

ADMINISTRATOR'S REPORT

September 27, 2006

TO: Board of Supervisors

FROM: R. David Laurell, County Administrator *R. David Laurell* 9/27/2006

RE: Board Meeting October 02, 2006

5:00 p. m. [Administration/Management Services](#) (Pendleton, Rosser)
(Meet in Haberer Building Conference Room)

7:00 p.m. Call to Order, Invocation by Supervisor Puckett

October 12, 2006 5:00 p. m. – Joint meeting with the City of Lynchburg at The Spring House

APPROVAL OF MINUTES

1. APPROVAL OF MINUTES [September 12, 2006](#) (Extended Meeting)
[September 18, 2006](#) (Regular Meeting)

APPEARANCES

Paul E. Harvey, Community Development Director

2. [PUBLIC HEARING – CASH PROFFERS, ON-SITE SEWAGE DISPOSAL](#) (15 minutes)

The County Attorney's Office advertised [a public hearing](#) for proposed code amendments on the following two issues:

- A. [Proffered Conditions Code Amendment](#): Campbell County is eligible to accept proffered conditions as part of a rezoning request under two different sections of the Code of Virginia. The County currently follows §15.2-2297 which limits various types of proffers. An amendment has been advertised to follow §15.2-2298 which removes the limitations on cash proffers, proffers for most off-site improvements, and proffers for the dedication of property for many types of public improvements. There are several projects currently under consideration for Campbell County where voluntary, developer-funded off-site improvements would be appropriate to address the impact of the development. It is important to remember that proffers are always voluntary on the part of the property owner/developer. Even with an ordinance change, the local government cannot require any proffers on a rezoning request.

B. [On-Site Sewage Treatment Code Amendment](#): County staff recommended an addition to the County Code which specifies that any on-site sewage treatment for 10 or more dwelling units must be designed and built to CCUSA standards and turned over to CCUSA for operation. The ordinance would only apply when the developer chooses this particular method of sewage treatment.

RECOMMENDATION: The Planning Commission recommended approval of the code amendment regarding proffers by vote of 5-2, and recommended approval of the code amendment regarding on-site sewage treatment by vote of 7-0.

3. [PUBLIC HEARING – ZONING/SUBDIVISION ORDINANCE](#)

Staff has a [PowerPoint presentation](#) for the Board meeting which explains the ordinance revision process in detail. The Planning Commission conducted a [public hearing](#) on August 28, 2006 and is expected to make a final recommendation at their meeting on September 25, 2006.

Planning Commissioners reviewed individual property-owner requests before making a final recommendation to the Board of Supervisors. The requests have been compiled in [the attached table](#), sorted by election district. The recommendations we are aware of as of this writing are included in bold type in the far right column. We will advise the Board if anything changes as a result of the Planning Commission meeting. All property owners who requested a change will be sent a new letter identifying the final Planning Commission recommendation of September 25th.

Staff also worked with the County Attorney's Office to clarify certain language in the [proposed Landfill Overlay District](#) and in the Subdivision Ordinance. The Board should have the final versions in their packet information.

Attached are the following documents:

[Residential Rezoning Roads, Chapter 21](#)

[Residential Rezoning, Multi Family Home, Chapter 22](#)

[Residential Rezoning, Manufactured Home, Chapter 22](#)

[Residential Rezoning, Single Family Home, Chapter 22](#)

[Residential Rezoning, Time Shares, Chapter 22](#)

RECOMMENDATION: The Planning Commission, by vote of 7-0, recommended approval of the ordinance changes and changes to the zoning classification for the 13,000 + parcels involved.

R. David Laurrell, County Administrator

4. [PUBLIC HEARING - VOLUNTARY BOUNDARY LINE ADJUSTMENT WITH TOWN](#)

OF ALTAVISTA

*Open public hearing

*Motion to incorporate [Altavista Town Council Minutes of September 12, 2006](#)

*Staff Presentation

*Questions from the Board

*Call for public comments in favor of or in opposition to boundary line adjustment

*Close public hearing

*Comments from the Board

*Action on staff recommendation

The Campbell County Board of Supervisors and Altavista Town Council have discussed pursuing a voluntary boundary line adjustment to include Altavista Commons Shopping Center within the corporate boundaries of the Town of Altavista. [A public hearing has been advertised](#) consider a Boundary Line Adjustment Agreement between the Town of Altavista and the County of Campbell. The proposed Boundary Line Adjustment will allow the provision of improved utility, law enforcement and fire protection services as well as other municipal services for the Altavista Commons Shopping Center area. All revenues currently derived from this property for sales, real estate and personal property taxes would remain collections of the County. Business and Professional Occupations License Tax would become a collection of the Town of Altavista along with additional real estate, personal property and meals taxes. All service delivery, with the exception of water services, would become the primary responsibility of the Town of Altavista under the agreement with cooperative service delivery remaining in effect as is now currently the case with the County. Water service would continue under the Campbell County Utilities and Service Authority. In addition, the Town and County would agree to share the revenue from meals taxes generated as follows: the meals taxes generated on the first \$2.5 million in sales would be revenue of the Town. Meals taxes generated on sales above the first \$2.5 million would be shared equally between the Town and County.

A separate interim Law Enforcement Agreement has also been developed to be considered if the boundary line adjustment is approved to outline responsibility for law enforcement in advance of the effective date of the boundary line adjustment.

Attached are the following documents:

[Resolution Approving Boundary Line Adjustment](#)

[Boundary Line Adjustment Agreement](#)

[Exhibit A to Boundary Line Adjustment Agreement](#)

[Memorandum of Understanding Concerning Certain Tax Revenues](#)

[Law Enforcement Cooperation Agreement](#)

RECOMMENDATION: Staff recommends the Board of Supervisors adopt the Agreement Resolution and authorize the Chairman to execute the Memorandum of Understanding following public comment as deemed appropriate.

Additionally, while not a part of the public hearing process, a separate interim law enforcement agreement has been developed. Staff recommends the Board of Supervisors authorize the Chairman to execute the Law Enforcement Agreement if the above noted items are approved.

5. FINANCE AND BUDGET - CONSENT AGENDA

- a) [APPROPRIATIONS](#) - A number of appropriations are attached for your review.
- b) [COUNTY ATTORNEY INVOICES](#) – Invoices in the amount of \$7697.00 have been received for services rendered.

Recommendation:

- a) **Approve the appropriations.**
- b) **Approve the fees for the County Attorney**

MATTERS FROM THE BOARD

6. MATTERS FROM THE BOARD

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

CLOSED MEETING

7. CLOSED MEETING

Staff is requesting the Campbell County Board of Supervisors enter into Closed Session in accordance with Section 2.2-3711 (A)(7) of the Code of Virginia to discuss legal matters related to eight public nuisances.

AGENCY MINUTES AND REPORTS

- 8. [Community Development Building Inspections Report](#) August 2006
- 9. [Community Development Permit Summary](#) August 2006
- 10. [Fire Commissions Minutes](#) August 16, 2006
- 11. [Library Board Minutes](#) August 21, 2006
- 12. [Litter Commission Minutes](#) May 8, 2006
- 13. [Recreation Advisory Financial Report](#) June 2006

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| 14. | <u>Recreation Advisory Financial Report</u> | July 2006 |
| 15. | <u>Recreation Advisory Financial Report</u> | August 2006 |
| 16. | <u>Recreation Advisory Minutes</u> | September 12, 2006 |
| 17. | <u>Recreation Program Report</u> | June 2006 |
| 18. | <u>Recreation Program Report</u> | July 2006 |
| 19. | <u>Recreation Program Report</u> | August 2006 |
| 20. | <u>Revenue Summary</u> | September 12, 2006 |
| 21. | <u>School Board Minutes</u> | August 17, 2006 |
| 22. | <u>Treasurer's Report</u> | August 2006 |

INFORMATION ITEMS

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| 23. | <u>Appropriations Approved by County Administrator</u> | October 02, 2006 |
| 24. | <u>County Agriculture Disaster Declaration Approved</u> | September 21, 2006 |
| 25. | <u>County Attorney Report on Delinquent Taxes</u> | September 2006 |
| 26. | <u>County Attorney Report on Public Nuisances</u> | September 2006 |
| 27. | <u>County Attorney Report on Taxes Collected</u> | September 2006 |
| 28. | <u>County Attorney Report on Zoning Violations</u> | September 2006 |
| 29. | <u>Goode Supports Disaster Declaration</u> | September 11, 2006 |
| 30. | <u>Intermet Foundry Seeks DEQ Permit Re-issuance</u> | September 11, 2006 |
| 31. | <u>Invitation – Governor Kaine Visits Region 2000</u> | October 24, 2006 |
| 32. | <u>Legislation Drafted to Create Regional Airport Authority</u> | September 22, 2006 |
| 33. | <u>Letter of Thanks from David Harvey</u> | August 31, 2006 |
| 34. | <u>Virginia State Board of Elections Letter Concerning Polling Place Accessibility</u> | September 5, 2006 |

