



## Campbell County Board of Supervisors

**AGENDA - May 2, 2023**

**Haberer Building Boardroom (Lower-Level)**

Available via [ZOOM](#)

**6:00 P.M.** – Call to Order and Pledge of Allegiance by Chairman Cline

Moment of Silence

**1. APPROVAL OF MINUTES**

1.I. None

**2. APPEARANCES**

2.I. None

**3. ADMINISTRATOR'S ITEMS**

*Clifton M. Tweedy, Deputy County Administrator*

**3.I. BROOKVILLE HIGH SCHOOL UNSOLICITED PPEA PROJECT REQUEST**

For several years, the Campbell County Board of Supervisors and the Campbell County School Board have been working to implement a plan to make significant improvements to school facilities. With construction of a new Rustburg Middle School completed, the next priority is making improvements to facilities in the Brookville attendance zone. These efforts have resulted in the recent receipt of an unsolicited Public-Private Educational Facilities and Infrastructure Act (PPEA) proposal for the renovation of Brookville High School. The Board agreed at its meeting on March 28, 2023 to accept only the portion of the unsolicited PPEA proposal from English Construction for the renovation of Brookville High School.

The Board of Supervisors has authorized advertisement for competing proposals under the PPEA process. The Board must make a determination that renovating Brookville High School is a qualifying project. In addition, using competitive negotiation as outlined in the PPEA process is likely to be advantageous to the County due to the

complexity or priority of need. It is also recommended that the Board authorize County staff familiar with construction to take a leadership role as Project Manager, in close coordination with the Superintendent and his staff.

There are three primary reasons for deciding to use the PPEA Proposal process for renovating Brookville High School. First, it allows close coordination between the School staff and the contractor's team to prioritize improvements to the existing facility while occupied by students. Second, the process allows the cost, quality, and schedule to be negotiated prior to signing the comprehensive agreement. Third, and possibly the most compelling reason for utilizing the PPEA process for Brookville High School is the amount of time that can be saved between the decision to start the design process and actually beginning construction. Eliminating the procurement of an A&E firm and implementing a condensed design period expedites the start of construction by approximately nine (9) months. By adopting an aggressive timeline through the PPEA process, construction can start in the spring of 2024. A preliminary timeline for the Brookville High School renovation project using an Unsolicited PPEA Proposal (design-build type) process is outlined in the memorandum.

**RECOMMENDATION: After receiving answers to any questions to the above proposal, staff recommends the Board adopt the following:**

- 1. Determine that renovating Brookville High School is a qualifying project under the Public Private Educational and Infrastructure Act of 2002, as amended, particularly since it will cost up to \$50 million and will be utilized for many years for a specific educational purpose;**
- 2. Determine that using competitive negotiation as outlined in the PPEA process is likely to be advantageous to the County due to the complexity or priority of need. These advantages include planning for construction to start adjacent to and inside of an existing school and continue while students occupy the existing facilities;**
- 3. Determine that using the PPEA process will allow close coordination between parties in negotiating scope, quality, costs, and schedule to save time during the design portion of the project. This will also allow the selection of a contractor with a proven record of success with a project of this type and scope;**
- 4. Approve the Joint Committee to serve as the overarching group responsible for the overall direction of the PPEA selection process, design review, contract negotiations, and construction oversight. Also determine the Schools and County have staff with sufficient qualifications to evaluate the proposals;**
- 5. Approve Clifton Tweedy to serve as project coordinator over the PPEA process and construction Project Manager with close coordination with representatives from the Schools;**

6. Request that the School Board appoint an individual to work closely with Mr. Tweedy to coordinate the management activities of the Brookville High School Renovation Project;

7. Authorize staff to begin preliminary work to support the project such as site surveys, detailed hazardous materials inventory, utility and soils investigations. Authorize an appropriation for this preliminary work that will be reimbursed from future loan funds;

8. Authorize the advertising of a public hearing to allow the public to offer comments on the proposed project (possible date - June 20, 2023 work session).

Documents:

[BHS PROJECT AUTHORIZATION REQUEST.DOC](#)

### 3.II. HIGHWAY MATTERS

- i. Status of Outstanding Highway Matters: See memorandum.
- ii. Highway Matters Action Items: Robertson Village Resolution & Form AM 4.3
- iii. A few minutes is scheduled each month for Supervisors to voice any questions or concerns regarding highway matters.

**RECOMMENDATION: Please provide staff with any highway matters the Board has or that need to be passed along to VDOT.**

Documents:

[HIGHWAY MATTERS.PDF](#)  
[ROBERTSON VILLAGE RESOLUTION AND FORM AM 4.3.PDF](#)

## 4. CONSENT AGENDA

### 4.I. APPROPRIATIONS

Attached is an appropriation listing for the Board's consideration.

Documents:

[APPROPRIATIONS.PDF](#)

### 4.II. COUNTY ATTORNEY INVOICE

Attached is an invoice for \$27,904.85 from the County Attorney for services provided from March 21, 2023 through April 19, 2023.

**Services**

General Representation:	\$9,280.00
Real Estate Tax Collection:	\$6,520.00
Personal Property Tax Collection:	\$4,280.00
Miscellaneous Matters:	\$3,520.00

**Expenses Paid**

General Representation	\$3,297.80
Real Estate Tax Collection:	\$434.05
Personal Property Tax Collection:	\$573.00

Documents:

[COUNTY ATTORNEY INVOICE.PDF](#)

4.III. REVISION OF FY2024 CAPITAL IMPROVEMENT PLAN

The County has received requests to apply for Revenue Sharing Funds for Fox Ridge Lane and Springfield Road. Representatives for both of these roads have committed to cover the local share, or 50%, of the project costs if the Revenue Sharing Funds are approved.

Applications are due by November 1, 2023 and notice of fund availability will be received late next spring. Project work should begin shortly thereafter if the projects are approved. It should be noted that no local monies are committed to these projects. However, it is estimated that 150 hours of staff time will be required. In order for these projects to be considered, they must be added to the County's FY2024 CIP.

Documents:

[REVISED FY24 CIP MEMO.PDF](#)  
[REVISED FY24 CIP BUDGET.PDF](#)

4.IV. VDOT RECREATIONAL ACCESS PROGRAM GRANT APPLICATION

The Campbell County Department of Community Engagement and Quality of Life (CEQL) runs programs and marketing for Long Island Park, which is located entirely on state owned land. Upon turning off Long Island Road, visitors must navigate deep ruts and potholes in order to access the picnic shelters, campsites, fishing spots, trails, and the parking lot that leads into the boat launch. Virginia Department of Transportation (VDOT) Recreational Access Programs are state-funded programs that furnish funds to provide access to or within Virginia's public recreation areas through the Commonwealth Transportation Board. Projects approved by VDOT for Recreational Access funds must be under contract or construction within two (2)

years of approval.

Economic Development staff has been preparing an application for Recreational Access Programs funding for Long Island Park. Securing VDOT Recreational Access funds will enable County residents and visitors to have better access to the park amenities. Economic Development, CEQL, and the property owner, the Virginia Department of Conservation, all support an application for funding to re-surface the Long Island Park access road. Economic Development intends to submit an application to secure the funding through VDOT Recreational Access Funds for Long Island Park. In order to proceed, the Board of Supervisors must approve a resolution that indicates their support and willingness to complete the project. The application, review, and approval process is estimated to take between four and six months.

Documents:

[VDOT RECREATIONAL RESOLUTION - LONG ISLAND PARK.PDF](#)  
[VDOT RAPG RESOLUTION.PDF](#)

4.V. MEMORANDUM OF UNDERSTANDING BETWEEN U.S. MARINE FORCES, SPECIAL OPERATIONS COMMAND AND THE CAMPBELL COUNTY SHERIFF'S OFFICE

Documents:

[MARSOC MOU W CAMPBELL COUNTY SHERIFFS OFFICE -CAMPBELL CHANGES.PDF](#)

**4.VI. RECOMMENDATIONS**

**Staff recommends the Board:**

- a. **Approve the appropriations as presented;**
- b. **Approve the County Attorney invoice of \$27,904.85;**
- c. **Authorize the submission of applications for Revenue Sharing Funds to cover up to 50% of the costs to construct Fox Ridge Lane and Springfield Road, and add the road projects to the County's FY 2024 Capital Improvement Plan;**
- d. **Approve the attached resolution for Recreational Access Program funding;**
- e. **Authorize the County Administrator to execute the Memorandum of Understanding between the U.S. Marine Forces, Special Operations Command and the Campbell County Sheriff's Office.**

**5. APPOINTMENTS**

Attached for your review is a list of appointments.

**Documents:**

[APPOINTMENTS.PDF](#)

**6. MATTERS FROM THE BOARD**

A few minutes is scheduled at each meeting to discuss matters from the Board.

**Documents:**

[MATTERS FROM THE BOARD.PDF](#)

**7. CLOSED MEETING**

a. Staff is requesting the Campbell County Board of Supervisors enter into Closed Session in accordance with Section 2.2-3711 (A)(5) of the Code of Virginia to discuss a prospective existing business or industry expansion.

b. Staff is requesting the Campbell County Board of Supervisors enter into Closed Session in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to discuss matters related to personnel.

**Documents:**

[CLOSED SESSION.PDF](#)

**8. 7:00 P.M. PUBLIC HEARINGS**

***Paul E. Harvey, Director of Community Development***

The following Public Hearings were advertised (ad attached) for:

**Documents:**

[PUBLIC HEARING AD.PDF](#)

**8.1. #PL-23-040 – SPECIAL USE PERMIT REQUEST – DEPOT ROAD & SAWPIT ROAD**

This request is from Jason Sparks with hep Petra Construction, LLC, agent for Charles Arthur, II and William Arthur, to amend the special use permit condition for the vegetative buffer for the solar energy project on property zoned Agricultural. The property is located on Depot Road and Sawpit Road, Rustburg, VA, and in the Rustburg Election District. As per the Comprehensive plan the property is located in an area designated as transitional and medium to high density mixed. Staff report is attached.

The applicant would like to amend the condition for the vegetative buffer as part of the approval for a special use permit for a solar energy project on November 8, 2018. The previous special use permit approval is included in the packet. Two of the conditions for the special use permit were:

1. The applicant utilizes the site in conformance with the use described in the narrative and shown on the site plan submitted with the request;
2. The applicant show additional vegetative buffer along Depot Road on the final site

plan and the County inspect the vegetative buffer and require further screening if the County determines additional screening is necessary.

The site plan submitted with the request and the final approved site plan showed that the buffer would be “8’ evergreen trees, two rows, spaced 20’ apart. (Planted at 6’ and managed to 8’ tall).” A vegetative buffer was planted on the site, however the majority of trees were not planted at six (6) feet and therefore do not meet the conditions of the previous special use permit approval. The applicant is asking to revise the landscape plan on the site plan to read “8’ evergreen trees, two rows, spaced 20’ apart. (Planted between 4’ and 6’ and managed to be 8’ tall).” The project would be in compliance with the revised condition.

**RECOMMENDATION: The Planning Commission recommended denial of this request by vote of 7-0.**

Documents:

[PL-23-040 BOARD PACKET.PDF](#)

8.II. #PL-23-050 – SPECIAL USE PERMIT REQUEST – 212 WINDING WAY ROAD

This request is from Jeff and Anne Jensen for a special use permit to use an existing single-family dwelling as a rooming house and allow one additional dwelling unit within the existing single family dwelling for use by immediate family on property zoned Residential – Single Family. The property is located at 212 Winding Way Road, Lynchburg, VA, and in the Timberlake Election District. As per the Comprehensive plan the property is located in an area designated as medium to high density residential. Staff report is attached.

The applicants are the owners of the property and wish to rent out a portion of the existing single-family dwelling for overnight guests using a platform such as Airbnb.

The basement of the dwelling would be used as a short-term rental. The basement consists of a bedroom, a bathroom, and a small dining area. There is off-street parking provided for guests. This is the primary residence of the owner. The applicants are also seeking to allow for an additional dwelling unit in the basement as a long-term rental option for their son.

**RECOMMENDATION: The Planning Commission recommended approval of this request with the condition that the applicant utilizes the site in conformance with the use described in the narrative submitted with this request, by vote of 7-0 citing good zoning practice.**

Documents:

[PL-23-050 BOARD PACKET.PDF](#)

8.III. #PL-23-052 – SPECIAL USE PERMIT REQUEST – 10609 RICHMOND HIGHWAY

This request is from Susan Brown, agent for Stone Gate Farm LLC, for a special use permit to operate a wedding and special events venue on property zoned Agricultural.

The property is located at 10609 Richmond Highway, Lynchburg, VA, and in the Concord Election District. As per the Comprehensive plan the property is located in an area designated as transitional. Staff report is attached.

The applicant would like to operate a wedding and special events venue on the property. The venue will be used for weddings, birthdays, anniversaries, corporate meetings, events, or any other celebration. There is an existing building on the property that will be used for the venue. The venue will hold 75 to 100 guests. There are handicap restrooms and an existing area for parking.

**RECOMMENDATION: The Planning Commission recommended approval of this request with the condition that the applicant utilizes the site in conformance with the used described in the narrative submitted with the request, and a further condition that amplified noise will end by 10:00 p.m. by vote of 6-0 (Wright abstained) citing good zoning practice.**

Documents:

[PL-23-052 BOARD PACKET.PDF](#)

8.IV. #PL-23-055 - SPECIAL USE PERMIT REQUEST – 1039 BROOKNEAL HIGHWAY

This request is from Jon Waters, agent for Patrick Henry Boys Home, for a special use permit to operate the existing equestrian center as a school use and to host events that will be open to the public on property zoned Agricultural. The property is located at 1039 Brookneal Highway, Rustburg, VA, and in the Rustburg Election District. As per the Comprehensive plan the property is located in an area designated as transitional. Staff report is attached.

The applicant would like to operate the existing equestrian center as a school use and host events that will be open to the public. The property had previously been used as an equestrian center associated with Patrick Henry Family Services and has existing barns and a ring and was used for horse shows in the past. The University of Lynchburg has entered into a long-term lease with Patrick Henry Family Services to operate its collegiate riding program on the property. The program includes daily riding instruction, collegiate competitions, camps and clinics, horse shows and eventually community based programming and academic coursework. A covered riding ring was recently constructed on the property. The Zoning Ordinance allows “off-site school athletic practice and training facilities, not open to the public and not intended to accommodate spectators” as a by-right use in the Agricultural zoning district. The desire to host events open to the public and offer academic coursework requires approval of a special use permit.

**RECOMMENDATION: The Planning Commission recommended approval of this request with the condition that the applicant utilizes the site in conformance with the used described in the narrative submitted with the request by vote of 7-0 citing good zoning practice.**

Documents:



8.V. PUBLIC HEARING – COMBINED ANNUAL SECONDARY ROAD HEARING

***Frank J. Rogers, County Administrator***

Attached is the public notice for a joint public hearing with VDOT on the proposed Six Year Plan for secondary road improvements. The current plan includes improvements scheduled for Fiscal Years 2024 through 2029. Attached are the proposed Six Year Plan, Rural Rustic Priority List, and proposed resolution for adoption following the public hearing.

Robert Brown, Appomattox Residency Administrator, will represent VDOT at the public hearing. During the public hearing, citizens will be invited to provide comment on the Six Year Plan and to request road improvements or road additions to the Secondary Road system.

**RECOMMENDATION: Staff recommends the Board conduct the required public hearing and adopt the attached resolution to approve the Six Year Plan for the years FY2024-2029.**

Documents:

SIX YEAR PLAN MEMO.DOCX  
SIX YEAR PLAN PUBLIC NOTICE.DOCX  
SIX YEAR PLAN.XLSX  
SIX YEAR PLAN RURAL RUSTIC PRIORITY LIST.PDF  
SIX YEAR PLAN RESOLUTION.DOCX

9. AGENCY MINUTES AND REPORTS

Documents:

INDUSTRIAL DEVELOPMENT AUTHORITY - DEC 2022.PDF  
INDUSTRIAL DEVELOPMENT AUTHORITY - JAN 2023.PDF  
PLANNING COMMISSION - MARCH 2023.PDF  
SOCIAL SERVICES BOARD - MARCH 2023.PDF

10. INFORMATIONAL ITEMS

Documents:

NEW EMPLOYEE REPORT - APRIL 2023.PDF  
CROWELL LANE GAS LINE PRICE CHANGE.PDF  
LEAGUE REGISTRATION SCHOLARSHIP PROGRAM - APRIL 2023.PDF  
SCHOOL APPROPRIATION REQUESTS - MAY 2023.PDF

11. BOARD OF SUPERVISORS MEETING SCHEDULE

*Revised 4/17/2023*

**Tuesday, May 2nd**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings

Tuesday, May 9th

4:00 PM – Board Work Session – Comprehensive Plan

5:30 PM – EMSAC/FAC – Citizen Services Building Conference Room

Tuesday, May 16th

6:00 PM – Board Work Session – Joint Meeting with Planning Commission

**Tuesday, June 6th**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings

Tuesday, June 20th

6:00 PM – Board Work Session – Joint with IDA

[campbellcounty.gov](http://campbellcounty.gov)

**Residents having any questions or comments regarding any of the above agenda items may click [here](#) to provide the Board of Supervisors your feedback.**