



Campbell County Board of Supervisors

AGENDA - June 6, 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

Documents:

REGULAR MEETING - MARCH 7 2023.PDF
FY24 BUDGET PUBLIC HEARING - MARCH 28 2023.PDF
REGULAR MEETING - APRIL 4 2023.PDF

2. APPEARANCES

2.I. PUBLIC COMMENT PERIOD

The Campbell County Board of Supervisors provides the opportunity for general public comment at a public meeting at least once per quarter, pursuant to Virginia Code Section 15.2-1416. At this time, the Board invites any citizen who would like to address the Board to come forward and speak on any topic of concern. Speakers are asked to limit their remarks to no more than three (3) minutes.

3. ADMINISTRATOR'S ITEMS

F.E. "Tripp" Isenhour, III, County Attorney

3.I. PERMISSION TO ADVERTISE - CODE UPDATE

Semi-annually the Board of Supervisors updates the Code of Campbell County with mandated changes that result from action of the General Assembly and discretionary changes that are initiated by either the Board or staff during the year.

Some of the proposed amendments to the County Code for the regular spring update

are mandated changes to mirror state law changes that will be effective July 1.

Others are discretionary changes requested by the Board or staff or are minor amendments clarifying certain aspects of the Code. Staff will review the summaries for the semi-annual update at the Board meeting. The amended text for all chapters is available electronically with a paper copy available in the County Administrator's Office. The summary of all changes is in the attached memorandum. The proposed changes to Chapters 21 and 22 of the County Code will be reviewed by the Planning Commission at a public hearing on July 24, 2023. Many chapters of the Code have been revised pursuant to a State Code change altering the language used to describe individuals with disabilities, which changes have been mirrored in the County Code.

RECOMMENDATION: Staff recommends that the Board review the Code changes and authorize the advertisement of the necessary public hearing required to take action on the list of proposed changes to the County Code. Staff recommends that the changes be set for a public hearing at the August 1, 2023 Board of Supervisors meeting.

Documents:

[PERMISSION TO ADVERTISE - CODE UPDATE SUMMER 2023.PDF](#)

3.II. HIGHWAY MATTERS

Clifton M. Tweedy, Deputy County Administrator

1. Status of Outstanding Highway Matters: See memorandum
2. Highway Matters Action Items: None
3. 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](#)

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 \$31,296.23 from the County Attorney for services provided from April 20, 2023 through May 23, 2023.

Services

General Representation:	\$13,900.00
Real Estate Tax Collection:	\$10,730.00
Personal Property Tax Collection:	\$580.00
Miscellaneous Matters:	\$1,140.00

Expenses Paid

General Representation	\$1,205.48
Real Estate Tax Collection:	\$1,722.35
Personal Property Tax Collection:	\$118.00
Miscellaneous Matters:	\$1,900.40

Documents:

[COUNTY ATTORNEY INVOICE.PDF](#)

4.III. COMPREHENSIVE WASTE HAULING PLAN REQUEST FOR PROPOSAL

The current contract with Republic Services, Inc. for waste hauling services will expire November 30, 2023. This is a significant contract with annual costs exceeding \$480,000. The contract requires operations seven (7) days a week that often go unnoticed; however, when problems occur, they can become very visible and can significantly affect citizens' services.

In addition to hauling, the contract provides the essential equipment, such as compactors and hoppers, at all nine (9) transfer sites. It provides five (5) dumpsters located on the County complex and 38 dumpsters for the schools. All locations are served regularly by an established schedule, or "on-call" as needed. Currently, the hauling of our recycling material and containers is through a separate contract with a different vendor.

The base contract is subject to an annual 3% increase, based upon the Federal Government's Consumer Price Index (CPI). Current projections estimate the annual CPI to increase to 7% annually. Fortunately, the tonnage of waste collected has remained consistent, and staff does not anticipate a significant increase. Staff does anticipate the tonnage of recycling material to increase annually as the frequency of these hauls has increased on average by 6%. The most significant increase encountered is fuel costs, with an average annual increase of 8%.

With the expiration of this contract, the Department of Public Works feels now is the opportunity to enhance service performance standards, modify and upgrade essential

equipment, reduce or eliminate the fuel subsidy clause, streamline operations, and include options for recycling. Since these changes allow for a more comprehensive hauling plan, a Request for Proposal (RFP) would be in the best interest of the County to ensure we are getting the services we require with a contractor that is capable of meeting and maintaining a quality level of service.

Documents:

[RFP WASTE HAULING 2023.PDF](#)

4.IV. SENECA COMMERCE PARK - SITE PREPARATION GRANT APPLICATION

At the March 2023 Board of Supervisors meeting, staff was authorized to proceed with procuring the work required to produce 100% engineered designs for lots J, K, and L in Seneca Commerce Park. While the engineer continues work on the design of the site to accommodate a 100,000 square foot pad ready site, staff identified a grant program that will offset the cost to Campbell County associated with the physical site preparation of industrial sites.

The Tobacco Revitalization Region Commission (TRRC) opened the Southern Virginia Program to eligible communities in May 2023. Applications submitted by the June 7, 2023 deadline will be considered for funding at the Fall 2023 meeting. The fund for the Southern Virginia Program has over \$14 million available for grant awards that are structured on 1:1 matches. Eligible communities must apply with projects that meet one of four investment categories: Business Development, Sites and Infrastructure, Agribusiness, and Tourism.

Staff is prepared to submit an application to TRRC under the Sites and Infrastructure category of the Southern Virginia Program. The draft application estimates the project cost for engineering on lots J, K, and L at \$1.2 million, which is based on the engineer's estimate submitted to the County with the 60% engineered design work.

Staff has increased the prior estimate to include a 20% contingency to allow for cost increases subsequent to budget preparation. If awarded, the grant funds will offset the costs expected to clear and grade the sites following the receipt of the final engineering work. The funds to match the state grant would come from the Economic Development Capital Improvement funds designated for Site Development and Seneca Park. In order to proceed with submitting the application, 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 six months.

Documents:

[SENECA MEMO.PDF](#)
[SENECA RESOLUTION.PDF](#)

4.V. CLOSED LANDFILL ENGINEERING SERVICES

For the past 15 years, SCS Engineers, Inc. has provided Campbell County with engineering services for groundwater and landfill gas monitoring, along with reporting

and permit compliance as required for the long-term operations and maintenance for the closed Campbell County Landfill. With the expiration of the previous contract, an RFP was issued to obtain proposals for a new contract. This RFP was publicly advertised on eVA and SCS Engineers, Inc. was the only vendor to respond.

Documents:

[LANDFILL ENGINEERING SERVICES.PDF](#)

4.VI. RECOMMENDATIONS: Staff Recommends The Board:

- a. **Approve the appropriations as presented;**
- b. **Approve the County Attorney invoice of \$31,296.23;**
- c. **Authorize staff to solicit a Request for Proposal (RFP) for a comprehensive waste hauling plan, including County facilities and Campbell County Schools, with an ad-alternate for recycling. This RFP shall include contract pricing for these services for a three (3) year contract with the option for two (2) one-year extensions;**
- d. **Approve the attached resolution for the FY24 Southern Virginia Program Grant;**
- e. **Approve SCS Engineers, Inc. as the firm to fulfill landfill engineering services for the closed Campbell County Landfill, and authorize staff to negotiate and execute a final contract with SCS Engineers, Inc.**

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)(7) of the Code of Virginia to discuss legal matters related to a public nuisance.

8. 7:00 P.M. PUBLIC HEARINGS

Paul E. Harvey, Director of Community Development

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

Documents:

[AD.PDF](#)

8.I. #PL-23-060 - REZONING REQUEST - 3739 & 3749 WATERLICK ROAD

This request is to rezone 1.08 +/- acres from Residential – Single Family to Business – General Commercial in order to construct a mini-storage facility. The property is located at 3739 & 3749 Waterlick Road, Forest, 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 applicant is seeking to rezone the parcel to Business – General Commercial in order to construct a mini-storage facility. There is currently a single-family dwelling and a manufactured home on the property that would be removed. The concept plan shows 82 storage units for rent totaling 12,800 square feet. Screening will be required along the border with the adjoining property zoned Residential – Single Family. The PEC met on March 21, 2023 to discuss the plan. Comments from that meeting are included in this packet. The concept plan was revised after the PEC meeting to remove the shared entrance, show a right-in/right-out entrance, and show existing access maintained through the property. The request is not proffered, so the preliminary plan and proposal are conceptual and non-binding.

RECOMMENDATION: The Planning Commission recommended approval of this request by vote of 6-1 citing good zoning practice.

Documents:

[PL-23-060 BOARD PACKET.PDF](#)

8.II. #PL-23-073 - SPECIAL USE PERMIT REQUEST – 23 SEMMES COURT

This request is from Samuel Candler for a special use permit to 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 23 Semmes Court, Rustburg, VA, and in the Concord 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 applicant would like to allow the additional dwelling unit in the basement of the single family dwelling to be used by immediate family. There would be a small kitchen as part of an open concept living area in the basement of the home. The basement would also include a bathroom. The second kitchen would be used for preparing meals and hosting larger family gatherings. The addition of the kitchen, living area, and bathroom constitute a second dwelling unit and the need for 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 use described in the narrative submitted with this request, by vote of 7-0 citing good zoning practice.

Documents:

[PL-23-073 BOARD PACKET.PDF](#)

8.III. #PL-23-077 - REZONING REQUEST – 688 ALUM SPRINGS ROAD

This request is to rezone 1.709 +/- acres from Residential – Single Family to Business – General Commercial to allow for use as a coffee shop, event venue, and tourist house. The property is located at 688 Alum Springs Road, Forest, 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 applicant is seeking to rezone the parcel to Business – General Commercial to allow for use as a coffee shop, event venue, and tourist house. There is an existing building on the property that was once used as a general store. The applicant is planning to operate a coffee shop within the building in the near future. Until that time, the building would be used as a small event venue. There is also a residential unit in the building that would be used as a short-term rental. Each of these uses are by-right uses in the Business – General Commercial zoning district.

RECOMMENDATION: The Planning Commission recommended approval of this request by vote of 7-0 citing good zoning practice.

Documents:

[PL-23-077 BOARD PACKET.PDF](#)

8.IV. #PL-23-078 - REZONING REQUEST – POOR HOUSE ROAD & SMOKY HOLLOW ROAD

This request is to rezone 387.263 +/- acres from Residential – Single Family to Agricultural in order to allow for agricultural and silvicultural uses. The property is located on Poor House Road and Smoky Hollow Road, and in the Rustburg and Concord Election Districts. As per the Comprehensive plan the property is located in an area designated primarily as transitional with a small area designated as medium to high density residential. Staff report is attached.

The applicant is seeking to rezone the parcel to Agricultural in order to allow for agricultural and silvicultural uses. The parcel is currently vacant property. Adjacent parcels to the north, south, and west of the parcel are zoned Agricultural. The property is 95% wooded with 5% cleared for log loading areas, trails, three (3) open areas to build single-family dwellings, and have farm animals. There are no existing public utilities serving the property and no plans for infrastructure improvements in the vicinity. The property is also rugged terrain. Staff believes that due to the topography of the property and a lack of public utilities, that the property is not conducive for a

higher density of residential development.

RECOMMENDATION: The Planning Commission recommended approval of this request by vote of 7-0 citing good zoning practice.

Documents:

[PL-23-078 BOARD PACKET.PDF](#)

8.V. PUBLIC HEARING – TAX EXEMPTION REQUEST: RUSTBURG DIXIE SOFTBALL, INC.
F.E. “Tripp” Isehour, III, County Attorney

State code allows localities to pass ordinances exempting real or personal property owned by non-profit organizations at Va. Code Ann. §58.1-3651. The State Code requires that the Board of Supervisors conduct a public hearing prior to exempting any property, real or personal, and defines a list of factors the Board must consider in reviewing an application for an exemption.

Under state law, the organization must meet two basic benchmarks: the property proposed to be exempted must be used for a religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purpose, and the organization may not unlawfully discriminate on the basis of religious conviction, race, color, sex, or national origin. Next, the Board may consider granting the request after considering eight (8) factors, set forth in Virginia Code section 58.1-3651, stated below, with information provided by the petitioner:

1. Whether the organization is exempt from taxation pursuant to § 501(c) of the Internal Revenue Code of 1954;
2. Whether a current annual alcoholic beverage license for serving alcoholic beverages has been issued by the Virginia Alcoholic Beverage Control Board to such organization, for use on such property;
3. Whether any director, officer, or employee of the organization is paid compensation in excess of a reasonable allowance for salaries or other compensation for personal services which such director, officer, or employee actually renders;
4. Whether any part of the net earnings of such organization inures to the benefit of any individual, and whether any significant portion of the service provided by such organization is generated by funds received from donation, contributions, or local, state or federal grants. As used in this subsection, donations shall include the providing of personal services or the contribution of in-kind or other material services;
5. Whether the organization provides services for the common good of the public;
6. Whether a substantial part of the activities of the organization involves carrying on propaganda, or otherwise attempting to influence legislation and whether the organization participates in, or intervenes in, any political campaign on behalf of any

candidate for public office;

7. The revenue impact to the locality and its taxpayers of exempting the property;
and

8. Any other criteria, facts and circumstances that the governing body deems
pertinent to the adoption of such ordinance.

Additionally, the Board's adopted policy requires that the petitioner provide:

- Evidence that the petitioner's services provide direct financial benefit to the County by reducing costs for services that the County uses or provides funding for OR that the petitioner is a nationally recognized charitable organization in good standing.

Susan Arthur, Treasurer of Rustburg Dixie Softball, Inc., submitted the petition for that organization on April 26, 2023, has provided information for use in the evaluation of the above factors, and has agreed to pay for and submitted its request to a public hearing.

RECOMMENDATION: Staff recommends the Board hold the required public hearing and determine, based on the factors outlined in the statute, whether Rustburg Dixie Softball, Inc. should be entitled to be exempt from county real estate tax. A personal property tax exemption has not been requested.

Documents:

[TAX EXEMPTION RUSTBURG DIXIE SOFTBALL MEMO.PDF](#)
[RUSTBURG DIXIE SOFTBALL APPLICATION.PDF](#)
[TAX EXEMPTION RUSTBURG DIXIE SOFTBALL INC AD.PDF](#)
[UNCODIFIED ORDINANCE RUSTBURG DIXIE SOFTBALL INC.PDF](#)

9. AGENCY MINUTES AND REPORTS

Documents:

[PLANNING COMMISSION - APRIL 2023.PDF](#)
[ROBERT E LEE SOIL AND WATER CONSERVATION DISTRICT - MARCH 2023.PDF](#)
[SOCIAL SERVICES BOARD - APRIL 2023.PDF](#)

10. INFORMATIONAL ITEMS

Documents:

[NEW EMPLOYEE REPORT - MAY 2023.PDF](#)
[EXPENDITURE REVENUE SUMMARY - MARCH 2023.PDF](#)
[EXPENDITURE REVENUE SUMMARY - APRIL 2023.PDF](#)
[SCHOOL APPROPRIATION REQUESTS - JUNE 2023.PDF](#)
[TRANSFER SITE IMPROVEMENTS - MAY 2023.PDF](#)

11. BOARD OF SUPERVISORS MEETING SCHEDULE

Revised 5/24/2023

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

Tuesday, July 18th

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings

Tuesday, August 1st

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings

Tuesday, August 8th

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

Tuesday, August 15th

6:00 PM – Broadband Authority

Tuesday, December 19th

11:00 AM – Swearing-in Ceremony (Campbell County Circuit Court)

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.