



## Campbell County Board of Supervisors

**AGENDA - March 7, 2023**

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

**Available via ZOOM**

**5:30 P.M.** – Board of Supervisors Group Photo

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

Moment of Silence

### 1. APPROVAL OF MINUTES

Documents:

[WORK SESSION - DECEMBER 13 2022.PDF](#)

[JOINT MEETING WITH SCHOOL BOARD - JANUARY 10 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.

#### 2.II. MELISSA LUCY - HORIZON BEHAVIORAL HEALTH

Melissa Lucy, CEO of Horizon Behavioral Health, would like to provide an update to the Board regarding the organization's impact on the community.

### 3. ADMINISTRATOR'S ITEMS

#### 3.I. COMPREHENSIVE PLAN FUTURE LAND USE MAP – REQUEST TO CONSIDER AMENDMENT

[Austin R. Mitchell, Deputy Director of Community Development](#)

A letter was recently submitted by Accupoint Surveying & Design, LLC on behalf of Karl Miller Realty, LLC requesting an amendment to the Future Land Use Map for three (3) parcels from "Urban Development Area Commercial" to "Medium to High Density Residential" or "Medium to High Density Mixed." The parcels are accessed by Leesville Road and Bud Drive through the City of Lynchburg. Adjoining parcels in the City are designated as Low Density Residential in their Future Land Use Map and zoned Low Density Residential (R-1). The parcels in the County are zoned Business – General Commercial but are used for legal non-conforming residential uses. A rezoning to Residential – Multi Family is required to develop the property as desired by the requester. Urban Development Area Commercial designation in the Comprehensive Plan does not support a rezoning for residential uses.

The Board adopted the Airport Development Area Master Plan in 2006, which calls for the entire area to be developed for commercial uses. Most of the area between Airport Road, the Route 460 Bypass, and the City of Lynchburg/Campbell County boundary is within the Airport Development Area Master Plan area. However, the three requested parcels are outside the area.

Accupoint Surveying & Design, LLC is requesting a change to the Future Land Use Map in order to facilitate higher density residential use of the property. Due to topography and access, it is unlikely that these three parcels would be developed for commercial uses. The Board may want to consider expanding the change to Medium to High Density Mixed to include all parcels accessed from Leesville Road outside the Airport Development Area Master Plan. The change would more closely align with the current uses on the properties and allow flexibility for landowners to develop their properties as residential or commercial. These parcels are zoned Business – General Commercial so any proposed residential developments would require a rezoning by the individual landowners.

If the Board would like to allow the requester to proceed with the request for only their three parcels, the applicant would be responsible for a public hearing fee for the Future Land Use Map amendment and the rezoning fee. If the Board would like to expand the scope of the change, the County would bare the expense of the required public hearing notifications for the amendment, and the applicant would only pay the fee for the rezoning public hearing. Included in the memorandum are the request letter, a zoning map, an aerial map, a future land use map, a map of the Airport Development Area Master Plan, and a letter of support from Nina Rezai, Director of Economic Development.

**RECOMMENDATION: Staff is seeking direction from the Board on whether to proceed with public hearings on potential changes to the Comprehensive Plan Future Land Use Map.**

Documents:

[COMPREHENSIVE PLAN LAND USE MAP REQUEST.PDF](#)

### 3.II. CROWELL LANE GAS EXTENSION

Nina R. Rezai, Director of Economic Development

In April 2022, staff brought a proposal to the Board of Supervisors to approve business incentives for Chick-Fil-A to aid with the costs to extend natural gas, provided by Columbia Gas, to the new Chick-Fil-A location on the 21000 block of Timberlake Road. At that time, staff recognized the opportunity to extend natural gas service down Crowell Lane to the existing cluster of industrial properties. After getting a consensus from the Board of Supervisors during closed session in September 2022, staff connected with three businesses on Crowell Lane that plan to use natural gas for their operations as soon as it is available.

After confirming the anticipated gas usage details with Clubhouse Bar & Grill, Lynchburg Powder Coating, and Industrial Plating Corporation, Columbia Gas determined that the cost of the project is \$97,770.38. Campbell County is responsible for paying this amount as stated in the Aid to Construction agreement that will be signed upon approval by the Board. In addition to this agreement, the businesses are required to sign a Delayed Deposit Agreement that indicates their commitment to connecting to the gas line within one year of its availability. The businesses do not have a financial obligation in the project as long as they uphold their connection agreement. A timeline for the project will be determined once the agreements are signed and returned.

**RECOMMENDATION: Staff recommends the Board of Supervisors authorize the County Administrator to sign the necessary agreements for the Crowell Lane gas extension and approve the payment of \$97,770.38 for the aid to construction fees.**

Documents:

[CROWELL LANE GAS LINE.PDF](#)

### 3.III. SENECA PARK - LOTS J & K DEVELOPMENT PLANS

Upon completing construction of the building and securing a tenant at 265 Ewing Drive in 2019, the Campbell County Industrial Development Authority (IDA) has been discussing options to pursue additional development in Seneca Commerce Park. The IDA has worked with Perkins and Orrison, Inc. to determine that lots J and K combined can hold a facility with a maximum of 100,000 square feet.

At the August 2022 IDA meeting, the Authority moved to pursue the site plans to develop lots J and K together. At 60% engineering, preparing lots J and K for a 100,000 square feet building is estimated to cost \$980,000. When lot K was engineered to 100% for the 2020 U.S. Economic Development Administration, the site work alone was estimated to cost \$810,000 to prepare the site for 35,000 square feet.

Perkins and Orrison engineers explained that this is largely due to the challenges in leveling the land and the ability to accommodate two entrances for separate lots. For a larger development, the entrance can be shared on the side of the property that is closer to the road elevation.

Staff seeks guidance from the Board on the next steps for development in Seneca Commerce Park at lots J and K. The information currently available represents partial engineering, and requires surveying, design review and revisions as needed from Perkins and Orrison Inc. in order to be construction ready. Once the designs are completed, the intention is to begin bidding the project out and seek applicable grant funding to assist with the cost of the project.

**RECOMMENDATION: Staff recommends authorizing Perkins and Orrison, Inc. to proceed with completion of the site plans for lots J and K to reach 100% engineering for a 100,000 square feet pad ready site, with the approval of the entrance to the site from VDOT.**

Documents:

[SENECA PARK - J AND K SITE PLANS MEMO.PDF](#)  
[SENECA MAP.PDF](#)

### 3.IV. HIGHWAY MATTERS

Clifton M. Tweedy, Deputy County Administrator

- i. Status of Outstanding Highway Matters: See memorandum
- ii. Highway Matters Action Items: None
- 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](#)

## 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 \$18,068.35 from the County Attorney for services provided from January 19, 2023 through February 14, 2023.

**Services**

General Representation: \$7,800.00

Real Estate Tax Collection: \$3,065.00

Personal Property Tax Collection: \$5,114.00

Miscellaneous Matters: \$720.00

**Expenses Paid**

Real Estate Tax Collection: \$811.60

Personal Property Tax Collection: \$557.75

Documents:

[COUNTY ATTORNEY INVOICE.PDF](#)

4.III. NEW ENTERPRISE RESOURCE PLANNING SYSTEM

Since 2001, BAI has supported Finance & Management Services, the Commissioner of the Revenue, the Treasurer, and the Schools. The software is not being updated to meet the needs of the County's finance, procurement, and revenue requirements.

However, School Administration staff still believes BAI is meeting their needs and is not planning to move to a new system at this time.

Over the last five (5) plus years, Finance & Management Services, County Administration, School Administration, and Information Technology have been researching Enterprise Resource Planning (ERP) vendor options. A significant amount of time was spent investigating a large, sophisticated ERP vendor but it was determined they were too expensive and complex for the County's needs.

Staff then investigated vendors with Cooperative Agreements used by other localities within the State, in order to analyze their ability to meet the needs of the County at a reasonable cost for services. Vendors servicing small to medium localities was the focus of this effort, and RDA Systems, Inc. quickly rose to the top of the review. RDA is currently being used by over 40 customers in Virginia, including several neighboring localities.

RDA Systems, Inc. is a successful, multi-generational software and consulting company that specifically caters to small schools, towns, and counties. Their Municipal Suite & School District Suite software has evolved into a comprehensive, unified platform comprised of modern, fully integrated, and open source-based software that expertly supports administrative operations and constituent services.

Campbell County has been in communication with RDA Systems to work through our specific needs for the past several months. Staff is pleased with the work ethic they have shown in answering questions and helping staff understand how a transition would work. It is anticipated the transition would begin early this summer and be

completed early next calendar year, with testing being done next spring before going live July 1, 2024. Transitioning the Commissioner of the Revenue and the Treasurer's Office would follow shortly behind, working around their schedules to be ready for use by July 1, 2025.

The funding for this upgrade is currently available in the CIP, with the estimated initial cost being approximately \$900,000, and an annual cost of \$120,000.

Documents:

[RDA SOFTWARE MEMO.PDF](#)

#### 4.IV. SMALL PURCHASING AND CREDIT CARD POLICY UPDATES

The Virginia Public Procurement Act (Va. Code Ann. Sections 2.2-4300 et seq.) governs the purchase of goods and services by governmental entities. The Act requires Invitation for Bid (IFB) or Request for Proposal (RFP) for goods or services above \$100,000, or above \$60,000 for professional services. It exempts purchases below the threshold as long as the locality has adopted a small purchase policy. The County's small purchasing policy was last updated in 2021, and requires an IFB or RFP for all purchases above \$50,000.

Central Purchasing has been working on a revised small purchase policy, and has proposed raising the threshold as outlined in the memorandum. The procedure within the price range remains essentially unchanged.

Documents:

[PURCHASING POLICY UPDATE.PDF](#)

#### 4.V. CONSENT TO SIGN SETTLEMENT FOR OPIOID ABATEMENT AUTHORITY

In November of 2021, following a closed session discussion on the topic, the Board voted to authorize the settlement of any potential claims the County may have against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities related to the opioid health crisis. The Board also authorized the County's participation in the Virginia Opioid Abatement Authority, pursuant to an adopted MOU, which requires any funds received to be used to abate the effects of opioid misuse in the local community. Pursuant to the initial settlement and the distributions of the settlement through the Opioid Authority, the County received \$18,542.56 in 2021 and \$19,487.32 in 2022. These funds are separately maintained by the County for the purpose of opioid abatement under the terms of the MOU. Payments under the initial settlement will continue for six years.

Earlier this year, the County received notice of an additional settlement with defendants Teva, Allergan, CVS, Walgreens, and Walmart. These defendants will also pay damages over the course of six years. Like the first settlement the new settlement resolves all claims against these defendants nationwide, funneling all governmental funds through state-based Opioid Abatement Authorities. All funds received through the new settlement will be distributed through and administered by the Virginia Opioid Abatement Authority under the previously adopted MOU. In order to participate in the settlement and claim the benefit of these additional funds the County must authorize a representative to sign the necessary documents. The documents are in similar form to those already executed with regard to the previous defendants.

**RECOMMENDATIONS: Staff recommends the Board:**

- a. **Approve the appropriations as presented;**
- b. **Approve the County Attorney invoice of \$18,068.35;**
- c. **Authorize staff to negotiate and execute a final contract with RDA Systems, Inc. for the new ERP system;**
- d. **Approve the proposed revisions to the small purchase policy and the corresponding credit card policy, allowing implementation by County staff at the beginning of FY24 (July 1, 2023).**
- e. **Consider the attached documents, and if so inclined, grant the County Attorney authority to execute the new settlement documents on behalf of the County.**

Documents:

[OPIOID AUTHORITY MEMO.PDF](#)  
[OPIOID AUTHORITY MOU.PDF](#)  
[2023 SETTLEMENT NOTICE.PDF](#)  
[PROPOSED 2023 SETTLEMENT RESOLUTION.PDF](#)  
[ADOPTED 2021 SETTLEMENT RESOLUTION.PDF](#)

**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)(3) of the Code of Virginia to discuss the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

b. 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.

c. Staff is requesting the Campbell County Board of Supervisors enter into Closed Session in accordance with Section 2.2-3711(A)(6) of the Code of Virginia to discuss or consider the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected; and/or Section 2.2-3711(A)(29) of the Code of Virginia to discuss the award of a public contract involving the expenditure of public funds, including interviews of

bidders or offerors, and to discuss the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body; specifically, to consider the receipt of an unsolicited proposal received under the Public-Private Education Facilities and Infrastructure Act of 2002, Va. Code § 56-575.1 et seq.

Documents:

[CONFIDENTIAL COVERSHEET- SENECA LEASE.PDF](#)

8. 7:00 P.M. PUBLIC HEARINGS  
The following Public Hearings were advertised (ad attached) for:  
Paul E. Harvey, Director of Community Development

Documents:

[BOARD AD.PDF](#)

- 8.I. SPECIAL USE PERMIT REQUEST – 3682 OXFORD FURNACE ROAD  
#PL-22-226 – This request is from Norm Walton, agent for BDI Properties LLC, for a special use permit to operate an automobile sales and minor automobile repair business on property zoned Agricultural. The property is located at 3682 Oxford Furnace Road, 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 owner is seeking to use the property for automobile sales and minor automobile repair. The use of automobile sales would be internet sales as the site is not conducive for drive-by or in person sale of vehicles. There would be 30 automobiles or less on the site at any time. There is an existing gravel area adjacent to the garage that would be used for the storage of vehicles. The owner is also seeking to allow minor automobile repair in the existing garage to prepare the used vehicles for sale. There is no proposed expansion to the existing garage building or gravel parking area.

**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 and shown on the site plan submitted with the request, and further conditions of hours of operation for receiving and delivery of vehicles from 8:00 a.m. to 5:00 p.m. and cleanup effort be completed within six (6) months, by vote of 6-0 citing good zoning practice.**

Documents:

[PL-22-226 BOARD PACKET.PDF](#)

- 8.II. SPECIAL USE PERMIT REQUEST – 112 ENGLISH COMMONS DRIVE



#PL-22-227 – This request is from Alyssa Kinney for a special use permit to use an existing townhouse as a tourist house on property zoned Residential – Multi Family. The property is located at 112 English Commons Drive, Lynchburg, VA, and in the Rustburg 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 the owner of the property and wishes to rent out the entire home for overnight guests using a platform such as Airbnb, when not filled by a tenant on a mid-term or long-term lease. The property will primarily be rented for more than 30 days, catering to traveling nurses and other professionals. The short-term rentals would supplement the vacancy between longer rentals. There would be a maximum of four (4) guests. There are two parking spaces available for tenants/guests.

**RECOMMENDATION: The Planning Commission recommended denial of this request by vote of 6-0.**

Documents:

[PL-22-227 BOARD PACKET.PDF](#)

8.III. SPECIAL USE PERMIT REQUEST – 802 PEERMAN SCHOOL ROAD

#PL-23-002 – This request is from Lisa Moore, agent for L & D Moore Rental Properties LLC, for a special use permit to use an existing single-family dwelling as a tourist house on property zoned Agricultural. The property is located at 802 Peerman School Road, Altavista, VA, and in the Altavista Election District. As per the Comprehensive plan the property is located in an area designated as transitional. Staff report is attached.

The applicant is the owner of the property and wishes to rent out the entire home for overnight guests using a platform such as Airbnb. The home was purchased and renovated by the applicant within the past year. The applicant is seeking to fill a need for visitors to companies and institutions in the area looking for housing for several weeks. The applicant lives in the vicinity and will be aware of the tenants.

**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 6-0 citing good zoning practice.**

Documents:

[PL-23-002 BOARD PACKET.PDF](#)

8.IV. SPECIAL USE PERMIT REQUEST – 157 SPRINGLAKE ROAD

#PL-23-004 – This request is from Brent Baker for a special use permit to operate as a rebuilder and salvage dealer on property zoned Agricultural. The property is located at 157 Springlake Road, Lynchburg, 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 is seeking to operate as a rebuilder and salvage dealer on the property. The applicant currently operates an automotive repair business on the property. A special use permit was approved for an automobile sales lot at an existing auto repair shop on September 9, 1998 with the conditions of hours of operation Monday – Friday, 8 am – 5 pm, ½ day on Saturdays, and no more than 10 vehicles on the property at any given time. The applicant previously had a salvage license on the property that expired in 2015. Since more than two (2) years has passed since operating as a rebuilder and salvage dealer, the applicant must apply for a new special use permit for those uses.

**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 and shown on the site plan submitted with this request, as well as any other conditions deemed appropriate, by vote of 6-0 citing good zoning practice.**

Documents:

[PL-23-004 BOARD PACKET.PDF](#)

8.V. PUBLIC HEARING – SALE OF S.R. BRYANT MEMORIAL GREENWAY  
F.E. “Tripp” Isenhour, III, County Attorney

The County owns S.R. Bryant Memorial Greenway, a portion of the Campbell County Park system, which is located at 34 Bumgarner Dr., Lynchburg, Virginia, being tax map number 20-A-20. The Parks and Recreation Advisory Council recommended at the February meeting of the Board of Supervisors that the Board consider holding a public hearing to discuss selling the S.R. Bryant Memorial Greenway and using the funds realized in the same to improve other County parks. The Board of Supervisors granted permission to advertise the public hearing and County staff advertised a public hearing on the proposed sale of the property for the March business meeting of the Board. To increase awareness of the public hearing and the proposed sale, staff also provided notice to nearby property owners by mail, posted a sign at the park entrance, and posted additional notice on the County website and social media pages.

**RECOMMENDATION: Staff recommends the Board conduct a public hearing on the proposed sale and receive public comment. Following the public hearing, Staff requests that the Board provide direction concerning the proposed sale of the park.**

Documents:

[S.R. BRYANT MEMO.PDF](#)  
[LETTER TO ADJOINING PROPERTY OWNERS.PDF](#)  
[AERIAL MAP.PDF](#)  
[DEED.PDF](#)  
[ADVERTISEMENT.PDF](#)

MEMO FOR BOARD PACKET FEBRUARY 2023.PDF  
RESOLUTION FEBRUARY 2023.PDF

9. AGENCY MINUTES AND REPORTS

Documents:

PLANNING COMMISSION - DECEMBER 2022.PDF  
PLANNING COMMISSION - JANUARY 2023.PDF  
SOCIAL SERVICES BOARD - JANUARY 2023.PDF

10. INFORMATIONAL ITEMS

Documents:

EXPENDITURE REVENUE SUMMARY - JANUARY 2023.PDF  
2022 ATTENDANCE RECORDS.PDF  
NEW EMPLOYEE REPORT - FEBRUARY 2023.PDF  
THANK YOU LETTER - WAMPLER-EANES - FEBRUARY 2023.PDF  
COUNTYWIDE ROADSIDE LITTER PICK UP DAY - FEBRUARY 2023.PDF  
SCHOOL APPROPRIATION REQUESTS - MARCH 2023.PDF

[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.**