are not operating under a current special exception permit. This expansion and/or future such changes trigger that

process. The Planning Commission has recommended approval with a condition of substantial compliance with plan presented.”

Project Architect Lee Merrill reiterated that inadequate seating had been a problem, and that this would allow for feeding all the children at the same time instead of in two different groups.

Supervisor Lewis asked what could be done to eliminate the application process for private seasonal campgrounds in the future.

Mr. Slaydon replied that the County could make it a permitted use by passing a zoning amendment through a public hearing process - to change a private seasonal campground from a use by special exception to a permitted use.

Supervisor Hinty asked why this would be considered a private campground when it is more of a learning environment.

Mr. Slaydon replied that it is used as a campground.

Supervisor Campbell asked about the process for making the zoning amendment.

Mr. Slaydon replied that it would require a motion by the Board of Supervisors to enact the public hearing process to amend the existing zoning ordinance at a future date.

Supervisor Ford observed that deregulating private campgrounds could lead to problems with water quality, just at a time when the county has made significant strides in that area.

Chairman Higgins opened the public hearing at 6:10 p.m. There were no comments. Chairman Higgins closed the public hearing.

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

AYES: Lewis, Hinty, Ford, Campbell, 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, NOVEMBER 28, 2016

Ordinance Granting a Special Exception Permit to National Area Council Boy Scouts of America to Replace and Expand the Existing Dining Hall on Property Located Along the East Side of Millard Burke Memorial Highway Near Its Intersection With Maury River Road in the Walkers Creek Magisterial District, Identified as Tax Map #13-A-20, in the Agricultural and General Uses District (A-2), Per Section 603.03-15 of the Rockbridge County Land Development Regulations

WHEREAS, National Area Council Boy Scouts of America has filed an application for a special exception permit to demolish, replace and expand their existing dining hall to better accommodate the current numbers of campers at their current location in Rockbridge County, Virginia, identified on the Rockbridge County Land Records as Tax Map #13-A-20, in the Walker's Creek Magisterial District; and,

WHEREAS, the Planning Commission held a public hearing on the application on November 9, 2016, and recommended approval with the condition of substantial compliance with the plan presented; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing on this matter on November 28, 2016; and,

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

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

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

1. That the Board of Supervisors finds that the granting of a special exception permit to National Area Council Boy Scouts of America to replace and expand their existing dining hall on property in the Walker's Creek Magisterial District of Rockbridge County, Virginia, identified on the Rockbridge County Land Records as Tax Map #13-A-20, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby granted and approved, subject to the condition that the replacement and expansion shall be substantially in accordance with the Site Plan dated October 14, 2016.

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

Adopted this ____ day of November, 2016.

Rezoning Public Hearing- The Frederick Bartenstein Jr. Trust- Rezone from R-1 to A-2

Mr. Slaydon briefly reviewed the Agenda Item: "The Bartensteins have applied to rezone 12.33 acres from Residential General District (R-1) to Agricultural and General Uses District (A-2) for open space purposes. This is part of a land swap with Kendal at Lexington and expected to go into a

conservation easement with the Virginia Outdoor Foundation, along with the rest of Sunnyside Farm. This acreage includes the stream corridor which feeds into Woods Creek. The Planning Commission has recommended approval."

Arthur Bartenstein stated that the promise of a conservation easement of 12.33 acres better enables his family to achieve a conservation plan with the Virginia Outdoors Foundation.

Supervisor Ford asked if the land at the top of Brushy Hill that does not adjoin the rest of the property would be under the same consideration for easement also.

Mr. Bartenstein replied that the isolated parcel will be included in the easement, on condition that the City of Lexington grants the Bartensteins access to it.

Chairman Higgins opened the public hearing at 6:16 p.m.

Lee Merrill of the Kerrs Creek District shared his approval of this request, stating that it makes sense.

With there being no further requests to speak on the matter, Chairman Higgins closed the public hearing at 6:17 p.m.

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

AYES: Ford, Lewis, Campbell, 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, NOVEMBER 28, 2016

Ordinance to Change the Zoning Classification of a 12.33-Acre Parcel of Land (portion of Tax Map #74-A-35A) Owned by Lexington Retirement Community, Inc. (Kendal at Lexington) from Residential General District (R-1) to Agricultural and General Uses District (A-2), Located Along the West Side of Ross Road at the Lexington City Limits in the Kerr's Creek Magisterial District of Rockbridge County

WHEREAS, the Planning Commission held a public hearing on this matter on November 9, 2016, and recommended approval of the application to the Board; 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 November 28, 2016; and,

WHEREAS, the Board of Supervisors has determined that the rezoning of the property would generally promote the health, safety 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 a 12.33-acre parcel of land (portion of Tax Map #74-A-35A), shown as "12.33 AC" located on the north side of Ross Road at the Lexington City limits in the Kerrs Creek Magisterial District on 'Plat Showing Equal Acreage Exchange' prepared by Perkins and Orrison, dated September 23, 2016, and on file in the Community Development Office, owned by Lexington Retirement Community, Inc. (Kendal at Lexington), is hereby changed from Residential General District (R-1) to Agricultural and General Uses District (A-2).

2. That this action is taken upon the application of The Frederick Bartenstein, Jr. Trust, as contract purchaser, and Lexington Retirement Community, Inc., as owner.

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 ____ day of _____, 2016.

**Rezoning Public Hearing- Lexington Retirement Community- Rezone from
A-2 to R-1**

Mr. Slaydon briefly reviewed the Agenda Item: "Kendal at Lexington has applied to rezone 12.33 acres from Agricultural and General Uses District (A-2) to Residential General District (R-1). This is the other part of the land swap with the Bartensteins. There are no current plans to develop this property, and an amended special exception permit would be required should that occur in the future. The Planning Commission has recommended approval."

Kendal attorney Sam Darby asked the Board for questions. There were none.

Chairman Higgins opened the public hearing at 6:21 p.m. There were no comments. Chairman Higgins closed the public hearing.

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

AYES: Ford, Lewis, Campbell, 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, NOVEMBER 28, 2016

**Ordinance to Change the Zoning Classification of a 12.33-Acre Parcel of Land
(portion of Tax Map #74-A-35) Owned by The Frederick Bartenstein Jr. Trust from
Agricultural and General Uses District (A-2) to Residential General District (R-1),
Located Off of Enfield Road Along the West Side of Kendal Drive in the Kerrs
Creek Magisterial District of Rockbridge County**

WHEREAS, the Planning Commission held a public hearing on this matter on November 9, 2016, and recommended approval of the application to the Board; 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 November 28, 2016; and,

WHEREAS, the Board of Supervisors has determined that the rezoning of the property would generally promote the health, safety 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 a 12.33-acre parcel of land (portion of Tax Map #74-A-35), shown as "12.33 AC" located off of Enfield Road along the west side of Kendal Drive in the Kerrs Creek Magisterial District on 'Plat Showing Equal Acreage Exchange' prepared by Perkins and Orrison dated September 23, 2016, and on file in the Community Development Office, owned by The Frederick Bartenstein, Jr. Trust, is hereby changed from Agricultural and General Uses District (A-2) to Residential General District (R-1).

2. That this action is taken upon the application of Lexington Retirement Community, Inc., as contract purchaser, and The Frederick Bartenstein, Jr. Trust, as owner.

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 _____ day of November, 2016.

**Lexington Retirement Community- Special Exception to Expand
Continuing Care Retirement Community**

Mr. Slaydon briefly reviewed the Agenda Item: "Concurrently with a similar action through the City of Lexington, Kendal has applied to amend their special exception permit to expand a Continuing Care Retirement Community in the Residential General District (R-1) per Section 604.03-2 of the Regulations. The expansion is to improve living and communal areas and will not increase living units on the County portion of the property. The County acreage totals 56.15 acres, which allows for 224 living units (four units per acre). There are currently 200 units - broken down as 120 independent units, 20 assisted units and 60 nursing units. The actions being taken with the City are independent of our processes. The Planning Commission has recommended approval with conditions of substantial compliance with plan presented, VDOT approval of the reconstructed entrance on to Enfield Road, and other required agency approvals."

Kendall Attorney Sam Darby explained that there would be additional parking, additional maintenance, and an additional emergency road.

Supervisor Ford shared his concern about the removal of trees at the entrance, as that vegetation buffers some of the view from the neighbors.

He asked that a condition be added to the ordinance to allow for the retention of those trees.

Mr. Darby replied that this would be satisfactory to Kendall. He shared that those trees also block the sunlight from those turning onto Kendall Drive; losing the trees would impede their view. He stated that Kendall plans to replace any trees that require removal for construction. He asked Supervisor Ford if he was suggesting replacement of a tree with one the same size.

Supervisor Ford agreed with replacing any lost tree with another that would eventually grow to the same size.

Mr. Slaydon read language of the proposed additional condition: "At the intersection of Kendall Drive and Enfield Road, existing trees over 2 inches at the breast height located on the Southwest corner of the intersection shall be preserved, or if any tree be removed it shall be replaced".

Attorney Darby added language to the condition that a removed tree be replaced with a tree that will become the same size.

Supervisor Ford agreed.

Supervisor Hinty asked for review of the conditions related to provision of potable water.

Mr. Slaydon read aloud the specific condition: "approval from the Rockbridge County Public Service Authority (and/or the City of Lexington Public Works Department)".

Supervisor Hinty asked why the County would be dealing with the City of Lexington in this matter.

Mr. Slaydon replied that if water and sewer usage increased as a result of the proposed renovations, there could be discussions between the County and Lexington Public Works.

Supervisor Hinty asked County Attorney Vickie Huffman if she understood this.

Ms. Huffman replied that the Public Service Authority (PSA) provides service to Kendall; however, it runs through the lines in the City of Lexington.

Engineer Mike Rakes of Spectrum Design shared that, when Kendall had their water service switched to the PSA, there was an agreement drawn that the City of Lexington would provide backup water.

Chairman Higgins opened the public hearing at 6:33 p.m.

Joan Manley, resident of the City of Lexington, shared her appreciation for the expansion of the retirement community. She encouraged single bedrooms instead of two beds per room. She then shared her concern about additional traffic, requesting that new residents not have vehicles.

Chairman Higgins closed the public hearing at 6:38 p.m.

Supervisor Ford asked whether, if and when Kendall expands in the County, the County or PSA would have control over hookups to the City of Lexington's sewer. Mr. Slaydon replied that the PSA must request permission from the City to increase County connections to the sewer.

Supervisor Ford moved to adopt the ordinance below, with the additional condition about the trees. 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, NOVEMBER 28, 2016

Ordinance Granting an Amended Special Exception Permit to Lexington Retirement Community, Inc. (Kendal at Lexington), to Expand a Continuing Care Retirement Community in the Residential General District (R-1), Per Section 604.03-2 of the Rockbridge County Land Development Regulations, for Property Located at 160 Kendal Drive, Lexington, Virginia and Further Identified as Tax Map #74-A-35A in the Kerr's Creek Magisterial District

WHEREAS, Lexington Retirement Community, Inc. (Kendal at Lexington) has filed an application for amendment of its special exception permit to expand a continuing care retirement community in the Residential General District (R-1) on property owned by Lexington Retirement Community, Inc., located at 160 Kendal Drive, Lexington, Virginia in the Kerrs Creek Magisterial District, and further identified upon the Rockbridge County Land Records as Tax Map #74-A-35A; and,

WHEREAS, the Rockbridge County Planning Commission, following a public hearing on November 9, 2016, has reviewed the application and recommended approval of the amended special exception permit with specified conditions; and,

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

WHEREAS, the Board of Supervisors has held a public hearing on this matter on November 28, 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 Regulations, for issuance of a special exception permit.

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

1. That the Board of Supervisors finds that the granting of an amended special exception permit to Lexington Retirement Community, Inc. (Kendal at Lexington) for expansion of its continuing care retirement community, to improve living and communal areas without an increase in living units, in the Residential General District (R-1), on that portion of the property owned by Lexington Retirement Community, Inc., located at 160 Kendal Drive, Lexington, Virginia, and located within jurisdictional boundaries of the County of Rockbridge, identified as Tax Map #74-A-35A in the Kerrs Creek Magisterial District (less the 12.33-acre parcel on the north side of Ross Road at the Lexington City limits as shown on the 'Plat Showing Equal Acreage Exchange' prepared by Perkins and Orrison, dated September 23, 2016, to be conveyed to The Frederick Bartenstein, Jr. Trust), and together with the 12.33-acre parcel of land (portion of Tax Map #74-A-35), shown as "12.33 AC" located off of Enfield Road along the west side of Kendal Drive on 'Plat Showing Equal Acreage Exchange' prepared by Perkins and Orrison dated September 23, 2016, to be conveyed to Lexington Retirement Community, Inc., is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby approved with and subject to the conditions of: (1) approval from the Virginia Department of Transportation; (2) approval from the Rockbridge County Public Service Authority (and/or the City of Lexington Public Works Department); (3) substantial compliance with the site plans entitled "Kendal at Lexington Master Plan" dated October 19, 2016, prepared by Spectrum Design, and "KENDAL AT LEXINGTON: RENOVATIONS AND EXPANSION", referenced as C103, C203, and C304 dated April 13, 2016, and C102-M dated October 3, 2016; and (4) the existing trees, over two (2) inches at breast height, located in the southwest corner of the intersection of Kendal Drive (private drive) and Enfield Road (Route 672), shall be preserved or, if any tree must be removed, it shall be replaced with a similar tree expected to grow to the same height and diameter at maturity.

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

Adopted this 28th day of November, 2016.

Adjourn

Supervisor Hinty moved to adjourn. 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