

BOARD OF SUPERVISORS MEETING

July 18, 2023

The regular meeting of the Campbell County Board of Supervisors was held on the 18th day of July 2023 in the Board of Supervisors meeting room of the Walter J. Haberer Building, Rustburg, Virginia. The members present were:

Matt W. Cline, Chairman, Presiding	Concord Election District
Kenneth R. Brown	Spring Hill Election District
Justin A. Carwile	Timberlake Election District
Jon R. Hardie	Rustburg Election District
A. Dale Moore	Altavista Election District
Steve W. Shockley	Sunburst Election District

Absent was:

Charlie A. Watts, II	Brookneal Election District
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Also present were:

Frank J. Rogers, County Administrator
Clifton M. Tweedy, Deputy County Administrator
F.E. "Tripp" Isenhour, III, County Attorney
Brooke S. Wright, Administrative Assistant

Chairman Cline called the meeting to order at 6:00 p.m. Following the Pledge of Allegiance, a moment of silence was observed.

// APPROVAL OF MINUTES

On motion of Supervisor Brown, it was resolved the Board of Supervisors dispenses with the reading and approves the minutes of the May 2, 2023 regular meeting and the May 9, 2023 work session as presented.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// SENECA COMMERCE PARK BUSINESS RELOCATION AND INCENTIVES

Nina Rezai, Director of Economic Development, indicated that Ceramic Tubular Products, LLC (CTP) formed in 2006 and had been operating in the City of Lynchburg. This company focused on ceramics and composites that were used in high temperature applications as seen in concentrating solar power and thermal energy storage. Since beginning operations, the company had served clients within the region and nationwide.

In December 2022, CTP entered into a lease for the 10,000 square foot building the Campbell County Industrial Development Authority (IDA) constructed in 2019. CTP began operations in the space in June 2023. The lease agreement with the IDA included renewal terms that could extend the agreement for up to eight (8) years. The IDA was pleased to welcome an innovative company into their space that would perpetuate development in Seneca Commerce Park.

With their relocation into Seneca Commerce Park, CTP brought capital investment in Real Estate and Machinery and Tools that were eligible for business incentives based on the Campbell County Incentive Policy. Their investments qualified for \$21,400 incentives in an Economic Stimulus Grant. The funds would be distributed over 4 years.

On motion of Supervisor Shockley, it was resolved the Board of Supervisors approves the incentives from the unassigned general fund balance to CTP, LLC for \$21,400 and authorizes the County Administrator to sign all necessary documents to complete the transaction.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley

Nay: None
Absent: Watts

// HIGHWAY MATTERS

Clifton Tweedy, Deputy County Administrator, indicated Robert Brown, VDOT Residency Administrator, was present to answer questions from Board members. Mr. Tweedy updated the Board on highway matters.

In a report on previous highway matters, Mr. Tweedy stated the following:

- Supervisor Shockley requested at the Crowell Lane/Timberlake Road intersection a straight arrow for through traffic and increased signal time for the protected left turn from Timberlake road onto Crowell Lane. VDOT had changed the signal timing for the turn lane and added a through arrow.
- Supervisor Brown requested repairs to the pavement settling in the southbound lane at the intersection of English Tavern Road and Wards Road. This work had not been completed yet.
- Supervisor Hardie indicated vegetation on Sunnymeade Road at the exit from Clearview Christian Church was obstructing sight distance and needed trimming. Mr. Brown was unsure if that work had been completed.
- Supervisor Hardie asked for speed reduction on Greenhouse Road. Mr. Brown indicated that study had not been completed.
- Supervisor Hardie requested that a left turn lane for northbound traffic be added on Calohan Road at Greenhouse Road. Mr. Brown indicated this had been completed.
- Supervisor Hardie requested a review of the speed limit at the intersection with the southern end of English Tavern Road/Leland Road on Route 29. VDOT indicated the 45 MPH speed limit was appropriate.

Pending Matters:

- Supervisor Hardie asked if changes could be made in the vicinity of the crosswalk in front of the Historic Courthouse. A meeting was held on June 22nd with VDOT representatives and County staff. Mr. Brown indicated that some short-term improvements could include refreshing crosswalk paint, installing flashing lights on pedestrian crossing signs, and asking AEP to install brighter street lighting. He added that VDOT would conduct a review of all pedestrian crossings in Rustburg to determine if more changes needed to be made.
- Chairman Cline requested that VDOT continue to monitor the intersection of Route 460 and Doss Road. Mr. Brown indicated VDOT was proceeding with a design for a mountable curb to provide greater separation between the travel lanes and through lanes. He was not sure when it would be installed.
- Supervisor Shockley requested a speed study along Leesville Road from Leesville Estates to the City Limits, due to increased development along the corridor. Mr. Brown did not have the results of the study.

From the Board:

- Supervisor Hardie requested widening of the right turn lane at the intersection of Calohan Road and the Route 29 northbound lane.
- Supervisor Hardie requested stabilizing the gravel on the shoulders at the intersection of Wisecarver Road and Route 24.
- Supervisor Hardie requested improvements to the intersection of English Tavern Road and Route 29 to improve safety, particularly lengthening the turning lanes due to increased development in the area.
- Supervisor Cline requested a study to determine drainage improvements on Route 460 near Moore's Country Store in order to reduce flooding.
- In Supervisor Watts's absence, Supervisor Shockley requested a review of signage locations at the intersection of Long Island Road and Route 501 to improve visibility.
- Supervisor Carwile requested an estimate of the cost to bring Destiny Lane up to standards to allow it to become part of the State system for maintenance through the Revenue Sharing program.

Mr. Tweedy noted that a resident of Babcock Road in Rustburg made him aware that the recent heavy rains had caused flooding in the area. The resident indicated this would be an ongoing problem due to the significant drainage coming from the Route 24/Route 615 area. Mr. Brown indicated that VDOT replaced a pipe under the road approximately two years ago and it was adequate to handle heavy storms. Debris in the floodplain had washed down into the pipe causing it to clog.

// BRIAN DRIVE

On motion of Supervisor Hardie, it was resolved the Board of Supervisors adopts the following resolution and Changes to the Secondary Road System form to bring Brian Drive into the State system for maintenance:

WHEREAS, Campbell County has requested the Virginia Department of Transportation to provide an estimate for the construction of Brian Drive, beginning at Route 1670 and ending at a cul-de-sac, to standards meeting the requirements of the Virginia Department of Transportation, and

WHEREAS, the Virginia Department of Transportation has provided an estimate for the cost for said Rural Addition and the affected property owners have donated through the County \$16,446.00, fifty (50) percent of the estimate.

NOW, THEREFORE BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add to the Campbell County Secondary Road System for construction and maintenance of the following section of road in accordance with sections 33.2-335 and 33.2-336 of the code of Virginia.

Name of Street: Brian Drive, State Route 1672

From: Route 1670

To: A point 0.11 mi west of Route 1670,

Length: 0.11 miles.

BE IT FURTHER RESOLVED, this Board guarantees a minimum unrestricted 50-foot right of way with additional widths as may be necessary for cuts, fills and drainage together with easements on adjacent properties.

Recorded in Plat Book 42, Pages 27 and 28 and on Plat Cab B Slide 180, Pages 603 and 604.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// KINGSWOOD LANE/NIGHTHAWK ROAD

On motion of Supervisor Hardie, it was resolved the Board of Supervisors adopts the following resolution and Changes to the Secondary Road System form to bring Kingswood Lane and Nighthawk Road into the State system for maintenance:

WHEREAS, Campbell County has requested the Virginia Department of Transportation to provide an estimate for the construction of Kingswood Lane, beginning at Route 857 and ending at a cul-de-sac, and Nighthawk Road, beginning at Route 872 and ending at a dead end, to standards meeting the requirements of the Virginia Department of Transportation, and

WHEREAS, the Virginia Department of Transportation has provided an estimate for the cost for said Rural Addition and the affected property owners have donated through the County \$172,289.00 for Kingwood Dr. and \$34,089 for Nighthawk Rd, fifty (50) percent of the each of the estimates.

NOW, THEREFORE BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add to the Campbell County Secondary Road System for

construction and maintenance of the following section of road in accordance with sections 33.2-335 and 33.2-336 of the code of Virginia.

Name of Street: Kingswood Lane, State Route 872

From: Route 857

To: A point 1.15 mi to a cul-de-sac,

Length: 1.15 miles.

Name of Street: Night Hawk Rd, State Route 857

From: Route 872

To: The dead end 0.26 mi north of Route 872,

Length: 0.26 miles.

BE IT FURTHER RESOLVED, this Board guarantees a minimum unrestricted 50-foot right of way with additional widths as may be necessary for cuts, fills and drainage together with easements on adjacent properties.

Recorded in Plat Book 21, Pages 7, 13 and 15 on May 06, 1974.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley

Nay: None

Absent: Watts

// REVENUE SHARING PROJECTS

Mr. Tweedy stated that the Board had previously approved the submission of a Revenue Sharing pre-application to support the upgrade of two existing roads, Fox Ridge Lane and Springfield Road, to VDOT standards. He indicated the next step in the application process was for the Board to adopt resolutions in support of the projects.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors adopts the following resolutions of support for Fox Ridge Lane and Springfield Road:

RESOLUTION OF SUPPORT FOR FOX RIDGE LANE

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation (VDOT) to establish a project in the County of Campbell.

WHEREAS, the Campbell County Board of Supervisors desires to submit an application for an allocation of funds up to 50% of the final estimated costs to be matched through the Virginia Department of Transportation Fiscal Year 2026-27 Revenue Sharing Program; and,

WHEREAS, the Campbell County Board of Supervisors hereby supports this application for an allocation of funds up to 50% of the final estimated costs to be matched through the Virginia Department of Transportation Revenue Sharing Program for a total project cost; and,

NOW, THEREFORE, BE IT RESOLVED THAT: The Campbell County Board of Supervisors hereby agrees to commit to their share of the total cost for preliminary engineering, right-of-way and construction of the project in accordance with the project financial documents.

BE IT FURTHER RESOLVED THAT the Campbell County Board of Supervisors hereby grants authority for the Deputy County Administrator to execute project agreements for any approved revenue sharing projects for the Fiscal Year 2026-27.

RESOLUTION OF SUPPORT FOR SPRINGFIELD ROAD

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation (VDOT) to establish a project in the County of Campbell.

WHEREAS, the Campbell County Board of Supervisors desires to submit an application for an allocation of funds up to 50% of the final estimated costs to be matched through the Virginia Department of Transportation Fiscal Year 2026-27 Revenue Sharing Program; and,

WHEREAS, the Campbell County Board of Supervisors hereby supports this application for an allocation of funds up to 50% of the final estimated costs to be matched through the Virginia Department of Transportation Revenue Sharing Program for a total project cost; and,

NOW, THEREFORE, BE IT RESOLVED THAT: The Campbell County Board of Supervisors hereby agrees to commit to their share of the total cost for preliminary engineering, right-of-way and construction of the project in accordance with the project financial documents.

BE IT FURTHER RESOLVED THAT the Campbell County Board of Supervisors hereby grants authority for the Deputy County Administrator to execute project agreements for any approved revenue sharing projects for the Fiscal Year 2026-27.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// CONSENT AGENDA

On motion of Supervisor Carwile, it was resolved the Board of Supervisors approves the following under the Consent Agenda:

a) Appropriations –

1. General Fund, Economic Development, appropriating \$15,000 to Incentives – Start Small Campbell; decreases General Fund Balance “Economic Development Incentive” by \$15,000; to pay three businesses an amount not to exceed \$5,000 in incentive funds per business, to those businesses whose FY23 applications were chosen as recipients of the Start Small Campbell incentive grant;
2. General Fund, Public Safety, appropriating \$417 to Maint/Repair – Vehicles; increases Insurance Recoveries revenue by \$417; reimbursement for turnout gear damaged in a fire;
3. General Fund, Other Welfare Services, appropriating \$429,540.70 to Tax Relief for the Elderly; increases Real Property Taxes by \$429,540.70 with no impact on the General Fund Unassigned Fund Balance; an audit standard change by the Auditor of Public Accounts several years ago requires localities report tax relief for the elderly and handicapped as an expenditure. Previously the County reported this as a reduction in Real Estate Tax revenue received. This accounting standard requires that the County increase the appropriation for Real Estate Tax revenue and appropriate a new expenditure line for the same amount. Rather than handling this during the budget submission each year, possibly causing some confusion in the comparisons of revenue budget requests from year to year, staff obtained BOS approval to handle this in the form of a supplemental appropriation each year. There is no impact to the General Fund Unassigned Fund Balance;
4. Capital Improvement Fund, Public Safety, appropriating \$5,532 to Fire Apparatus/Facility Replacement; increases Distribution of Fire Programs – CIP revenue by \$5,532; to record grant funds that were received;
5. Capital Improvement Fund, Public Safety, appropriating \$89,000 to Fire Apparatus/Facility Replacement; decreases Unassigned General Fund Balance by \$89,000; original budget request was for \$389,000, but adopted was \$300,000. \$89,000 is needed to finish projects for FY23;
6. General Fund, Public Safety, appropriating \$24,000 to Electronic Network Changes; decreases Unassigned General Fund Balance by \$24,000; grant funds to be received from VDEM Fall 2023;

7. General Fund, Treasurer, appropriating \$71,525 to Miscellaneous Fees & Charges; increases estimated revenue DMV Stop by \$71,525; when the FY23 budget was approved, the impact of policies on DMV Stops was not anticipated;
8. General Fund, Legal Services, appropriating \$15,669.52 to Delinquent Tax Collection Fees, \$43,391.12 to Legal Fees, \$70 to Nuisance Abatement, and \$3,513.79 to Furniture & Fixtures; decreases Beginning Fund Balance by \$62,644.43; to cover excess Delinquent Tax Collection Fees, Legal Fees, Nuisance Abatement, and Furniture & Fixtures above FY23 budgeted amount;
9. County Fiduciary Fund, appropriating \$6,450 to County Holiday Decorations; increases revenue County Holiday Decoration Donations by \$6,450; the County has received donations from community sponsors to purchase holiday decorations for the village of Rustburg;
10. General Fund, Sheriff's Department, appropriating \$350 to Crime Watch Prevention; increases estimated revenue Gifts & Donations – Sheriff's Office by \$350; funds received as donations for Crime Prevention fund line;
11. General Fund, Sheriff's Department, appropriating \$248.98 to Special Investigation Fees; increases estimated revenue Special Investigations Restitution by \$248.98; defendants are ordered through Circuit Court to reimburse the Sheriff's Office for narcotic funds used by Sheriff's Office in their case;
12. Capital Improvement Fund, Sheriff's Department, appropriating \$1,305.08 to Vehicles & Equipment; increases estimated revenue Insurance Recoveries by \$1,305.08; funds received from Insurance Companies for reimbursement on vehicle accidents during FY23. Funds will be used to help purchase replacement vehicle equipment for vehicles involved in accidents;
13. General Fund, Sheriff's Department, appropriating \$628.56 to Central VA Task Force Equipment; increases estimated revenue Central VA Task Force Equipment by \$628.56; revenue received from DCJS Asset Forfeitures Division from the Central VA Task Force cases. These funds will be used to purchase equipment for the Task Force;
14. General Fund, Economic Development, appropriating \$46,058.64 to Precision Ag Grant Expenditures; increases revenue Tobacco Precision Ag by \$46,058.64; funds represent amount to be paid out as administrators of the Tobacco Precision Ag grant for Voucher 5;
15. General Fund, Economic Development, appropriating \$74,653.26 to Crowell Lane Gas Extension; decreases Unassigned General Fund Balance by \$74,653.26; at the April 2023 Board of Supervisors meeting, the gas line extension for Crowell Lane was approved. In that meeting the cost was reported as \$97,770.38. Upon approval by the Board, contract agreements were distributed by Columbia Gas to Campbell County and the business owners who plan to connect to the gas line at the completion of construction. While reviewing the documents, a business owner noted that the correct number of meters for their property was not reflected in their agreement, thus the total number of connections accounted for in the County project costs was not accurate. The oversight by Columbia Gas in accounting for the correct number of users also was not accurately reflected in the project costs. Once this was acknowledged by all parties, the necessary information was reported by the business owner to Columbia Gas and the project cost was revised. As a result of the provided revision, the most up to date usage numbers and the total number of meters, the cost of the project decreased by \$23,117.12. At this time, all of the revised agreements have been signed and returned to Columbia Gas from Campbell County and the participating businesses. The total cost of the project is \$74,653.26;
16. General Fund, Economic Development, appropriating \$30,000 to VTC – ARPA Tourism; increases estimated revenue VTC – ARPA Tourism by \$30,000; the remaining \$30,000 of the ARPA grant is released as reimbursements;

17. General Fund, Clerk of the Court, appropriating \$5,000 to Jurors; decreases Unassigned Fund Balance by \$5,000; increased costs due to an increase in jury trials in FY23;
18. General Fund, Maintenance Buildings & Grounds, appropriating \$100,466 to Electrical Service and \$8,572 to Heating Service; decreases Beginning Fund Balance by \$109,038; necessary due to unforeseen increase in electrical company's regulation/energy cost and the increasing fluctuation in cost of propane gas, and to true up lines for FY23;
19. Solid Waste Fund, Transfer Sites, appropriating \$5,460 to Fuel Subsidy and \$3,096 to Electrical Service; decreases Beginning Fund Balance – Solid Waste by \$8,556; necessary to true up incurred expenses for FY23 due to escalating cost of diesel fuel and increase in regulation/energy cost of electrical services;
20. General Fund, Public Assistance Services, appropriating \$1,300 to Substance Abuse & Supplemental Services; increases estimated revenue Public Assistance/Admin – State by \$1,300; funds received for identified foster parents providing care and supervision for a foster child with exceptional behaviors to support placement stability;
21. General Fund, Public Assistance Services, appropriating \$3,600 to Fostering Futures; increases estimated revenue Public Assistance/Admin – Federal (55.65%) by \$2,003.40 and Public Assistance/Admin – State (44.35%) by \$1,596.60; additional funds needed for Fostering Futures Program. This program supports youth who turn 18 while in foster care, up to age 21;
22. General Fund, Public Assistance Services, appropriating \$180,000 to Adoption Subsidies; increases estimated revenue Public Assistance/Admin – Federal (55.65%) by \$100,170 and Public Assistance/Admin – State (44.35%) by \$79,830; additional funds needed for adoption subsidy. This program provides care for children adopted out of foster care with special needs;
23. General Fund, Public Assistance Services, appropriating \$2,089 to General Relief; increases estimated revenue Public Assistance/Admin – State (62.5%) by \$1,305.63, and local match of \$783.38 required from Unassigned General Fund Balance (37.5%); additional funds needed to maintain stability for children residing with nonbiological caregivers;
24. General Fund, Children's Services Act, appropriating \$450,000 to CSA/CAR Pool; increases estimated revenue Children at Risk (CAR) Pool by \$292,000, and decreases Unassigned General Fund Balance by \$158,000; the Children's Services Act provides services to children and families that are determined to be troubled/at-risk. It is a mandated sum sufficient program with local oversight by the Community Policy and Management Team. The Commonwealth of Virginia reimburses the County for program expenditures at a variable rate depending on the types of services required in each case, averaging 65% per fiscal year. The number of children/families served has increased in recent years with corresponding increases in the number of challenging cases and higher expenditures for services. Total expenditures for FY23 are expected to reach approximately \$4,700,000. Total expenditures in FY22 were \$4,620,298;
25. General Fund, Economic Development, appropriating \$9,000 to Seneca Maintenance; increases revenue Seneca Maintenance by \$9,000; funds represent revenue from Verizon for the cell tower located in Seneca Commerce Park for the months of July 2023 through June 2024.

b) County Attorney Invoice –

Approves payment to the County Attorney in the amount of \$21,862.30 for services provided from May 24, 2023 through June 20, 2023.

c) Recognition of Campbell County Valedictorians and Salutatorians for 2023 –

Adopts the following resolution to honor the County's 2023 Valedictorians and Salutatorians:

WHEREAS, every year each of our four County high schools selects one student, with the highest grade point average for his or her graduating class, to be the Valedictorian, and one student, with the second highest grade point average for his or her graduating class, to be the Salutatorian;

WHEREAS, the coursework completed is difficult and the competition for such an honor is fierce;

WHEREAS, these students serve as role models and examples to follow for their classmates and underclassmen;

WHEREAS, these students are honored at their graduation ceremonies, but because the achievement is so significant and worthy of approbation, the Board of Supervisors wishes to recognize it as well;

WHEREAS, the Altavista High School Valedictorian for 2023 is Hailey-Ann Essie Woodruff; and the Salutatorian is Graham Alan Dalton;

WHEREAS, the Brookville High School Valedictorian for 2023 is Ariel Wang and the Salutatorian is Cecelia Elizabeth Kincaid;

WHEREAS, the Rustburg High School Valedictorian for 2023 is Matthew Robert Wright; and the Salutatorian is Mason Clarke Reynolds;

WHEREAS, the William Campbell High School Valedictorian for 2023 is Ethan Grayson Kerr; and the Salutatorian is Isaiah James Lowrey;

NOW, THEREFORE, BE IT RESOLVED, the Campbell County Board of Supervisors commends the students named as Valedictorians and Salutatorians for 2023 on their impressive accomplishments.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// APPOINTMENTS

Two appointments were made at this meeting.

Social Services Board

On motion of Chairman Cline, it was resolved the Board of Supervisors reappoints Shameka Davenport to a four-year term until June 30, 2027 on the Social Services Board for the Concord Election District.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

Library Board of Trustees

On motion of Supervisor Carwile, it was resolved the Board of Supervisors appoints Tanita Anthony, 783 Timberlake Drive Apartment B, Lynchburg, to a four-year term until June 30, 2027 on the Library Board of Trustees for the Timberlake Election District.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// MATTERS FROM THE BOARD

Supervisor Carwile reminded the Board of a discussion at a previous meeting regarding the approval of rezoning request PL-20-217 on January 5, 2021. The property was located at 4430 Waterlick Road and was rezoned from Residential – Single Family to Business – General Commercial in order to construct storage units. Since that time, the County had been made aware of concerns from citizens in that area based upon a 1976 court decision that prohibited the owners at that time from using the property for commercial use. Supervisor Carwile was aware of the possibility of a civil lawsuit between the neighbors and the current property owner if the property was commercially developed.

On motion of Supervisor Carwile, it was resolved the Board of Supervisors approves correspondence from Supervisor Carwile to the property owner, offering the appropriation of County funds to waive the application cost of rezoning parcel 20A-17-1 if the property owner accepts within 120 days the offer to return the parcel to its previous Residential – Single Family designation.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

Chairman Cline announced the Summer Reading Grand Finale Street Fair would take place at the Rustburg Library on Saturday, July 29th from 10:00 a.m. until 2:00 p.m.

Chairman Cline recognized Tyler Mason, a recent graduate of William Campbell High School, for his outstanding high school baseball career. Mr. Mason was the only baseball player from the Lynchburg area to be named to the 2023 VHSL Class 1 All-State Baseball Team, and received the prestigious title of 2023 VHSL Class 1 Player of the Year. It was the consensus of the Board to formally recognize Mr. Mason with a proclamation at the August 1st Board meeting.

Supervisor Hardie had recently attended a Library Board of Trustees meeting and he appreciated everyone's hard work. In honor of the upcoming Summer Reading Grand Finale Street Fair, Supervisor Hardie presented books to his fellow Board members, Administrator Rogers, Mr. Tweedy, and Tripp Isenhour, County Attorney.

// Chairman Cline called for a recess at 6:37 p.m.

// Chairman Cline called the meeting back to order at 7:00 p.m.

// PUBLIC HEARING – LAND USE MAP AMENDMENT: LEESVILLE ROAD AREA

PL-23-091 Request by Campbell County to amend the land use map designation in Chapter 4 of the Comprehensive Plan for the area north of Airport Road, east of the City of Lynchburg boundary, and west of the Airport Development Area Master Plan from “Urban Development Area Commercial” to “Medium to High Density Mixed.”

Austin Mitchell, Zoning and Subdivision Administrator/Deputy Director of Community Development, indicated that Accupoint Surveying & Design, LLC submitted a letter 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 were accessed by Leesville Road and Bud Drive through the City of Lynchburg. Adjoining parcels in the City were designated as Low Density Residential in their Future Land Use Map and zoned Low Density Residential (R-1). The parcels in the County were zoned Business – General Commercial but were used for legal non-conforming residential uses since the uses on the properties existed prior to the enactment of the Zoning Ordinance. A rezoning to Residential – Multi Family was required to develop the property as desired by the requester. Urban Development Area Commercial designation in the Comprehensive Plan did not support a rezoning for residential uses.

The Board adopted the Airport Development Area Master Plan in 2006, which called 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 was within the Airport Development Area Master Plan area. However, the three requested parcels were outside the area.

At its March 7, 2023 meeting, the Board authorized staff to expand the area of the request and move forward with a public hearing for a change in the Comprehensive Plan Land Use Map from “Urban Development Area Commercial” to “Medium to High Density Mixed” for the area between Airport Road, the Route 460 Bypass, and the City of Lynchburg/Campbell County boundary, and outside the Airport Development Area Master Plan area.

The change to the Land Use Map would facilitate higher density residential use of the property. Due to topography and access, it was unlikely that these three parcels would be developed for commercial uses. 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 were zoned Business – General Commercial so any proposed residential developments would require a rezoning by the individual landowners.

Chairman Cline opened the public hearing at 7:02 p.m.

No one spoke in favor of or in opposition to the land use map amendment request, and the public hearing was closed at 7:02 p.m.

On motion of Supervisor Brown, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and **APPROVES** Request #PL-23-091 by Campbell County to amend the land use map designation in Chapter 4 of the Comprehensive Plan for the area north of Airport Road, east of the City of Lynchburg boundary, and west of the Airport Development Area Master Plan from “Urban Development Area Commercial” to “Medium to High Density Mixed.”

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// PUBLIC HEARING – REZONING AT 725 LEESVILLE ROAD & 73 BUD DRIVE

PL-23-088 Request by Accupoint Surveying & Design LLC, agent for HMS Legacy Holdings LLC, to rezone property located at 725 Leesville Road and 73 Bud Drive and further identified as tax map parcels 13C-4-2, 13C-4-4, and 13C-5-C from Business – General Commercial to Residential – Multi Family in order to construct duplexes. The property is located in an area designated as urban development area commercial per the current Comprehensive Plan.

Mr. Mitchell explained the request was to rezone 2.239 +/- acres from Business – General Commercial to Residential – Multi Family in order to construct duplexes. The concept plan showed a development of 13 duplexes and associated parking. The entrance to the development would be from Leesville Road in the City of Lynchburg. The PEC met on May 9, 2023 to discuss the plan. The concept plan was revised after the PEC meeting to address comments from the meeting. The request was not proffered, so the concept plan and proposal were conceptual and non-binding.

The area was mixed use in nature. Zoning in the vicinity was Residential – Single Family; Residential – Multi Family; Business – General Commercial; and Business – General Commercial, Conditional. The property was currently accessed by an existing entrance onto Bud Drive, which was a private road accessing off Leesville Road in the City of Lynchburg (Route 6066). The development would require approval from the City of Lynchburg for an entrance onto Leesville Road. The property would be served by public water and public sewer systems. The Planning Commission recommended approval of the request by a vote of 6-0 citing good zoning practice.

Amy Seipp, Principal Engineer with Accupoint Surveying & Design LLC, spoke on behalf of the property owner. She indicated the project would be in conformance with the Future Land Use Map, due to the Board’s recent approval of the Land Use Map amendment. Given the surroundings of the parcels, the owner felt it would be appropriate to construct duplexes on the properties. Sewer easements had been initiated with the landowners to the rear of these parcels. She added that the development would require approval from the City of Lynchburg for an entrance onto Leesville Road, and appropriate buffering was planned in conformance with the City’s requirements.

Chairman Cline opened the public hearing at 7:06 p.m.

No one spoke in favor of or in opposition to the rezoning request and the public hearing was closed at 7:07 p.m.

On motion of Supervisor Brown, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and citing good zoning practice, **APPROVES** Request #PL-23-088 by Accupoint Surveying & Design LLC, agent for HMS Legacy Holdings LLC, to rezone property located at 725 Leesville Road and 73 Bud Drive and further identified as tax map parcels 13C-4-2, 13C-4-4, and 13C-5-C from Business – General Commercial to Residential – Multi Family in order to construct duplexes.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// PUBLIC HEARING – REZONING AT 410 ENGLISH COMMONS DRIVE

PL-23-087 Request by Accupoint Surveying & Design LLC, agent for Jadon LLC, to rezone property located at 410 English Commons Drive from Industrial – General, Conditional to Residential – Multi Family in order to construct additional apartment buildings. The property is located in an area designated as medium to high density residential per the current Comprehensive Plan.

Mr. Mitchell explained that the applicant wanted to rezone 1.980 +/- acres to Residential – Multi Family in order to construct additional apartment buildings. Most of the parcel was rezoned to Residential – Multi Family, Conditional on October 1, 2019 to allow for the apartment complex currently under construction. A site plan was approved for nine (9) apartment buildings in the current phase on March 15, 2021. The subject area to be rezoned was purchased and added to the existing development's property in June 2021. The concept plan showed an expansion of one of the previously approved buildings and an additional apartment building in the area to be rezoned. The PEC met on May 9, 2023 to discuss the plan and the concept plan was revised to address comments from the meeting. The request was not proffered, so the concept plan and proposal were conceptual and non-binding.

The area was mixed use in nature. Zoning in the vicinity was Residential – Single Family; Residential – Single Family, Conditional; Residential – Multi Family; Residential – Multi Family, Conditional; Business – Limited Commercial; Business – General Commercial; Industrial – General, Conditional; and Agricultural. The development was accessed by an existing entrance onto English Tavern Road (Route 738). A right turn lane and taper was required for the existing development. No further traffic impact analysis was required. The property was served by public water and public sewer systems. The Planning Commission recommended approval of the request by vote of 6-0 citing good zoning practice.

Amy Seipp, Principal Engineer with Accupoint Surveying & Design LLC, spoke on behalf of the property owner. She indicated it would be good zoning practice to rezone the property to Residential – Multi Family, to allow for the expansion of one of the previously approved buildings and the construction of an additional apartment building.

Chairman Cline opened the public hearing at 7:10 p.m.

No one spoke in favor of or in opposition to the rezoning request and the public hearing was closed at 7:10 p.m.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and citing good zoning practice, **APPROVES** Request #PL-23-087 by Accupoint Surveying & Design LLC, agent for Jadon LLC, to rezone property located at 410 English Commons Drive from Industrial – General, Conditional to Residential – Multi Family in order to construct additional apartment buildings.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley

Nay: None
Absent: Watts

// PUBLIC HEARING – SPECIAL USE PERMIT AT 211 BRIDGE TREE COURT

Supervisor Shockley read the following disclosure into the record:

“In order to further the purposes of good and open government, and to comply with the provisions of Virginia Code Section 2.2-3112, I am disclosing that I, along with my wife, own the parcel of property known as 230 Bridge Tree Court, Evington, VA 24550, Campbell County Tax Map 29B-4-4. Special Use Permit Request #PL-23-089 involves an application for a special use permit for the property located at 211 Bridge Tree Court, Evington, VA 24550, which property is located directly across the street from the property my wife and I own at 230 Bridge Tree Court. Because of my ownership interest in 230 Bridge Tree Court, Evington, VA 24550, Campbell County Tax Map 29B-4-4, I am disqualifying myself from participating in this discussion, meaning that I will not participate in any way in the discussion or consideration of this matter, and I will not vote on the matter.”

STEVEN W. SHOCKLEY, Supervisor

PL-23-089 Request by Jamie Trent for a special use permit to operate a rooming house on property zoned Residential – Single Family. The property is located at 211 Bridge Tree Court in an area designated as medium to high density residential per the current Comprehensive Plan.

Paul Harvey, Community Development Director/Assistant County Administrator, explained that the applicant wanted a special use permit to use an existing single-family dwelling as a rooming house on property zoned Residential – Single Family. The applicant was the owner of the property and wished to rent out a portion of the existing single-family dwelling for overnight guests using a platform such as Airbnb. The parents of the applicant had resided in the basement of the dwelling for the past 11 years, but would be moving to an assisted living facility. The basement included a living area, kitchen, bathroom, and one bedroom. There was a separate entrance and off-street parking provided for guests at the basement entrance. This was the primary residence of the owner.

The area was residential in nature. Zoning in the vicinity was Residential – Single Family; Residential – Single Family, Conditional; and Agricultural. The property was accessed by an existing entrance onto Bridge Tree Court (Route 1166). The change in traffic caused by the request would be minimal, and a traffic impact analysis was not required. The property was served by public water and a private septic system. The Planning Commission recommended approval of the request with the condition that the applicant utilized the site in conformance with the use described in the narrative submitted with the request by a vote of 6-0 citing good zoning practice.

Jamie Trent, 211 Bridge Tree Court, Evington, owned the property. His parents had transitioned to an assisted living facility. He did not intend on renting out the rooming house every day.

Chairman Cline opened the public hearing at 7:15 p.m.

No one spoke in favor of or in opposition to the special use permit request and the public hearing was closed at 7:16 p.m.

On motion of Chairman Cline, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and citing good zoning practice, **APPROVES** Request #PL-23-089 by Jamie Trent for a special use permit to operate a rooming house on property zoned Residential – Single Family, located at 211 Bridge Tree Court, with the condition that the applicant utilizes the site in conformance with the use described in the narrative submitted with the request.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore
Nay: None
Absent: Watts

Abstain: Shockley

// PUBLIC HEARING – REZONING AT 2612 & 2624 SUNNYMEADE ROAD

PL-23-092 Request by Thomas Brooks, Sr., agent for JCJ Holdings LLC, to rezone property located at 2612 & 2624 Sunnymeade Road from Agricultural to Residential – Multi Family in order to construct duplexes. Jamie Trent for a special use permit to operate a rooming house on property zoned Residential – Single Family. The property is located in an area designated as medium to high density residential per the current Comprehensive Plan.

Mr. Harvey explained that the applicant wanted to rezone 1.490 +/- acres to Residential – Multi Family in order to construct duplexes. The concept plan showed a development of three (3) duplexes on individual parcels with associated parking. The units would be two (2) bedroom units for rent to the general public. Each duplex would be served by a private well and septic system. The request was not proffered, so the concept plan and proposal were conceptual and non-binding.

The area was mostly residential in nature. Zoning in the vicinity was Residential – Single Family; Residential – Multi Family; Industrial – Heavy; and Agricultural. The property would be accessed by an entrance onto Sunnymeade Road (Route 670). The request would not significantly impact the traffic flow and a traffic impact analysis was not required. The development would be served by private wells and on-site septic systems. The Planning Commission recommended approval of the request by a vote of 6-0 citing good zoning practice.

Thomas Brooks, Sr., 404 Clay Street, Lynchburg, spoke on behalf of the property owner. He stated the existing dwellings on the property would be demolished and replaced with three (3) duplexes. Each unit would be approximately 1,200 square feet and there would be parking for two (2) vehicles per unit. Each duplex would be served by a private well and septic system.

Chairman Cline opened the public hearing at 7:22 p.m.

No one spoke in favor of or in opposition to the rezoning request and the public hearing was closed at 7:22 p.m.

On motion of Chairman Cline, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and citing good zoning practice, **APPROVES** Request #PL-23-092 by Thomas Brooks, Sr., agent for JCJ Holdings LLC, to rezone property located at 2612 & 2624 Sunnymeade Road from Agricultural to Residential – Multi Family in order to construct duplexes.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// PUBLIC HEARING – SPECIAL USE PERMIT AT 48 OAK STREET

PL-23-093 Request by Thomas Brooks, Sr., agent for Elite of Virginia LLC, for a special use permit to operate a private school and preschool on property zoned Residential – Single Family. The property is located at 48 Oak Street in an area designated as medium to high density mixed per the current Comprehensive Plan.

Mr. Harvey explained that the applicant wanted a special use permit to operate a private school and preschool on the property, which was the former location of Faith Baptist Church. Winfall Baptist Church was the contract purchaser of the property and was seeking to operate a Christian school for grades K-12, in addition to a preschool. The former church building would be renovated for the school. There would be a new parking lot created and a new area for toddlers to play. There was also a portion of the property that would be used for a recreation area in the future.

The area was mixed use in nature. Zoning in the vicinity was Residential – Single Family; Business – General Commercial; Industrial – Heavy; and Agricultural. The property was accessed by an existing entrance onto Oak Street (Route 803). The change in traffic caused by the request

would be similar to traffic from the previous church on the property, and a traffic impact analysis was not required. The property was served by a private well and a private septic system. The Planning Commission recommended approval of the request with the condition that the applicant utilized the site in conformance with the use described in the narrative and shown on the site plan submitted with the request by a vote of 5-0 citing convenience and good zoning practice.

Thomas Brooks, Sr., 404 Clay Street, Lynchburg, indicated the church building would be completely renovated into a private school and preschool. The school would be under the direction of the board members of Winfall Baptist Church. Church leaders planned to begin operating in 2024 with 25 students, and hoped to increase to 150 students in the future. The hours of operation would be Monday through Friday, 8:00 a.m. to 3:00 p.m.

Chairman Cline opened the public hearing at 7:30 p.m.

Eric Szandzik, 484 Lazy Creeks Drive, Rustburg, spoke in favor of the proposed special use permit. He stated there was a large demand for private schools in the area, and this had become a great community project.

Phil Stevens, 199 Shannon Forest Drive, Rustburg, was the pastor of Winfall Baptist Church and was very excited for the school to become a reality. He appreciated everyone who had given time, money, and resources to the project.

Hearing no further comment, the public hearing was closed at 7:34 p.m.

On motion of Supervisor Shockley, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and citing good zoning practice, **APPROVES** Request #PL-23-093 by Thomas Brooks, Sr., agent for Elite of Virginia LLC, for a special use permit to operate a private school and preschool on property zoned Residential – Single Family, located at 48 Oak Street, 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.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// PUBLIC HEARING – BEDFORD SPRINGS PRECINCT POLLING PLACE RELOCATION

Mr. Isenhour indicated the next public hearing was advertised to receive public comment on the proposed polling place relocation from Moose Lodge 1727 to the Timbrook Library for the Bedford Springs Precinct in the Sunburst Election District. For the past several years, Moose Lodge 1727 had been used as a polling location for the Bedford Springs Precinct in the Sunburst Election District. The Moose Lodge informed the Registrar that the County may no longer use the Moose Lodge as its polling location. The Registrar had identified the Timbrook Library, located at 18891 Leesville Road, Lynchburg, VA 24501, as an acceptable alternative location for voting. The Library was slightly outside the Bedford Springs Precinct, but within the one-mile tolerance allowed by § 24.2-310(A). The new location at the Library was less than two miles from the present location at the Moose Lodge.

In order to permanently relocate the precincts from Moose Lodge 1727 to the Timbrook Library the Board must first conduct a public hearing on the matter. Normal practice would be to request the Board's permission to advertise the public hearing on such as change prior to scheduling the same. However, due to 2021 changes to the Code of Virginia, the County was now required to request preclearance with the Virginia Office of the Attorney General prior to enforcing any precinct moves. In order to start the process with the Office of the Attorney General in sufficient time to allow the precinct move to be in effect for November voting, County staff thought it prudent to seek Board action at the earliest possible date. Assuming the Board decided to move the precinct location following the public hearing, the County Attorney would immediately request preclearance from the Office of the Attorney General in order that all voters may be notified of the change well in advance of November voting.

Chairman Cline opened the public hearing at 7:39 p.m.

No one spoke in favor of or in opposition to the proposed polling place relocation and the public hearing was closed at 7:40 p.m.

On motion of Supervisor Shockley, it was resolved the Board of Supervisors approves moving the polling place location for the Bedford Springs Precinct in the Sunburst Election District from Moose Lodge 1727 to the Timbrook Library, located at 18891 Leesville Road, Lynchburg, VA 24501.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

// PUBLIC HEARING – PPEA PROPOSALS FOR BROOKVILLE HIGH SCHOOL RENOVATION

Mr. Isenhour indicated the final public hearing was advertise to receive public comment on PPEA proposals for the renovation of Brookville High School. On May 2, 2023, the Board authorized the acceptance for consideration of an unsolicited proposal from English Construction, Inc. to renovate Brookville High School. The acceptance of the unsolicited proposal for consideration required that the County publish a request for additional proposals for the same scope of work. Two additional proposals were received from Blair Construction, Inc. and Jamerson-Lewis Construction, Inc. Copies of all three proposals were provided to the Board for review.

PPEA required, under § 56-575.17(B) of the Virginia Code, the holding of a public hearing on the proposals during the proposal review process. All proposals were posted (without their confidential information) on the County’s website and paper copies were available in the County Administrator’s office. This was an opportunity for citizens to provide their thoughts and opinions on any single proposal, the proposals as a whole, or any plans for the school.

Chairman Cline opened the public hearing at 7:43 p.m.

Eric Szandzik, 484 Lazy Creeks Drive, Rustburg, stated the proposal from English Construction was the only one to include the construction of a new elementary school in the Brookville attendance zone. He asked for clarification as to why the other two proposals did not include the construction of a new elementary school. Chairman Cline indicated English’s proposal was unsolicited, and while the plan included a new elementary school that did not mean the Board had to accept that part of the plan. The other two proposals chose to only include renovations to Brookville High School. He reiterated that if the Board ultimately chose to work with English Construction on the project, a new elementary school did not have to be part of the final plan.

Hearing no further comment, the public hearing was closed at 7:48 p.m.

// ADJOURNMENT

On motion of Supervisor Brown, the meeting was adjourned at 7:49 p.m.

The vote was: Aye: Brown, Carwile, Cline, Hardie, Moore, Shockley
Nay: None
Absent: Watts

MATT W. CLINE, CHAIRMAN

Approved: _____