

BOARD OF SUPERVISORS MEETING

March 7, 2023

The regular meeting of the Campbell County Board of Supervisors was held on the 7<sup>th</sup> day of March 2023 in the Board of Supervisors meeting room of the Walter J. Haberer Building, Rustburg, Virginia. Prior to the meeting, the Board met at 5:30 p.m. in the Board of Supervisors meeting room for a group photograph. 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
Charlie A. Watts, II	Brookneal Election District

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 December 13, 2022 work session and the January 10, 2023 joint meeting with the Campbell County School Board as presented.

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

// PUBLIC COMMENT PERIOD

The Board of Supervisors provided the opportunity for general public comment at a public meeting at least once per quarter, pursuant to Virginia Code Section 15.2-1416. The Board invited any citizen who would like to address the Board to come forward and speak on any topic of concern. Speakers were asked to limit their remarks to three (3) minutes.

**Doug Perrow**, 197 Crews Shop Road, Lynchburg, appreciated living in a country where he could freely pledge allegiance to the flag and openly express his Christian faith. He thanked the Board members for serving as the local governing body. Mr. Perrow was a member of the Robert E. Lee Soil and Water Conservation District and expressed concern about current and future construction in the area of Timberlake.

// APPEARANCE – MELISSA LUCY, HORIZON BEHAVIORAL HEALTH

Melissa Lucy, CEO of Horizon Behavioral Health, provided the Board with an update on the organization's impact in the community. She reviewed Horizon's vision and mission statements, as well as the portfolio of services that Horizon offered. She highlighted the future Crisis Receiving Center, a 25,000 square foot building that would offer a variety of mental health services, allowing clients in crisis to be treated holistically. Chairman Cline thanked Ms. Lucy for all of the services Horizon provided.

// COMPREHENSIVE PLAN FUTURE LAND USE MAP REQUEST TO CONSIDER AMENDMENT

Austin Mitchell, Zoning and Subdivision Administrator/Deputy Director of Community Development, advised the Board that a letter was 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 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 its 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.

The Board of Supervisors adopted the Airport Development Area Master Plan in 2006. The plan 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 master plan area. However, there were existing parcels used for residential and mixed uses accessed from Leesville Road that were outside of the master plan area. The three (3) requested parcels were outside of the master plan area.

Accupoint Surveying & Design, LLC was requesting a change to the Future Land Use Map in order to facilitate higher density residential use of the property. A change to Medium to High Density Mixed would allow for a rezoning request to the Residential – Multi Family zoning district to be in accordance with the Comprehensive Plan. Due to topography and access, it was unlikely the three (3) parcels would be developed for commercial uses.

Mr. Mitchell suggested the Board may want to consider expanding the change to Medium to High Density Mixed to include all parcels accessed from Leesville Road outside of 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. The parcels were currently 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 (3) 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 bear the expense of the required public hearing notifications for the Future Land Use Map amendment and the applicant would only pay the fee for the rezoning public hearing.

In answer to a question by Supervisor Watts, Mr. Mitchell clarified that if the requester were to ask for a rezoning now, it would not be in accordance with the Comprehensive Plan. The Comprehensive Plan stated the three (3) parcels in question should be reserved for commercial development. Administrator Rogers added that if the Future Land Use Map was amended to allow the three (3) parcels to be classified as High Density Mixed, subsequent rezoning requests of the parcels would align with the Comprehensive Plan.

On motion of Supervisor Brown, it was resolved the Board of Supervisors proceed with a public hearing on an amendment to the Future Land Use Map, specifically considering a reclassification of all parcels accessed from Leesville Road outside of the Airport Development Area Master Plan to Medium to High Density Mixed.

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

// CROWELL LANE GAS EXTENSION

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 am the principal owner and manager of Industrial Plating Corporation, a business located at 318 Crowell Lane, Lynchburg,*

VA 24502. *I am also the primary member and manager of Shockley Holdings, LLC, which owns real estate on Crowell Lane, including 318 Crowell Lane, 320 Crowell Lane, 322 Crowell Lane, and an undeveloped parcel known as Campbell County Tax Map No. 21M-1-9B. An economic development project including an aid to construction infrastructure development payment for a natural gas extension on Crowell Lane will come before the Board for action at tonight's meeting. Because of my ownership interest in Industrial Plating Corporation and the potential impact on infrastructure development in the area of my business and my undeveloped lot, 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. This disclosure and abstention is continuing from my previous disclosure and abstention from the closed session discussion of the same matter which took place in October of 2022."*

STEVEN W. SHOCKLEY, Supervisor

Nina Rezai, Director of Economic Development, reminded the Board that in April 2022, staff presented a proposal 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 during closed session in October 2022, staff connected with three businesses on Crowell Lane that planned to use natural gas for their operations as soon as it was available. Columbia Gas required that there be an immediate user for new gas line extension projects.

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 was \$97,770.38. Campbell County was responsible for paying this amount as stated in the Aid to Construction agreement that would be signed upon approval by the Board. In addition to this agreement, the businesses were required to sign a Delayed Deposit Agreement that indicated their commitment to connecting to the gas line within one year of its availability. The businesses did not have a financial obligation in the project as long as they upheld their connection agreement. A timeline for the project would be determined once the agreements were signed and returned.

On motion of Chairman Cline, it was resolved the Board of Supervisors authorizes the County Administrator to sign the necessary agreements for the Crowell Lane gas extension and approves the payment of \$97,770.38 for the aid to construction fees.

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

// SENECA PARK LOTS J & K DEVELOPMENT PLANS

Ms. Rezai indicated that upon completing construction of the building and securing a tenant at 265 Ewing Drive in 2019, the Campbell County Industrial Development Authority (IDA) had been discussing options to pursue additional development in Seneca Commerce Park. In August of 2020, the IDA issued a request for proposal to have 60% engineered site plans developed for lots G, H, I, J, and K. The expense of the project was shared between the IDA and Campbell County Economic Development. The goal of conducting the studies on the lots was to determine which lot would be the most cost effective to pursue development. The contract to complete the site plans was awarded to Perkins and Orrison, Inc. Before the site plans were completed, three of the lots (G,H, and I) were sold to Pinnacle Trailers. At that time, the IDA worked with Perkins and Orrison to determine the largest size facility that lots J and K could hold. The site plans developed in this project were all focused on the parcels above Pinnacle Trailers, as that area had all of the necessary infrastructure (water, sewer, power, and internet), whereas the lower parcels required a water line extension to reach the end of Ewing Drive.

Lots J and K could hold a maximum of 35,000 square feet individually, or a maximum of 100,000 square feet collectively. The ability to house a facility over 50,000 square feet would position Seneca Commerce Park to attract a larger employer and ideally bring new business into

the area. When considering greenfield industrial parks, prospects specifically looked for property that was considered pad ready. Pad ready sites were cleared of trees and graded so a developer could quickly begin construction. While Seneca Commerce Park had a great deal of available land and infrastructure available, none of the County owned industrial property was considered pad ready.

At the August 2022 IDA meeting, the Authority moved to pursue the site plans to develop lots J and K together. This resulted in the need to complete the site plan for neighboring lot L because of the shared storm water pond at the back of that lot. The resulting site plans indicated the cost to grade J and K together for a 100,000 square feet building would be half the cost to grade them separately for a 35,000 square feet building on each parcel. At 60% engineering, preparing lots J and K for a 100,000 square feet building was 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 was 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 could be shared on the side of the property that was closer to the road elevation.

Ms. Reza indicated that the goal of the project was to promote development in Seneca Commerce Park. By creating a pad ready site for 100,000 square feet on lots J and K, the Park would be highly marketable. She asked the Board to consider next steps for development in Seneca Commerce Park at lots J and K. The information currently available represented partial engineering, and required surveying, design review and revisions as needed from Perkins and Orrison, Inc. in order to be construction ready. Once the designs were completed, the intention was to begin bidding the project out and seeking applicable grant funding to assist with the cost of the project.

On motion of Supervisor Watts, it was resolved the Board of Supervisors authorizes Perkins and Orrison, Inc. to proceed with completion of the site plans for Seneca Commerce Park 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.

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

// HIGHWAY MATTERS

Clif 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 had asked about the completion date for the Waterlick Road/Timberlake Road intersection construction project. Mr. Brown stated the project was still scheduled to be completed on time. Mr. Brown was unsure if a message board had been set up to warn drivers of the congestion at the intersection during construction.
- Chairman Cline had indicated the Route 460/Doss Road intersection had another accident recently involving a tractor-trailer. Mr. Brown stated VDOT would continue monitoring the intersection and there was a plan to install a raised median along the right turn lane to help improve sight distance.
- Supervisor Hardie had indicated a litter problem on Route 29. Mr. Brown stated litter had been picked up in the area within the last month.
- Supervisor Moore had indicated a litter problem on Goodman Crossing Road. Mr. Brown stated VDOT had picked up a significant amount of litter within the last month in Campbell County.
- Supervisor Moore had indicated the right shoulder was damaged along the intersection of Bishop Creek Road and Leesville Road. Mr. Brown stated that was temporarily repaired, and would be permanently repaired once asphalt plants opened for the season.

- Supervisor Moore had indicated the construction of the solar farm near Lynch Station was nearing completion, and repairs to Leesville Road needed to be considered. Mr. Brown stated paving repairs would take place in the near future.

Pending Matters:

- Supervisor Hardie asked if changes could be made in the vicinity of the crosswalk in front of the Historic Courthouse due to the recent fatal accident. Mr. Brown indicated VDOT had completed the review of the accident and did not recommend any changes to the area. He added that he would like to meet with VDOT traffic engineers at the site of the accident to further discuss the matter.
- Chairman Cline requested that VDOT continue to monitor the intersection of Route 460 and Doss Road, as there were recently two more accidents at the intersection.
- 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 stated he had not received the results of the study.

Mr. Brown advised the Board that a public hearing for the upcoming secondary road six-year plan had been set for May 2, 2023.

The Board did not address any new highway matters with Mr. Brown.

// CONSENT AGENDA

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

a) Appropriations –

1. Sheriff's Forfeited Assets Fund, Non-Departmental, appropriating \$6,500 to Police Equipment/Supplies; decreases Beginning Fund Balance, Sheriff's Forfeited Assets Fund, by \$6,500; Federal forfeited asset funds will be used to purchase treadmills and elliptical machines for Sheriff's Office employees to use to de-stress and exercise;
2. General Fund, Sheriff's Department, appropriating \$900 to Project Lifesaver Supplies; increases estimated revenue line Gift & Donations – Sheriff's Office by \$900; funds received from Rustburg United Methodist Church as a donation to the Project Lifesaver program;
3. General Fund, Special Tax District, appropriating \$22,785.77 to TWID Special Tax District; increases estimated revenue line 2022 TWID Special Tax District – 2<sup>nd</sup> Billing by \$22,785.77; the County collects taxes on behalf of the Timberlake Watershed Improvement District (TWID), and returns those funds to TWID upon request;
4. General Fund, Environmental Management, appropriating \$6,800 to Stormwater Management Fees – State; increases estimated revenue line Stormwater Management Fees – State by \$6,800; the County is required to pay certain Stormwater Management fees it collects to the Commonwealth of Virginia. The expenditure is offset by the revenue received; however, staff periodically revises expenditure and revenue estimates to align with the permit activity during the year. The County has approved plans for additional projects that exceed the original budgeted amounts. Note the State does not always send an invoice in the same fiscal year the permit fee was received;
5. General Fund, Public Assistance Services, appropriating \$10,650 to General Relief; increases estimated revenue line Public Assistance Admin – State by \$6,656.25 and decreases Undesignated Fund Balance of the General Fund by \$3,993.75 for the local match; additional funds requested to assist with the care of children residing with caregivers in alternative placements;
6. General Fund, Public Assistance Services, appropriating \$2,000 to Foster/Adoptive Parent Training; increases estimated revenue line Public Assistance Admin – Federal by \$1,140 and decreases Undesignated Fund Balance of the General Fund by \$860 for the

local match; the County received funds to assist with training of Adoptive and Foster parents.

b) County Attorney Invoice –

Approves payment to the County Attorney in the amount of \$18,068.35 for services provided from January 19, 2023 through February 14, 2023.

c) New Enterprise Resource Planning System (Financial Software) –

Approves a Cooperative Agreement with Amherst County to procure a contract for a new enterprise resource planning system (financial software), and authorizes staff to negotiate and execute a final contract with RDA Systems, Inc. at the estimated cost of \$900,000 to replace the current BAI System to support Finance & Management Services, the Commissioner of the Revenue, and the Treasurer;

d) Small Purchasing and Credit Card Policy Updates –

Approves the proposed revisions to the small purchase policy and the corresponding credit card policy, allowing implementation by staff at the beginning of Fiscal Year 2024 (July 1, 2023);

e) Consent to Sign Settlement for Opioid Abatement Authority –

Authorizes the County Attorney to execute the new Virginia Opioid Abatement Authority settlement documents on behalf of the County.

**A RESOLUTION OF THE CAMPBELL COUNTY BOARD OF SUPERVISORS  
APPROVING OF THE COUNTY’S PARTICIPATION IN THE PROPOSED  
SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST TEVA, ALLERGAN,  
WALMART, WALGREENS, CVS, AND THEIR RELATED CORPORATE ENTITIES,  
AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS  
NECESSARY TO EFFECTUATE THE COUNTY’S PARTICIPATION IN THE  
SETTLEMENTS**

**WHEREAS**, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the County of Campbell, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Campbell’s various departments and agencies; and

**WHEREAS**, the Commonwealth of Virginia and its counties and cities, including Campbell County, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and Campbell County; and

**WHEREAS**, settlement proposals have been negotiated that will cause Teva, Allergan, Walmart, Walgreens, and CVS to pay billions of dollars nationwide to resolve opioid-related claims against them; and

**WHEREAS**, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the “Virginia MOU”), and affirms that these pending settlements with Teva, Allergan, Walmart, CVS, and Walgreens shall be considered “Settlements” that are subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, and opioid manufacturer Janssen Pharmaceuticals; and

**WHEREAS**, the County Attorney has reviewed the available information about the proposed settlements and has recommended that the County participate in the settlements in order to recover its share of the funds that the settlement would provide;

**NOW THEREFORE BE IT RESOLVED** that the Campbell County Board of Supervisors, this 7th day of March, 2023, approves of the County's participation in the proposed settlement of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate entities, and directs the County Attorney to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against settling entities.

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

// APPOINTMENTS

Two appointments were made at this meeting.

Economic Development Commission

On motion of Supervisor Shockley, it was resolved the Board of Supervisors appoints Paul Dowdy, 201 Woodbourne Drive, Lynchburg, to the remainder of a four-year term until December 31, 2023 on the Economic Development Commission for the Sunburst Election District.

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

Industrial Development Authority

On motion of Chairman Cline, it was resolved the Board of Supervisors reappoints Dennis Rosser to a four-year term until March 17, 2027 on the Industrial Development Authority for the Concord Election District.

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

// MATTERS FROM THE BOARD

Chairman Cline was concerned about illegal dumping along Cabin Field Road. He asked Administrator Rogers if funds could be used from the Supervisors' discretionary fund to contract with a third party to pick up the large items in the area. Administrator Rogers advised that with the Board's consent, staff would gather quotes for the work and present them to the Board at a later date.

On motion of Chairman Cline, it was resolved the Board of Supervisors authorizes the County Administrator to obtain quotes for bulk trash pick-up in the area of Cabin Field Road.

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

Supervisor Brown indicated a citizen on Springfield Road wanted information on bringing the road into the State system for maintenance. Mr. Tweedy stated he would look into the matter.

Supervisor Shockley stated citizens in the Wildwood subdivision were concerned about cable companies digging in their front yards. Administrator Rogers indicated he would try to find out which company was doing work in that area of the county.

// Chairman Cline called for a recess at 6:50 p.m.

// Chairman Cline called the meeting back to order at 7:02 p.m.

// PUBLIC HEARING – SPECIAL USE PERMIT AT 3682 OXFORD FURNACE ROAD

PL-22-226 Request by 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 in an area designated as transitional per the current Comprehensive Plan.

Paul Harvey, Community Development Director, explained the owner was seeking to use the property for automobile sales and minor automobile repair. The use of automobile sales would be internet sales as the site was 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 was an existing gravel area adjacent to the garage that would be used for the storage of vehicles. The owner was also seeking to allow minor automobile repair in the existing garage to prepare the used vehicles for sale. There was no proposed expansion to the existing garage building or gravel parking area.

The area was rural and residential in nature. Zoning in the vicinity was Residential – Single Family; Agricultural; and Agricultural, Conditional. The property was accessed by an entrance onto Oxford Furnace Road (Route 662). The change in traffic caused by the request would be minimal, and a traffic impact analysis was not required. The property was currently served by private well and private septic system. Mr. Harvey indicated there was some opposition to the request at the Planning Commission meeting. The Planning Commission recommended approval of the request with the recommendation 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; 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 a vote of 6-0 citing good zoning practice.

**Norm Walton**, Perkins and Orrison, Inc., represented Mr. Delbert Beasley of BDI Properties LLC. He indicated that Mr. Beasley did not expect a lot of traffic on the property because the existing building would be used for internet sales. Approximately 20-30 cars would be on the site at any time. Minor automobile repair would include changing oil and tires on the vehicles. Mr. Walton did not feel that the operation would be an intrusion on the neighborhood, as there were no plans for further construction. He added that Mr. Beasley was agreeable to the conditions recommended by the Planning Commission.

**Delbert Beasley**, 479 Beasley Road, Lynchburg, was the owner of the property. He stated that he currently operated Long Mountain Motors, which was in close proximity to housing, and this business would be operated in the same manner.

Mr. Walton and Mr. Beasley answered several questions from Chairman Cline. The vehicles would only be advertised for sale on the internet. The vehicles would be parked on a gravel lot that was used as a contractor's yard in the past. Mr. Beasley had roughed in a road for the entrance to the property, and planned on installing gravel. Mr. Beasley indicated the property was currently being used to house farm equipment and trucks he used on his farm on Beasley Road.

In answer to a question from Supervisor Hardie, Mr. Beasley indicated the majority of the vehicles currently on the property would be moved if the request was granted. He added that neighbors had become upset with him in the past because there was a large number of vehicles on the property, but many of the vehicles had belonged to the Sheriff's Department. Most of them had been removed, but he thought at least one vehicle belonging to the Sheriff's Department remained on the property. Supervisor Hardie asked Mr. Beasley to explain why there were open top containers on property zoned Agricultural. Mr. Beasley indicated he used approximately five (5) containers to sort materials, as he was in the trash business. Mr. Walton clarified that Mr. Beasley's trash business was not located on the property in question, and Mr. Beasley was using hand-me-down equipment from his disposal company for his farm. Supervisor Hardie asked Mr. Beasley to expand on what appeared to be gas tanks located in a field on the property. Mr. Beasley indicated the oil tanks were on the property when he purchased it, and they were emptied and cleaned.

Chairman Cline opened the public hearing at 7:13 p.m.



**Amy Lucas**, 3576 Oxford Furnace Road, Lynchburg, spoke in opposition to the special use permit request. She and her husband owned the property directly beside the property in question. She presented photographs to the Board, and stated the property was beautiful before being purchased by BDI Properties LLC. Several of the photographs showed the vehicles currently on the property. Mrs. Lucas indicated she had hoped to plant truffle orchards on her property, but because of unknown fluids from the vehicles seeping into the ground near her land, could not due to environmental concerns. She was most concerned about the negative effect this request could have on her property value. Mrs. Lucas read the following letter from Patrick Todd, 3500 Oxford Furnace Road, Lynchburg, addressed to Mr. Harvey into the record:

Paul, I am writing to you to get on record that I oppose the car lot that is proposed for Oxford Furnace Road. I have a number of reasons for this decision. I believe that another location would be better than this rural location. If needed, I can be reached by email or contacted at my office for further details as to why I oppose this request. Thank you.

**Lawrence Narehood**, 3810 Oxford Furnace Road, Lynchburg, spoke in opposition to the special use permit request. He was deeply concerned about safety for equestrian activities, road safety on a curvy, unmarked road, plummeting property values, and hazardous run-off to agricultural crops. He indicated that all of the land properties adjoining and adjacent to the subject parcel were zoned Agricultural, and most were actively used for agricultural purposes. Most people who purchased land in the area did so because they enjoyed living in a country setting and wanted to pursue their own agricultural interests. Mr. Narehood added the proposal did not benefit agriculture, nor did it enhance the landscape of the area. He indicated the proposal was not generally consistent with the Comprehensive Plan, and cited several sections of the document. He noted that a used car lot in the middle of agricultural zoning was a prime example of commercial sprawl that was not compatible with adjoining land uses currently existing in the area, and would negatively infringe upon the property rights and by-right land uses in the agricultural zoned area. Mr. Narehood stated the applicant had existing commercial property currently being used for automobile sales, and that was where commercial automotive endeavors should stay.

**Mark Lucas**, 3576 Oxford Furnace Road, Lynchburg, spoke in opposition to the special use permit request. He and his wife purchased their dream property several years ago on Oxford Furnace Road, surrounded by other agricultural properties. He stated that Mr. Beasley started bringing industrial equipment to the property in question, claiming they were for agricultural use. Mr. Lucas believed the property was being used for commercial purposes since Mr. Beasley purchased it in 2020. Mr. Lucas was concerned about spot zoning, which conferred special benefit to an individual at the detriment to surrounding property owners. He believed the Board's approval of the special use permit would be very similar to spot zoning.

**Elizabeth Narehood**, 3810 Oxford Furnace Road, Lynchburg, spoke in opposition to the special use permit request. She and her husband purchased their property five (5) years ago, and specifically sought property with agricultural zoning because they wanted to own livestock. Over the last couple of years, she had watched trucks and dumpsters come onto Mr. Beasley's property. After participating in the Planning Commission meeting, she realized only a small number of residents knew about the request. Mrs. Narehood talked with neighbors on Oxford Furnace Road and they were concerned about how a car lot operation would affect their community. She asked the Board to deny the request because it did not fit with the desires or use of the Oxford Furnace area.

**Jack Beasley**, 4051 Oxford Furnace Road, Lynchburg, spoke in opposition to the special use permit request. Mr. Beasley believed the proposal would negatively affect the environment of the area, because leaking vehicle fluids were unavoidable at salvage yards. He also indicated the intersection of Oxford Furnace Road and Route 460 was already dangerous, and large vehicle haulers could be a traffic hazard.

**Lauren Dianich**, 3 Denver Avenue, Lynchburg, spoke in opposition to the special use permit request. She had visited an adjacent parcel to the property in question to hike and enjoy the environment. Ms. Dianich believed the Board already had fair planning and zoning guidelines, and commercially zoned areas were the appropriate spaces for commercial endeavors. She advised the Board to deny the request, otherwise they would be setting a

precedent for future requests similar in nature. Ms. Dianich added the junkyard was already existing illegally, and Mr. Beasley was showing he was not responsible enough to remedy the current issues on the property. She was disappointed he had not made a good-will effort to clean up anything in the two months since the Planning Commission meeting.

Hearing no further comment, the public hearing was closed at 7:39 p.m.

Tripp Isenhour, County Attorney, defined spot zoning as a governing body zoning a piece of land that was neither in conformity with the remainder of the property around it nor the Comprehensive Plan. The request before the Board was not a rezoning, but rather a special use permit for a use that was allowable in an Agricultural zone. Mr. Isenhour advised the Board to decide if the request was out of character with the neighborhood. He added that the area was designated as transitional per the current Comprehensive Plan, so it was appropriate to consider a mix of uses.

Chairman Cline stated he was very familiar with Oxford Furnace Road, the residents, and the property in question. He was concerned that the road was not conducive to an automobile sales business, and was generally opposed to the request.

On motion of Chairman Cline, it was resolved the Board of Supervisors **DENIES** Request #PL-22-226 by 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, located at 3682 Oxford Furnace Road.

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

// PUBLIC HEARING – SPECIAL USE PERMIT AT 112 ENGLISH COMMONS DRIVE

PL-22-227 Request by Alyssa Kinney for a special use permit to operate a tourist house on property zoned Residential – Multi Family. The property is located at 112 English Commons Drive in an area designated as medium to high density residential per the current Comprehensive Plan.

Mr. Harvey explained the owner of the property wished 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 would 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 and two (2) parking spaces were available for tenants/guests. At the Planning Commission meeting, the owner indicated she would be moving out of state. Mr. Harvey indicated that caused the Planning Commission a great deal of concern and they were unanimous in recommending the denial of the request.

The area was residential in nature. Zoning in the vicinity was Residential – Single Family; Residential – Multi Family; Residential – Multi Family, Conditional; Business – Limited Commercial; Industrial – General, Conditional; and Agricultural. The townhouse development was accessed by an existing entrance onto English Tavern Road (Route 738). 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 public sewer system. The Planning Commission recommended denial of the request by a vote of 6-0.

**Alyssa Kinney**, 112 English Commons Drive, Lynchburg, was the property owner. She indicated that on March 24, 2023 the home would be fully furnished and rented on a medium-term basis. The special use permit would allow her to rent to traveling professionals for less than 30 days. The neighbors to her immediate left and right knew of her plan and she had provided them with her contact information if any questions or problems arose. The English Commons community consisted of homes that were owned, rented, and used as Airbnbs, and all of the properties were well kept and quiet. Ms. Kinney had hired Priority One to manage her rental,

which was the same company that managed the entire English Commons community. Priority One had its own set of rules for short-term rentals, and she had already signed the agreement.

Chairman Cline opened the public hearing at 7:50 p.m.

No one spoke in favor of or in opposition to the proposed special use permit and the public hearing was closed at 7:50 p.m.

Supervisor Hardie understood the Planning Commission recommended denial of the request, and indicated the Board was traditionally more likely to grant a tourist house request if the property owner would be in close proximity. He recognized there were already other Airbnbs operating in Ms. Kinney's neighborhood, and appreciated her desire to follow the County's regulations. Supervisor Hardie was concerned that a property management company would not have the same vested interest in the property as the owner. In order to be consistent with how tourist house requests had been treated in the past, Supervisor Hardie would not be in favor of Ms. Kinney's request. He asked the Board to consider a follow-up discussion regarding the approval of tourist houses in certain areas of the County.

Supervisor Watts agreed that in most cases, tourist house requests were denied because the owner would not be in close proximity. However, he was in favor of the request because the company managing the English Commons community would also be managing Ms. Kinney's rental.

Chairman Cline asked if the Board could enforce the condition that the company managing the English Commons community had to manage Ms. Kinney's rental. Mr. Isenhour indicated it was not appropriate to name a specific company, but the Board could state that it must be professionally managed.

Supervisor Carwile stated he was generally in favor of tourist house requests. He would like the Board to have further discussion about how to handle the requests consistently, as it was apparent that short-term rentals had become very popular.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and **DENIES** Request #PL-22-227 by Alyssa Kinney for a special use permit to operate a tourist house on property zoned Residential – Multi Family, located at 112 English Commons Drive.

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

Because the motion to deny the request failed, Supervisor Watts made the following motion:

On motion of Supervisor Watts, it was resolved the Board of Supervisors **APPROVES** Request #PL-22-227 by Alyssa Kinney for a special use permit to operate a tourist house on property zoned Residential – Multi Family, located at 112 English Commons Drive, with the condition that the owner uses a Virginia-based professional, licensed management company to manage the property.

Supervisor Hardie respectfully requested Mr. Isenhour's opinion as to whether it was appropriate for Supervisor Watts to include the condition with his motion, given his occupation. Mr. Isenhour opined that any time a Board member might have a personal interest in a transaction they must disclose and abstain. A personal interest was some direct pecuniary benefit to either the individual, their business, or an immediate, household family member. There was no current link in this circumstance to any pecuniary benefit for Supervisor Watts, and any future pecuniary benefit would be entirely speculative.

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

// PUBLIC HEARING – SPECIAL USE PERMIT AT 802 PEERMAN SCHOOL ROAD

PL-23-002 Request by Lisa Moore, agent for L & D Moore Rental Properties LLC, for a special use permit to operate a tourist house on property zoned Agricultural. The property is located at 802 Peerman School Road in an area designated as transitional per the current Comprehensive Plan.

Supervisor Moore 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 am one of the principal owners and managers of L & D Moore Rental Properties LLC, which LLC owns the parcel of property located at 802 Peerman School Road known as Tax Map Parcel 70-2-4. L & D Moore Rental Properties LLC has made an application for special use permit for 802 Peerman School Road, Tax Map Parcel 70-2-4. Because of my ownership interest in property, which is the subject of the application, I am disqualifying myself from the hearing on this application, meaning that I will not participate in any way in the discussion or consideration of this application, and I will not vote on the application.*

A. DALE MOORE, Supervisor

Mr. Harvey explained the owners would like to rent out the entire home for overnight guests using a platform such as Airbnb. The owners had purchased and renovated the home within the past year. They were seeking to fill a need for visitors to companies and institutions in the area looking for housing for several weeks. The Planning Commission took into consideration the fact that the owners lived in the vicinity and would be aware of the tenants, and unanimously recommended approval of the request.

The area was residential in nature. Zoning in the vicinity was Residential – Single Family; Residential – Multi Family; Residential – Manufactured Housing, Conditional; and Agricultural. The property was accessed by an existing entrance onto Peerman School Road (Route 734). The change in traffic caused by the request would be minimal, and a traffic impact analysis was not required. The property was served by private well and private septic system. The Planning Commission recommended approval of the request with the condition that the applicant utilizes 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.

**Lisa Moore**, 1623 Peerman School Road, Altavista, was one of the property owners. Mrs. Moore stated she and her husband owned property along Peerman School Road and had a vested interest in the area. The property in question was about one-half of a mile from their residence and they would be managing the property. They felt the short-term rental would benefit their community.

Chairman Cline opened the public hearing at 8:16 p.m.

No one spoke in favor of or in opposition to the proposed special use permit and the public hearing was closed at 8:17 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-23-002 by Lisa Moore, agent for L & D Moore Rental Properties LLC, for a special use permit to operate a tourist house on property zoned Agricultural, located at 802 Peerman School Road, 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, Shockley, Watts  
Nay: None  
Absent: None  
Abstain: Moore

// PUBLIC HEARING – SPECIAL USE PERMIT AT 157 SPRINGLAKE ROAD

PL-23-004 Request by 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 in an area designated as medium to high density residential per the current Comprehensive Plan.

Mr. Harvey explained the applicant was seeking to operate as a rebuilder and salvage dealer on the property. The applicant currently operated 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, 8:00 a.m. – 5:00 p.m., 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 had passed since operating as a rebuilder and salvage dealer, the applicant must apply for a new special use permit for those uses.

The area was mixed use in nature. Zoning in the vicinity was Residential – Single Family; Residential – Multi Family; Residential – Multi Family, Conditional; Business – General Commercial; Business – General Commercial, Conditional; Industrial – Heavy, Conditional; and Agricultural. The property was accessed by an existing entrance onto Springlake Road, which was a private street accessing onto Country Woods Road, which was also a private street accessing onto Richmond Highway (Route 460). The request would have a slight increase on daily traffic counts, but a traffic study was not required. The property was served by private well and private septic system. The Planning Commission recommended approval of the 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, as well as any other conditions deemed appropriate, by a vote of 6-0 citing good zoning practice.

**Brent Baker**, 157 Springlake Road, Lynchburg, was seeking to reinstate his license to operate as a rebuilder and salvage dealer. He indicated family members owned all of the adjoining properties, and his request would not negatively affect anyone.

Chairman Cline opened the public hearing at 8:21 p.m.

No one spoke in favor of or in opposition to the proposed special use permit and the public hearing was closed at 8:22 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-23-004 by Brent Baker for a special use permit to operate as a rebuilder and salvage dealer on property zoned Agricultural, located at 157 Springlake Road, 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, Watts  
Nay: None  
Absent: None

// PUBLIC HEARING – SALE OF S.R. BRYANT MEMORIAL GREENWAY

Mr. Isenhour indicated the County owned S.R. Bryant Memorial Greenway, a portion of the Campbell County Park system, located at 34 Bumgarner Drive, Lynchburg, Virginia, being tax map number 20-A-20. The Parks and Recreation Advisory Council recommended at the February 7, 2023 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 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.

Chairman Cline opened the public hearing at 8:24 p.m.

**Charles Falwell**, 1886 Timberlake Drive, Lynchburg, spoke in opposition to the sale of the property. He was the chairman of the Timberlake Watershed Improvement District (TWID), which was responsible for the collection and removal of sediment, stabilizing runoff and surface water, checking erosion, and providing adequate drainage from the lake. The sale and potential development of the S.R. Bryant property would negatively affect all of the TWID's responsibilities. He would like to see the property remain in greenspace.

**Denise Gillette**, 2248 Timberlake Drive, Lynchburg, spoke in opposition to the sale of the property. As the president of the Timberlake Homeowners Association, she was representing her community. She indicated that many years ago, the S.R. Bryant property was used by Dr. William Carter Tinsley as an airstrip for his private plane. Dr. Tinsley chose to leave the property in grass to protect Timberlake, and donated the property with the intention of it benefiting all residents in the area. Ms. Gillette indicated there was a connector path between Timberlake Drive and the S.R. Bryant property, and many people used the path for recreational purposes. She echoed Mr. Falwell's concerns, adding that further development above Windcrest Drive would cause more erosion around the lake. She indicated the sale of the property would adversely affect VDOT's budget, three (3) residential homes on Timberlake Drive, and protected wetlands of the state of Virginia.

**Alan Faircloth**, 234 Bryan Drive, Forest, spoke in opposition to the sale of the property. He indicated that the public, contrary to the belief of the Parks and Recreation Advisory Council, did use the S.R. Bryant property. He was concerned that the sale of the property would lead to a future multi-family housing development. Mr. Faircloth added it would be disrespectful to Dr. Tinsley's memory to sell the property. It was important to him to preserve the valuable, low maintenance greenspace in the Timberlake area.

**Martha Craig**, 76 Cape Charles Square, Lynchburg, spoke in opposition to the sale of the property. She would like to see the property remain a greenspace, as she was a nature lover. There had been a lot of development in her community, resulting in more traffic accidents and an increased risk of crime. Ms. Craig did not want that to happen in the area of the S.R. Bryant property.

**Jim Hayden**, 56 Bumgarner Drive, Forest, spoke in opposition to the sale of the property. He had lived next to the park for two (2) years and stated that many people used the property for a variety of recreational activities. He urged the Board to deny the sale of the property.

**Joyce Ervin**, 380 Royal Court, Forest, spoke in opposition to the sale of the property. She had lived near the park for 29 years and stated that many people enjoyed the property. She added that it was common to see 30 – 40 deer running through the park each morning.

**Joe Crockett**, 335 Royal Court, Forest, spoke in opposition to the sale of the property. He and his family had lived near the park for 23 years. His children had enjoyed the property years ago, and children were still enjoying it today. The next closest park was several miles away and would be inconvenient for the children living in the area. He believed the S.R. Bryant property added value to the neighborhood.

**Siphiwe Wolters**, 393 Royal Court, Forest, spoke in opposition to the sale of the property. She read the following letter from her husband, Bill Wolters, into the record:

My name is Bill Wolters and my family and I have lived at 393 Royal Court for the past 27 years. It recently came to my attention that the Board of Supervisors is considering selling S.R. Bryant Memorial Park to generate revenue for other parts of Campbell County. As a resident of Campbell County and living in the vicinity of S.R. Bryant Memorial Park, I wish to make it known that I am strongly opposed to the sale of this property. I urge the Board of Supervisors to adopt measures to continue its use as a passive park, and add features to the park that would encourage additional utilization from the County residents. My family and I are concerned that the sale of the property would inevitably result in more development of either single-family homes or worse, development of multi-residential homes or apartments. Development of this sort would increase traffic in the area and potentially disrupt the quiet residential area that we have called home for almost three (3) decades. It has been suggested that the potential access to a new development could come from either Royal Court or Bryan

Drive, which is both unnecessary and unacceptable. S.R. Bryant Memorial is a wonderful space where we have walked our dogs and enjoyed playtime with kids and grandchildren over the past years, with such pastimes as football and tossing the Frisbee around over a large space. Evening walks with the family around the greenway and along the available trails provide us the opportunity to enjoy nature, engage in quiet walks, and family time without the need to worry about road traffic. Again, I strongly urge the Board of Supervisors to reconsider the selling of this property and seek other resources for additional revenue the County requires. Please consider the options that are being discussed to keep the space as a park that our small community greatly enjoys and cherishes. Thank you very much for your service and for your time on this matter.

**James Enoch**, 41 Squire Circle, Lynchburg, was a current member of the Parks and Recreation Advisory Council. He stood behind his recommendation to consider selling the S.R. Bryant property, not to hinder a happy neighborhood, but to create real and tangible solutions to further develop the most practical parks in the County. The Council discussed at length different options for the County's parks before reaching a consensus to recommend the sale of S.R. Bryant. Mr. Enoch indicated the S.R. Bryant property could not reasonably be developed further for its intended purpose. Inadequate parking areas and the lack of public restrooms on the property hindered any future growth. He understood the community's concern about the construction of a multi-family housing development if the property was sold. The Board did not have to approve a rezoning request for Residential – Multi Family, adding that personally he would be opposed to such a request. He appreciated the opportunity to speak, and would respect the Board's decision on the matter.

**Jonathan Torres**, 500 Jefferson Manor Drive, Forest, spoke in opposition to the sale of the property. His residence abutted the property and he and his son visited the park once a month. He thought the park was already at its maximum potential and did not need further development. He appreciated the open greenspace being accessible to his neighborhood.

**Craig Rypkema**, 333 Churchill Drive, Lynchburg, spoke in opposition to the sale of the property. The park was about a one-half mile walk from his home and his family had used the park on numerous occasions. He did not believe the property should be sold.

**Renee Barger**, 38 Bradley Court, Lynchburg, spoke in opposition to the sale of the property. She indicated the easement to the park ran through her backyard. She added that the property did not benefit just one neighborhood, but rather many citizens in the general Timberlake area. Ms. Barger believed the greenspace was at its best use and wanted it to remain intact.

**Randy Gardner**, 60 Bradley Court, Lynchburg, spoke in opposition to the sale of the property. He indicated approximately 300 feet of his backyard was affected by the easement to the park. Many people from the Timberlake area used the path to access the S.R. Bryant property. He echoed previous concerns about the negative effects any future development would have on Timberlake.

**Julian Lopatic**, 290 Churchill Drive, Lynchburg, spoke in opposition to the sale of the property. He and his wife discovered S.R. Bryant shortly after they moved to the area a few years ago. He hoped to take his future children to the property and asked the Board not to sell the property so the people of Timberlake could continue to enjoy it.

**Emily Cunningham**, 175 Bumgarner Drive, Forest, spoke in opposition to the sale of the property. She personally benefited from the greenspace as a child and had fond memories of visiting the property with friends.

**Randy Cunningham**, 175 Bumgarner Drive, Forest, spoke in opposition to the sale of the property. He indicated that traffic counts in the area of Bumgarner Drive exceeded what the roads were designed for, and development of the S.R. Bryant property was not a good idea.

**Charlie Droog**, 960 Turkey Foot Road, Forest, spoke in opposition to the sale of the property. Mr. Droog gave a brief history of Timberlake, indicating that his grandfather played a key role in the construction of the lake. He asked the Board not to sell the property in memory of his grandfather, Charles Franklin Ayers.

**Maurice Peerman**, 3602 Long Island Road, Gladys, was the current chairman of the Parks and Recreation Advisory Council. The Council wanted each of the County's parks to be fully developed like Timbrook Park. He recognized that the S.R. Bryant property was a greenway, not a park. He understood the concerns about future development, but if the Board chose to sell the property, it did not have to be sold to a developer. He urged the Board to consider the financial benefits of selling the property to further develop other County parks.

**Kevin Ledoux**, 762 Timberlake Drive, Lynchburg, spoke in opposition to the sale of the property. He was not satisfied with the justification to sell the property from the two members of the Parks and Recreation Advisory Council who were present. He asked the Board to listen to the citizens who lived in the area of the S.R. Bryant property, rather than the Council who took a tour of the property.

**Ronald Borer**, 120 Patton Drive, Lynchburg, spoke in opposition to the sale of the property. He understood why there might be a financially driven purpose behind the proposal to sell the property. No one was asking for the S.R. Bryant property to be improved, and it appeared all of the citizens in the area liked the greenspace in its current condition.

**Thomas Armes**, 94 Bumgarner Drive, Forest, spoke in opposition to the sale of the property. He believed the park was good for the community and asked the Board to leave it alone.

**David Smith**, 390 Royal Court, Forest, spoke in opposition to the sale of the property. He believed that during the Parks and Recreation Advisory Council meeting, Mr. Enoch should have abstained from the discussion and vote regarding the S.R. Bryant property, due to his occupation as a realtor. Mr. Smith added that the citizens in attendance had made it clear they wanted the greenspace to remain in its current condition.

**Brandon Cash**, 120 Bumgarner Drive, Forest, spoke in opposition to the sale of the property. He indicated that his daughter enjoys exploring the greenspace and children frequently play football on the property.

**Randall Nixon**, 267 Catalpa Road, Lynchburg, spoke in opposition to the sale of the property. His father was the chairman of the Parks and Recreation Advisory Council for almost 30 years, and was instrumental in developing the County's parks. Mr. Nixon worked for the County's Recreation department for 11 years and understood that recreation was more than just sports. He added that the S.R. Bryant property was not intended to be equivalent to other parks in the county. He appreciated all of the support from the citizens in attendance.

**Jeff Foy**, 300 Royal Court, Forest spoke in opposition to the sale of the property. Mr. Foy indicated he had experience with environmental impact studies and asked the Board if a study had been conducted on the property. He was concerned that several houses in the area had drain fields that abutted the property. Mr. Foy had not seen any evidence of improvements to the County's parks in the last several years, so he was not convinced that funds from the sale of the S.R. Bryant property would be used to benefit the existing parks.

**Stormi Anderson**, 4838 Three Creeks Road, Gladys, spoke in opposition to the sale of the property. She was a former employee of the Parks and Recreation department and expressed her appreciation for all of the citizens in attendance. Ms. Anderson stated that the COVID pandemic proved that outdoor spaces were important, whether they were developed or not. She believed the greenspace was important to the community.

**Clyde Dixon**, 450 Pilot View Road, Concord, indicated he was the oldest member of the Parks and Recreation Advisory Council, and was on the Council when the S.R. Bryant property was donated to the County. The Council recently reorganized and thought it would be beneficial to discuss selling the property. He appreciated the citizens who had voiced their opinions, and understood their desire not to sell the property.

**Tim Carter**, 31 Bumgarner Drive, Forest, spoke in opposition to the sale of the property. He agreed with everyone who had spoken before him. Mr. Carter believed that an apartment complex would be built on the property in the future if it were sold.



Hearing no further comment, the public hearing was closed at 9:44 p.m.

Supervisor Carwile appreciated Mr. Dixon reminding the audience that the Council intended for the community to have a conversation about the sale of the S.R. Bryant property. He thanked all of the members of the Parks and Recreation Advisory Council for their service. Supervisor Carwile also understood the initial thought that the greenspace was not utilized was incorrect. All of the Board members were appreciative of the citizens who spoke during the public hearing.

On motion of Supervisor Carwile, it was resolved the Board of Supervisors authorizes staff not to proceed with the sale of S.R. Bryant Memorial Greenway.

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

// CLOSED MEETING

On motion of Supervisor Brown, it was resolved the Board of Supervisors enters into a closed meeting at 9:54 p.m. 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, in accordance with §2.2-3711 (A)(3) of the Code of Virginia, as amended; to discuss legal matters related to a public nuisance, in accordance with §2.2-3711 (A)(7) of the Code of Virginia, as amended; and 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., in accordance with §2.2-3711 (A)(6) of the Code of Virginia, as amended.

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

// The Campbell County Board of Supervisors entered into a closed meeting on this 7<sup>th</sup> day of March, 2023 at 9:54 p.m. 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, in accordance with §2.2-3711 (A)(3) of the Code of Virginia, as amended; to discuss legal matters related to a public nuisance, in accordance with §2.2-3711 (A)(7) of the Code of Virginia, as amended; and 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., in accordance with §2.2-3711 (A)(6) of the Code of Virginia, as amended.

// On motion of Supervisor Brown, it was resolved the meeting return to open session at 11:17 p.m.

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

// On motion of Supervisor Brown, the following resolution was adopted:

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Campbell County Board of Supervisors had convened a closed meeting on the 7<sup>th</sup> day of March, 2023 pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3711 of the Code of Virginia requires a certification by the Campbell County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Campbell County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Campbell County Board of Supervisors.

The roll call vote was:           Aye: Brown  
  Aye: Carwile  
  Aye: Cline  
  Aye: Hardie  
  Aye: Moore  
  Aye: Shockley  
  Aye: Watts  
  Nay: None  
Absent During Meeting: None  
Absent During Vote: None

// ACTIONS FOLLOWING CLOSED MEETING

On motion of Chairman Cline, it was resolved the Board of Supervisors authorizes legal proceedings to abate a public nuisance on property located at 253 Kiowa Road, specifically tax map number 17-A-5.

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

On motion of Supervisor Moore, it was resolved the Board of Supervisors authorizes legal proceedings to abate a public nuisance on property located at 282 Oak Ridge Drive, specifically tax map number 68-A-242A.

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

// ADJOURNMENT

On motion of Supervisor Brown, the meeting was adjourned at 11:21 p.m.

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

\_\_\_\_\_  
MATT W. CLINE, CHAIRMAN

Approved: \_\_\_\_\_