

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING AT
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, MAY 22, 2017 AT 4:30 P.M.

PRESENT: CHAIRMAN D.W. HINTY, JR, VICE CHAIRMAN J.M. HIGGINS,
R.S. FORD, R.R. CAMPBELL

ABSENT: A.W. LEWIS, JR.

CLERK TO THE BOARD: S. H. SUTER

COUNTY ATTORNEY: V.L. HUFFMAN

Chairman Hinty convened the Work Session at 4:31 p.m.

Review of Draft Solid Waste Agreement

County Administrator Spencer Suter opened by noting that the draft before the Board is the result of a great deal of work by many persons. He expressed appreciation for the significant contributions of Vickie Huffman, Jeremy Garrett, Steve Bolster and the Board Solid Waste committee - Supervisors Campbell and Ford. He also recognized the work of Lexington City Staff - Noah Simon, Mike Kennedy, Gary Swink and Larry Mann. He noted that the agreement before the Board is the current draft, and that a final draft was being reviewed by the new solid waste authority legal counsel. He explained that the purpose of this meeting is to review the main contents of the proposed agreement and that the Board would have additional opportunity to review the final draft at a later date. Mr. Suter then provided an overview of the draft, highlighting sections which he felt required some additional explanation.

Regarding section 3.3, related to the acreage of the property, Chairman Hinty asked if the shooting range was separated by deed.

Mr. Suter replied that the range is a separate parcel.

After completing the review of the draft, Mr. Suter advised that an organizational meeting would need to be held sometime in July, after both the Board and City Council had adopted the agreement and appointed directors. He noted that goals of the organizational meeting would include: adopting Articles of Organization and Bylaws; appointing officers; appointing the Director; approving/ratifying rates; approving recycling agreements with members; approving customer agreement templates; and setting a meeting calendar.

Chairman Hinty closed the Work Session at 5:12 p.m.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
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CLERK TO THE BOARD: S. H. SUTER
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Call to Order

Chairman Hinty called the meeting to order at 5:30 p.m. Supervisor Campbell delivered the invocation and led in the Pledge of Allegiance.

Recognitions/Presentations

Chairman Hinty called for recognitions or presentation. There were none.

Citizens Comments

Susan Lawrence of the Kerrs Creek Magisterial District shared her concerns about the Department of Social Services. She asked that the Board consider requesting resignation letters from the current members they had appointed to the Social Services Board and to appoint all new members. Ms. Lawrence advised that a group of citizens would be coming up with a plan on how to further address the issues with Social Services and also a petition to remove the current members of the Social Services Board. She

noted that she would be going before the Lexington and Buena Vista City Councils with a similar request.

Andy Martin of the Buffalo Magisterial District advised the Board of an event called "Rock The Bridge" at the Nelson Street Bridge in Lexington, to be held from 5:00 p.m. - 10:00 p.m. on Saturday, June 10th. This event would include activities for both adults and children, including live bands and local brewery tastings. He left flyers for each of the Board members to help spread the word.

Anne Russek of the Buffalo Magisterial District shared her concern on the once-proposed collection site in the Natural Bridge Magisterial District located on Route 11 next to Kingdom Hall of Jehovah Witnesses. She asked the Board to reconsider the site, and also for the Board to determine how many citizens who attend the church next door actually live in the Natural Bridge or Buffalo Magisterial Districts. She added that the location is perfect as it is next to a VDOT facility, leaving one to believe that the roads to the center would be cleaned during the winter. She also noted that the VDOT facility was originally home to a dumpster site and that no harm had come of it. She explained that if the Board were to reconsider the site and take public comment, she expected that others would come out in support.

Items to be added to the Agenda

Supervisor Campbell asked to speak about the Employee Appreciation Luncheon.

Supervisor Ford added a discussion on the Jordan's Point Dam. He also added a Closed Meeting to discuss disposition of public property.

Approval of the Minutes for: amended April 24, 2017; May 1, 2017, May 8, 2017; and May 15, 2017

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

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

Approval of the Schools' Appropriation Resolution

Mr. Bolster presented the Schools Appropriation Resolution below and recommended approval.

Supervisor Lewis moved to approve the resolution. Supervisor Higgins provided the second, and the motion carried by unanimous roll call vote by the Board.

AYES: Lewis, Higgins, Ford, Campbell, Hinty
NAYES: None
ABSTAIN: 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, MAY 22, 2017 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 Grant

CTE Competitive Grant

4-50-61100-6013-910-300 Materials & Supplies.....	<u>\$37,500.00</u>
Subtotal	\$37,500.00

Additional Revenue Sources

4-50-61100-6013-900-100 Materials and Supplies.....	\$9,976.00
4-50-61312-3160-910-000 Curriculum Development.....	\$5,500.00
4-50-68200-6035-910-000 Materials and Supplies.....	<u>\$9,163.00</u>
Subtotal	\$24,639.00

TOTAL FUND 50 APPROPRIATIONS	\$62,139.00
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Convene Solid Waste Authority (SWA)

Chairman Hinty convened the Solid Waste Authority at 5:42 p.m.

Authorization to Advertise the Blue Ridge Resource Authority Public Notice

Prior to staff presentation of the Board report, Supervisor Campbell asked to make a statement. He noted that five years ago, when the current Board first met together, the members agreed that it would be critical for the County to provide a local solution to solid waste disposal, rather than hauling our waste to a distant site. He said that it gave him great pleasure to finally see this objective come before the Board and Authority for final consideration.

County Attorney Vickie Huffman then briefly reviewed the Agenda Item: "At the Work Session on May 22nd, the Board is to be briefed on the plans for the successor regional Solid Waste Authority and the negotiated terms of the proposed Amended and Restated Regional Solid Waste Disposal and Members Use Agreement with the City of Lexington. A public hearing on adoption of a Joint Resolution with the County of Rockbridge and the City of Lexington is necessary to authorize joinder of the City of Lexington and create the successor Blue Ridge Resource Authority. A 30-day notice of the public hearing is required and the proposed Notice is attached for a public hearing on June 26, 2017, at 6:00 p.m."

Supervisor Campbell moved to authorize a Notice of Public Hearing for June 26th on adoption of the Joint Resolution. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Chairman Hinty closed the Solid Waste Authority at 5:43 p.m. and reconvened the Board of Supervisors Meeting.

Authorization to Advertise the Blue Ridge Resource Authority Public Notice and Appointment of Initial Directors

Ms. Huffman explained that this is much like the previous agenda item but included the appointment of the initial Directors for the purpose of including the information to the Joint Resolution.

Supervisor Campbell very supportively moved to authorize a Notice of Public Hearing for June 26th on adoption of the Joint Resolution. Supervisor Higgins provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Supervisor Campbell moved to appoint the current members of the Board of Supervisors as the initial five (5) county directors of the Blue Ridge Resource Authority. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Appointments

The Board agreed that the representative on the Dabney S. Lancaster Board, whose term would be expiring soon, could continue serving until he were able to discuss whether or not he was willing to be reappointed. This individual was currently out of the Country.

Supervisor Campbell moved to nominate Walter Baker to the Regional 911 Board. A second was provided by Supervisor Higgins. Supervisor Lewis then stated that during previous considerations for appointment to the 911 Board, the Board of Supervisors had made a rather strong commitment to consider appointment of a firefighter to the 911 Board, as that group is one of the heaviest users of the service, and is currently unrepresented on the Board. Supervisor Ford noted that his recollection was similar and suggested a delay on the nomination until a later date, so that additional consideration could be given. Supervisor Campbell withdrew his motion and Supervisor Higgins likewise withdrew his second. Supervisor Higgins noted that we currently only have one application for a seat on the 911 Board and asked that other interested parties please complete an application for consideration.

Added Items

Employee Appreciation Luncheon

Supervisor Campbell announced that the Employee Appreciation Luncheon was scheduled for June 23rd at the new Regional 911 Center. He advised that the Board of Supervisors hosts this event each year to show employees how much they are appreciated and respected. He noted that this year, having

this event at the new 911 Center would allow for staff to tour the new facility while enjoying lunch - to be catered by the South River Fire Department.

Jordan's Point Dam Discussion

Supervisor Ford advised that, following the May 15th meeting, Community Development Director Sam Crickenberger and Mr. Suter had developed a list of questions/concerns regarding potential removal of the Jordan's Point Dam, and had passed them on to the Board. He asked for the Board's support for submitting a formal letter to the City requesting that the questions be studied and a response given to each. He then read portions of the letter aloud. The Board agreed to submit the letter.

Public Hearings at 6:00 p.m.

Ellen Arthur- Conditionally Rezone from B-2 to B-1

Assistant Director of Community Development Chris Slaydon briefly reviewed the Agenda Item: "Ms. Arthur has applied to rezone her former law office property located off of North Lee Highway adjacent to BB&T. The property totals .59 acres and is currently zoned B-2, which has limited its marketability. We had advertised this as a conditional rezoning in case there is the need to consider proffered conditions. The Planning Commission felt that the size of the parcel alone limits the uses and did not see the need to discuss proffered conditions. The Commission has

recommended approval of the rezoning as described in the attached ordinance."

Ms. Arthur explained that she has owned the property for 22 years and when she bought it in 1995, the adjoining businesses were not there, which is why it was zoned B-2. She noted that she had had the facility up for sale and has had no buyer; however, she recently has found a renter. Ms. Arthur advised that the current zoning limited the facility to a law office use. Changing the zoning, she added, would eliminate the need to continue coming back to the County for permission every time a new tenant came along with a different business in mind.

Chairman Hinty opened the public hearing at 6:01 p.m. There were no comments. Chairman Hinty closed the public hearing at 6:02 p.m.

Supervisor Lewis asked Mr. Slaydon and Mr. Crickenberger if this was a move that the department has sought to enact in this neighborhood in general.

Ms. Slaydon replied that such is the case.

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

AYES: Ford, Lewis, Campbell, Higgins, Hinty
NAYES: None
ABSTAIN: 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, MAY 22, 2017**

**Ordinance to Change the Zoning Classification of a .5934-Acre Parcel of Land
(Tax Map #61A1-1-5B1) Owned by Ellen M. Arthur from Planned Business District
(B-2) to General Business District (B-1) for Property Located at 729 North Lee
Highway in the Kerrs Creek Magisterial District of Rockbridge County**

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on May 10, 2017, and recommended to the Board of Supervisors that the proposed zoning classification amendment, without proffered conditions, be adopted; 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 May 22, 2017; and,

WHEREAS, the Board of Supervisors has determined that the conditional rezoning of the subject 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:

1. That the zoning classification of a .5934-acre parcel of land, identified upon the Rockbridge County Land Records as Tax Map #61A1-1-5B1, owned by Ellen M. Arthur, located at 729 North Lee Highway which is along the west side of North Lee Highway approximately .08 miles north of its intersection with Hunter Hill Road, Lexington, Virginia, in the Kerrs Creek Magisterial District of Rockbridge County, is hereby changed from Planned Business District (B-2) to General Business District (B-1), without proffered conditions.
2. That this action is taken upon the application of the property owner, Ellen M. Arthur.

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 22nd day of May, 2017.

Closed Meeting

At 6:03 p.m., Supervisor Lewis moved that the Rockbridge County Board of Supervisors convene in a Closed Session as permitted by Virginia Code section 2.2-3711(A)(3), discussion or consideration of a matter involving disposition of publicly held real property, where discussion in open meeting would adversely affect the County's bargaining position or negotiating strategy. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Supervisor Ford moved to reconvene in open session following the Closed Meeting. Supervisor Campbell provided the second and the motion carried by unanimous roll call vote by the Board.

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

Supervisor Lewis moved that the Board certify that, in the closed meeting just concluded, to the best of each member's knowledge, nothing

was heard, discussed or considered except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed as exempt from open meeting requirements under the provisions of the Virginia Freedom of Information Act cited in that motion. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

Adjourn

Supervisor Higgins moved to adjourn. Supervisor Campbell provided the second, and the meeting was adjourned by unanimous vote by the Board.

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