



## Campbell County Board of Supervisors

**AGENDA - January 3, 2023**

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

**Available via ZOOM**

**5:00 P.M.** - Broadband Authority

**6:00 P.M.** - Call to Order and Pledge of Allegiance by Administrator Rogers

Moment of Silence

**1. ORGANIZATIONAL MEETING**

a. SELECT CHAIRMAN

- i. Administrator Rogers calls for nominations for Chairman
- ii. Supervisors may offer nominations
- iii. Motion to close nominations and affirm Chairman

b. NEW CHAIRMAN ASSUMES CHAIR

- i. Chairman calls for nominations for Vice-Chairman
- ii. Supervisors may offer nominations
- iii. Motion to close nominations and affirm Vice-Chairman

c. ESTABLISH TIME AND PLACE FOR MEETINGS

**RECOMMENDATION: Staff recommends the Board conduct its organizational meeting at the January 3, 2023 meeting to select the Chairman, Vice-Chairman, and the time and place of meetings for 2023 along with the weather and**

electronic participation policies.

Staff recommends the Board of Supervisors establish their regular meeting schedule on the first and third Tuesday of each month beginning at 6:00 PM in the Board Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The second meeting of the month is reserved for special meetings as needed.

If the Chairman acts, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting, the meeting shall be continued to the following Thursday of that week at 6:00 PM and all hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required. (Per authority of Section 15.2-1416 of the Code of Virginia.

The Board confirms the policy adopted on June 12, 2018 that establishes a written policy for participation in Board meetings through electronic communication as set forth in Virginia Code §2.2-3708.1.

Documents:

[AGENDA - BOARD ORGANIZATIONAL MEETING - 2023.DOCX](#)

## 2. APPROVAL OF MINUTES

Documents:

[WORK SESSION - OCTOBER 18 2022.PDF](#)  
[REGULAR MEETING - NOVEMBER 1 2022.PDF](#)  
[WORK SESSION - NOVEMBER 15 2022.PDF](#)

## 3. APPEARANCES

None

## 4. ADMINISTRATOR'S ITEMS

Frank J. Rogers, County Administrator

### 4.I. BUDGET PUBLIC FORUM

At the Public Forum on Fiscal Year 2024 Budget Planning, residents are invited to share recommendations on budget planning priorities for the upcoming year.

### 4.II. AUDITED FINANCIAL REPORT FY2022

The completed annual audited Financial Report for FY2022 for Campbell County has been distributed in printed form to the Board, in order for the Board to be prepared to receive the formal presentation today by Mr. Matt McLearen. The Board is asked to bring their printed copies to the January 3rd Board meeting for the presentation. Mr. McLearen will also answer questions from the Board.

**RECOMMENDATION: Receive the presentation from Mr. Matt McLearen of Robinson, Farmer, Cox Associates and ask any questions or request any additional information relating to the FY2022 Audited Financial Reports.**

#### 4.III. PROPOSED 2023 LEGISLATIVE AGENDA

At the December meeting, the Board opted to continue discussion of the proposed 2023 legislative agenda. Since that time, staff has received one additional item for inclusion on the legislative agenda under State Partnerships. Specifically, language supporting the strengthening of election laws to provide for secure and fair elections is proposed. Staff welcomes input and feedback from the Board if there are other matters for inclusion. This year, the impact of Temporary Detention Orders (TDOs) and Emergency Custody Orders (ECOs) on law enforcement staffing has remained a focal point.

**RECOMMENDATION: Staff would like to receive input from the Board as to what items should remain on or be added to the attached legislative agenda. Following the discussion and adoption, staff will finalize the agenda and forward the final list of proposed legislative items to VACo and area legislators.**

Documents:

[LEGISLATIVE AGENDA MEMO.DOCX](#)  
[PROPOSED 2023 LEGISLATIVE AGENDA.DOCX](#)

#### 4.IV. AID-TO-CONSTRUCTION/YELLOW BRANCH SEWER - EXEMPTION REQUEST

Development of a multi-family residential development on Route 29 known as "The Allure" will require sewer service. Initial plans for installation of a gravity sewer under Route 29 by bore and jack from the western side of US 29 failed due to the presence of a rock seam under the northbound lanes of US 29. Because the bore and jack from the western side of US 29 failed, the developers of "The Allure" approached Hyland Heights Baptist Church to request an easement over church property so that the second attempt at getting sewer under US 29 could be made by horizontal directional drilling from the eastern side of US 29. To do this, the drilling subcontractor needs a long strip of land to string out the welded steel casing, thus the developers approached Hyland Heights Baptist Church for a temporary construction easement. By granting the easement, the church would enable the drilling subcontractor a second attempt at the US 29 sewer crossing. The drilling subcontractor has stated that they should be able to get the sewer trough the rock seam with the horizontal directional drilling method.

In exchange for granting the easement, the development interest will extend a service line to the Hyland Heights Youth Center. This facility is presently served by septic tank and drainfield. That septic system is under recurring, high use and thus must be frequently pumped at a cost to the church. In addition, there is observable settling of the parking lot of the facility. This suggests the drainfields may be impaired. A connection to sewer will better meet the needs of the facility.

The developer has agreed to install the sewer line and pay the necessary connection fee to CCUSA for the church. The church has also indicated a willingness to pay to run a connection from the sewer line installed by the developer to their facility's

infrastructure. However, the aid-to-construction fees would still be required. Those fees, based upon the acreage of the parcel, are \$14,600.

The church has requested that the County consider a one-time exemption from the aid-to-construction fee. Such an exemption would enable the church to connect to desirable infrastructure at the most advantageous time and price.

As the Board considers the requested waiver, representatives of Hyland Heights Baptist Church note their prominent role in service to the community and their routine collaboration with the County. Attached is a summary of their work on behalf of the community for the Board's consideration.

**RECOMMENDATION: Staff recommends the Board consider the requested exemption and direct staff accordingly.**

Documents:

[AID TO CONSTRUCTION WAIVER MEMO.PDF](#)  
[AID TO CONSTRUCTION WAIVER.PDF](#)

4.V. AIRPORT COMMERCE PARK GO VIRGINIA GRANT AWARD  
Nina R. Rezai, Economic Development Director

The City of Lynchburg Office of Economic Development and Tourism, the Lynchburg Regional Airport, and the Campbell County Economic Development Department submitted an application to the GO Virginia Region 2 Council to complete a due diligence study at the Airport Commerce Park. The multi-jurisdiction ownership and proximity to the Lynchburg Regional Airport presented a compelling proposal to the GO Virginia reviewing council as they prioritize strategic geographic locations and regional partnership. In December 2022, the State Council of GO Virginia approved the grant request for the Airport Commerce Park.

A due diligence study for the Airport Commerce Park is estimated to cost \$334,000; the planning grant requires a 2:1 match for funds requested. In partnership with the City of Lynchburg on this endeavor, Campbell County committed \$52,000 to support the project. As the main applicant on the project, the City of Lynchburg will administer the project and funds received. Campbell County will provide the City of Lynchburg with the match funds. Completing this study will elevate the Airport Commerce Park from a Tier 2 to a Tier 3 property in the Virginia Business Ready Sites program. The site represents a strategic location that can be accessed by air, road, and rail. Upon completion of the due diligence study, further discussion will address master planning of the site and development between Campbell County and the City of Lynchburg.

**RECOMMENDATION: Staff recommends the Board of Supervisors approves the allocation of funds in the amount of \$52,000 from the Assigned for Economic Development balance to the City of Lynchburg for the Campbell County share of the match funding for the Airport Commerce Park Due**

**Diligence study.**

Documents:

[GOVA GRANT AWARD- AIRPORT COMMERCE PARK.PDF](#)

4.VI. HIGHWAY MATTERS

Clifton M. Tweedy, Deputy County Administrator

- i. Status of Outstanding Highway Matters: See memorandum
- ii. Highway Matters Action Items: None
- iii. A few minutes is scheduled each month for Supervisors to voice any questions or concerns regarding highway matters.

**RECOMMENDATION: Please provide staff with any highway matters the Board has or that need to be passed along to VDOT.**

Documents:

[HIGHWAY MATTERS.PDF](#)

**5. CONSENT AGENDA**

5.I. APPROPRIATIONS

Attached is an appropriation listing for the Board's consideration.

Documents:

[APPROPRIATIONS.PDF](#)

5.II. COUNTY ATTORNEY INVOICE

Attached is an invoice for \$13,719.19 from the County Attorney for services provided from November 24, 2022 through December 20, 2022.

**Services**

General Representation:	\$4,543.50
Real Estate Tax Collection:	\$1,170.00
Personal Property Tax Collection:	\$6,669.00
Miscellaneous Matters:	\$565.50

**Expenses Paid**

Personal Property Tax Collection:	\$754.94
Miscellaneous Matters:	\$16.25

Documents:

[COUNTY ATTORNEY INVOICE.PDF](#)

#### 5.III. RECORDATION OF ABSTRACT OF VOTES

The Registrar has provided an Abstract of Votes from the November 8, 2022 General Election. Section 24.2-675 of the Code of Virginia requires the Electoral Board to forward a certified copy of each abstract of votes to the Clerk of the Board of Supervisors to be recorded in its minute book.

Documents:

[ABSTRACT OF VOTES MEMO.PDF](#)  
[ABSTRACT OF VOTES.PDF](#)

#### 5.IV. TLAC ORGANIZATIONAL COOPERATIVE AGREEMENT

The Tri-County Lakes Administrative Commission (TLAC) operates as a multi-county, joint administrative organization, and the four (4) counties of Bedford, Campbell, Franklin, and Pittsylvania have agreed to operate under the Organizational Cooperative Agreement Creating the Tri-County Lakes Administrative Commission. Kristina Sage, Executive Director of TLAC, has requested that each locality review the amended organizational cooperative agreement and approve the amendments.

#### **RECOMMENDATIONS: Staff recommends the Board:**

- a. **Approve the appropriations as presented;**
- b. **Approve the County Attorney invoice of \$13,719.19;**
- c. **Move to record the Abstract of Votes from the November 8, 2022 General Election in the minutes of the January 3, 2023 regular meeting.**
- d. **Review and approve the amended TLAC organizational cooperative agreement.**

Documents:

[TLAC COOPERATIVE AGREEMENT.PDF](#)

#### 6. APPOINTMENTS

Attached for your review is a list of appointments.

**Documents:**

[APPOINTMENTS.PDF](#)

#### 7. MATTERS FROM THE BOARD

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

**Documents:**

[BOARD MATTERS.PDF](#)

**8. CLOSED MEETING**

- a. Staff is requesting the Campbell County Board of Supervisors enter into Closed Session to discuss a prospective existing business or industry expansion, in accordance with Section §2.2-3711 (A)(5) of the Code of Virginia of 1950, as amended.

**Documents:**

[CLOSED SESSION - COVER SHEET.PDF](#)

**9. 7:00 P.M. PUBLIC HEARINGS**

Paul E. Harvey, Director of Community Development

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

**Documents:**

[BOARD AD.PDF](#)

**9.1. PL-22-197 REZONING REQUEST - 22290 & 22326 TIMBERLAKE ROAD**

This request is to rezone 22.938 +/- acres from Business – General Commercial and Business – General Commercial, Conditional to Industrial – General to allow for warehousing and manufacturing and to rezone 13.49 acres from Business – General Commercial, Conditional to Residential – Single Family for use as a single-family subdivision. The property is located at 22290 & 22326 Timberlake Road, Lynchburg, VA, and in the Sunburst Election District. As per the Comprehensive plan the property is located in an area designated as medium to high density commercial and medium to high density residential. Staff report is attached.

The portion of the property to be rezoned Industrial – General includes two industrial warehouse buildings. The buildings are currently used as a distribution and storage warehouse, offices, wholesale business, and cabinet and woodworking shop. The applicant would like to see the existing uses continue in addition to allowing potential future tenants the ability to use the space for warehousing and manufacturing. The rezoning to Industrial – General would allow for the existing uses to continue as by-right uses and allow for warehousing and manufacturing as by-right uses by future tenants.

The portion of the property to be rezoned Residential – Single Family was previously rezoned from Residential – Single Family to Business – General Commercial, Conditional on December 1, 2015. The applicant is seeking to rezone most of this area back to Residential – Single Family for use as a single-family subdivision. The subdivision would be developed by an extension of Callaway Court in combination with parcel 20D-4-D which is already zoned Residential – Single Family. The Project

Evaluation Committee met on November 15, 2022 to review the request. The request is not proffered, so the preliminary plan and proposal are conceptual and non-binding.

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

Documents:

[PL-22-197 BOARD PACKET.PDF](#)

9.II. PL-22-198 REZONING REQUEST - SUNNYMEADE ROAD

This request is to rezone 1.188 +/- acres from Agricultural to Residential – Multi Family to allow for the construction of a four-unit multifamily dwelling. The property is located on Sunnymead Road, Rustburg, VA, and in the Concord Election District.

As per the Comprehensive plan the property is located in an area designated as medium to high density residential. Staff report is attached.

The applicant is seeking to rezone the parcel to Residential – Multi Family in order to construct a four-unit multifamily dwelling on the property. The units would be four contiguous townhomes of approximately 1,000 square feet each for long-term rentals. Each townhome would have two bedrooms and two bathrooms. Two parking spaces would be provided for each unit. The units would be served by a private well and septic system. The request is not proffered, so the preliminary plan and proposal are conceptual and non-binding.

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

Documents:

[PL-22-198 BOARD PACKET.PDF](#)

9.III. PL-22-205 SPECIAL USE PERMIT REQUEST - 3200 SUNNYMEADE ROAD

This request is from Russ Nixon, agent for Linda & Gordon Kapoula Thompson, for a special use permit to operate a wedding and special events venue on property zoned Agricultural. The property is located at 3200 Sunnymead Road, Rustburg, VA, and in the Concord Election District. As per the Comprehensive plan the property is located in an area designated as medium to high density residential. Staff report is attached.

The owner would like to operate a wedding and special events venue on the property. The owner plans to provide two indoor venue areas for weddings and events for up to 100 people. The owner is also seeking to provide outdoor space for weddings and events with more than 100 people. There would be an expansion to an existing barn and construction of a new barn and parking lot on the property.

**RECOMMENDATION: The Planning Commission recommended approval of this request with the condition recommended by staff that the applicant**



**utilizes the site in conformance with the use described in the narrative submitted with the request by vote of 7-0 citing good zoning practice.**

Documents:

[PL-22-205 BOARD PACKET.PDF](#)

## **10. AGENCY MINUTES AND REPORTS**

**Documents:**

[PLANNING COMMISSION - OCTOBER 2022.PDF](#)  
[SOCIAL SERVICES BOARD - NOVEMBER 2022.PDF](#)

## **11. INFORMATIONAL ITEMS**

**Documents:**

[EXPENDITURE REVENUE SUMMARY - OCTOBER 2022.PDF](#)  
[EXPENDITURE REVENUE SUMMARY - NOVEMBER 2022.PDF](#)  
[NEW EMPLOYEE REPORT - DECEMBER 2022.PDF](#)  
[CCUSA BOARD LETTER.PDF](#)

## **12. BOARD OF SUPERVISORS MEETING SCHEDULE**

Revised 12/06/2022

### **Tuesday, January 3<sup>rd</sup>**

5:00 PM – Broadband Authority

6:00 PM – Regular Administrative Business Meeting

6:00 PM – Budget Public Forum

7:00 PM – Public Hearings

### Tuesday, January 10<sup>th</sup>

6:30 PM – Joint Meeting with School Board (Budget)

### Tuesday, January 17<sup>th</sup>

6:00 PM – Board Work Session – topic TBD

**Tuesday, February 7<sup>th</sup>**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings

Tuesday, February 14<sup>th</sup>

5:30 PM – EMSAC/FAC – Board of Supervisors Meeting Room

Tuesday, February 21<sup>st</sup>

6:00 PM – Board Work Session – topic TBD

Tuesday, February 28<sup>th</sup>

6:00 PM – Budget Work Session – Multi-Use Room

Thursday, March 2<sup>nd</sup>

6:00 PM – Budget Work Session (if needed) – Multi-Use Room

**Tuesday, March 7<sup>th</sup>**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings

Tuesday, March 21<sup>st</sup>

6:00 PM – Board Work Session – topic TBD

Tuesday, March 28<sup>th</sup>

7:00 PM – Budget Public Hearing

**Documents:**

[BOARD CALENDAR.PDF](#)

[campbellcounty.gov](http://campbellcounty.gov)

**Residents having any questions or comments regarding any of the above agenda items may click [here](#) to provide the Board of Supervisors your feedback.**