

ADMINISTRATOR REPORT
May 30, 2019

TO: The Campbell County Board of Supervisors
FROM: Frank J. Rogers, County Administrator
RE: June 4, 2019 Board of Supervisors Meeting

6:00 PM - Call to Order and Pledge of Allegiance by Chairman Gunter
Moment of Silence. Approval of Electronic Participation.

1. APPROVAL OF MINUTES

[SECONDARY SCHOOLS TOUR – APRIL 24, 2019](#)

[REGULAR MEETING – MAY 7, 2019](#)

[REGULAR MEETING – MAY 14, 2019](#)

2. APPEARANCES – None

3. ADMINISTRATOR’S ITEMS

Frank J. Rogers, County Administrator

a. [RESOLUTION TO HONOR JUDGE J. SAMUEL JOHNSTON](#)

Judge Johnston served for nearly 31 years, first in the Campbell County General District Court and then in the Campbell County Circuit Court from 1981 until his retirement in June of 2008. Supervisor Watts requested staff draft a resolution for the Board’s consideration to recognize Judge Johnston for his service and consider dedicating a portion of Route 501 in his honor.

RECOMMENDATION: Staff recommends the Board consider the proposed resolution recognizing Judge Johnston and authorize staff to work with the Virginia Department of Transportation and local Virginia delegation to prepare the appropriate resolution and documentation to have a portion of Route 501 in Campbell County dedicated to Judge Johnston.

b. [COUNTY EMERGENCY RADIO SYSTEM](#)

At the April 2nd Board meeting, staff provided background information on the County’s existing public safety radio system, summarizing the existing technology as well as challenges being faced as the system ages and components become increasingly difficult to repair and/or replace. During the May 21st work session, staff—along with technical experts from Harris-- again presented information on the radio system. This presentation included information on the structure of the County’s existing system, as well as available options going forward.

Staff anticipates that implementation of a new radio system will take 18 to 24 months. In light of the anticipated life cycle of our existing technology, it is appropriate to begin taking steps now to address this critical infrastructure need. Staff also believes that joining the Regional Radio Board will enable significant improvements in terms of interoperability among localities.

Replacing the radio system will be a major capital investment. It is important to note from the onset that, if the County elects to join the Regional Radio Board, the estimated annual expenses will be approximately \$400,000/year until such time as the debt is retired (in 2027) and approximately \$200,000/year thereafter based on present estimates.

RECOMMENDATION: Participation in the Regional Radio Board will require the support of all the current member localities. Costs associated with the buy-in are subject to negotiation. Staff recommends the Board authorize staff to proceed with negotiating membership in the Regional Radio Board. Staff also recommends that the Board authorize staff to work with the County's financial advisor to develop financing options for the project.

Kristin B. Wright, Staff Attorney

c. [PERMISSION TO ADVERTISE – CODE UPDATE](#)

Semi-annually the Board of Supervisors updates the Code of Campbell County with mandated changes that result from action of the General Assembly and discretionary changes that are initiated by either the Board or staff during the year.

Some of the proposed amendments to the County Code for the regular spring update are mandated changes to mirror state law changes that will be effective July 1. Others are discretionary changes requested by the Board or staff or are minor amendments clarifying certain aspects of the Code. Staff will review the summaries for the semi-annual update at the Board meeting. The amended text for all chapters is available electronically with a paper copy available in the County Administrator's Office. The summary of all changes is attached to the memorandum.

RECOMMENDATION: Staff recommends the advertisement of a public hearing to update the Campbell County Code for the July 16, 2019 Board of Supervisors meeting.

Clifton M. Tweedy, Deputy County Administrator

d. [HIGHWAY MATTERS](#)

- i. Status of Outstanding Highway Matters: See agenda
- ii. Highway Matters Action Items: See next agenda item
- 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.

e. [REVENUE SHARING REQUEST](#)

The County has received requests for Revenue Sharing Funds for Brian Drive, Farm Meadow Road and several requests from the Holiday Forest Property Owners Association. Representatives for all three of these groups have committed to fund the local half of the project costs if Revenue Sharing Funds are approved.

Pre-application requests are required to be submitted before July 1st, and final applications are due by October 1st. Notice of fund availability will be received late next spring, with final approval next summer. Project work should begin in the spring of 2021 if approved. There is no local money committed to complete these projects but it is estimated 250 hours of staff time will be required to support these projects if approved.

RECOMMENDATION: Staff recommends the Board authorize the submission of applications for Revenue Sharing Funds to fund up to 50% of the costs to construct Brian Drive, Farm Meadow Drive, Kingswood Lane, and the second phase of Night Hawk Road. Staff also recommends the Board approve adding these projects to the County’s Capital Improvement Plan.

4. **CONSENT AGENDA**

a. **APPROPRIATIONS**

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

b. **COUNTY ATTORNEY INVOICE**

Attached is an invoice for \$18,874.38 from the county attorney for services provided from April 16, 2019 through May 22, 2019.

Services

General Representation:	\$4,921.00
Real Estate Tax Collection:	\$5,906.50
Personal Property Tax Collection:	\$2,386.50
Miscellaneous Matters:	\$869.50

Expenses Paid

Real Estate Tax Collection:	\$3,145.60
Personal Property Tax Collection:	\$272.20
Miscellaneous Matters:	\$1,373.08

c. **EXCEPTION FROM NOISE ORDINANCE**

The Lyn-Dan Heights Volunteer Fire Department has submitted a request for an exception from the Noise Ordinance for an event called “Benefit Concert for Lyn-Dan Heights VFD” on August 10, 2019. The event would be held at the Moose Lodge on Waterlick Road beginning at 5:00 p.m. and ending at 11:00 p.m. with live music and an anticipated attendance of 850 or more. They have requested an extension of time for the event from 10:00 p.m. until 11:00 p.m. and a maximum decibel level at the property line of 85 dba. [A copy of the special event application is attached](#) with the required signatures and notice to adjacent property owners. The County’s ordinance specifies a decibel level of 77 dba from 6 a.m. to 10 p.m. and 52 from 10 p.m. to 6 a.m. if the property abuts an occupied dwelling.

d. [SMALL PURCHASING POLICY UPDATE](#)

The Virginia Public Procurement Act (Va. Code Ann. Sections 2.2-4300 et seq.) governs the purchase of goods and services by governmental entities. The Act requires invitations for bid or requests for proposal for goods or services above \$100,000, or above \$60,000 for professional services, and exempts purchases below the threshold as long as the locality has adopted a small purchase policy. The County's purchasing policy limits were last updated in 2017, and the existing small purchase policy includes a much lower threshold of \$50,000 for all types of purchases, and requires an IFB or RFP for all purchases above that limit. The Purchasing section of the Management Services Department has been working on a minimal update of the [small purchase policy](#), and has proposed updating some of the verbiage, found in the memorandum, to help ease any department confusion.

e. [SCHOOL ADMINISTRATION ELEVATED WALKWAY REPLACEMENT](#)

The elevated walkways at the School Administration Building are currently in poor condition due to years of applying salt to the surface during winter weather. This project will include the complete removal of two existing, reinforced, concrete elevated walkways and the installation of two new metal and fiberglass elevated walkways. This project is complicated by the walkways being elevated above the light wells for the Rustburg Library. There are windows below that must be protected and access is restricted due to their location at the top of concrete steps. These factors greatly affected the cost of the project.

Five contractors were contacted, with three (3) construction companies submitting quotes for this project. Windle Construction, Lynchburg, VA was the lowest responsive, responsible quote. Funding for this project is available in the Facility Upgrades capital improvement line.

RECOMMENDATIONS: Staff recommends the Board:

- a. Approve the appropriations as presented;**
- b. Approve the County Attorney invoice of \$18,874.38;**
- c. Review the request from the Lyn-Dan Heights Volunteer Fire Department and advise staff if the time extension and the exception to the noise ordinance will be granted;**
- d. Review the proposed update to the small purchase policy and following discussion, implement the recommended policy with any changes requested by the Board. Changes would go into effect July 1, 2019;**
- e. Award construction of the School Administration Walkway Replacement project to Windle Construction for \$21,581.00.**

5. [APPOINTMENTS](#)

Attached for your review is [a list of appointments](#).

6. [MATTERS FROM THE BOARD](#)

A few minutes is scheduled at each meeting to discuss [matters from the Board](#).

7. CLOSED MEETING – None

7:00 P.M.

8. PUBLIC HEARINGS

Frank J. Rogers, County Administrator

a. [PUBLIC HEARING – CONCORD VOLUNTEER FIRE DEPARTMENT FOR TAX-EXEMPT LOAN](#)

In April 2019 staff received information from Claude Owen, President of Concord Volunteer Fire Department (CVFD) requesting permission to seek a tax exempt loan for the construction of a new building on their property at 12573 Richmond Highway, Concord. To complete the application the bank requires the Board of Supervisors conduct the appropriate public hearing and adopt a resolution.

CVFD is in the process of planning the construction of a new building that will include more bay space for trucks and a large kitchen and eating area for fundraisers. No County funds were budgeted or requested for this project; CVFD plans to complete the project with donations and a tax exempt loan. They are seeking a tax exempt loan through First National Bank to finance the remaining cost (after donations are applied) for approximately \$399,000 secured by the property. The CVFD will be responsible for the entirety of the building loan. The County would bear no responsibility for the loan.

Attachments:

- [Advertisement](#)
- [Resolution](#)

RECOMMENDATION: Staff recommends the Board of Supervisors authorize the Concord Volunteer Fire Department to enter into a tax-exempt purchase agreement with First National Bank to borrow approximately \$399,000 to construct a new building and, following the closing of the public hearing, adopt the attached resolution.

The following Public Hearing was advertised ([ad attached](#)) for:

Paul Harvey, Director of Community Development

b. [REZONING REQUEST – ENGLISH TAVERN ROAD AT TAVERN GROVE LANE](#)

PL-19-39 This request is to rezone 10.75 +/- acres from Residential – Single Family, Conditional to Residential – Multi Family in order to construct a townhouse development. The property is located on English Tavern Road at Tavern Grove Lane Lynchburg, VA, and in the Spring Hill 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 92-unit townhouse development as an expansion of the existing Tavern Grove development. The development would be served by public water and public sewer provided by CCUSA connecting with existing utilities in the Tavern Grove development. The project evaluation committee met on April 2, 2019 to review the request. A summary of comments from that meeting are included in the packet. Access would be provided by two entrances onto Tavern Grove Lane, which is an existing private street providing access to the Tavern Grove development.

RECOMMENDATION: The Planning Commission recommended denial of this request by a vote of 6-0 citing traffic issues and compatibility with adjoining land use.

c. [REZONING REQUEST – ADJACENT TO 7996 WARDS ROAD](#)

PL-19-45 This request is to rezone 0.49 +/- acres from Business – General Commercial to Residential – Manufactured Housing in order to allow for the use of a manufactured or modular home. The property is located adjacent to 7996 Wards Road Rustburg, VA, and in the Spring Hill Election District. As per the Comprehensive plan the property is located in an area designated as medium to high density residential and medium to high density commercial. [Staff report is attached.](#)

The applicant is seeking to rezone the parcel to Residential – Manufactured Housing in order to allow for the placement of a manufactured or modular home on the property. The owner of the property has lived on an adjoining property in a legal non-conforming manufactured home. The applicant wishes to place a manufactured or modular home on this property and remove the non-conforming manufactured home from the adjoining parcel. There are no existing public utilities directly serving this parcel, although public water is available on Wards Road. Access is provided by an existing unnamed private street off Wards Road.

RECOMMENDATION: The Planning Commission recommended approval of this request by a vote of 6-0 citing good zoning practice.

Kristin B. Wright, Staff Attorney

d. [PUBLIC HEARING – UPDATE OF CHAPTER 9 \(MEALS TAX\)](#)

On April 9, 2019, the voters of Campbell County approved a referendum that indicated their desire for a meals tax of up to four percent (4%) to be implemented in Campbell County. Staff has prepared a [proposed ordinance](#) instituting a meals tax modeled on the language used in surrounding counties, specifically Bedford and Amherst, and mirroring the authorizing state statute, Va. Code Ann. § 58.1-3833, as closely as possible. That proposed language, if approved by the Board, would fit in Chapter 9 of our County Code (Finance and Taxation), near the sections related to the transient occupancy tax.

Because this would add a new ordinance to our county code, a public hearing is necessary under Va. Code Ann. § 15.2-1427 prior to passage. That hearing has been advertised for tonight and the newspaper advertisement describing the proposed new ordinance is attached to the memorandum. The language of the proposed new ordinance is also attached.

RECOMMENDATION: Staff recommends the Board conduct a public hearing on the question of adding a meals tax ordinance to the Campbell County Code and, following the closing of the public hearing, vote on the question of adding a meals tax to the County Code.



9. AGENCY MINUTES AND REPORTS

- a. [Planning Commission](#) February 25, 2019
- b. [Social Services Board](#) April 17, 2019
- c. [Library Board](#) April 15, 2019
- d. [Robert E. Lee Soil & Water Conservation District](#) March 28, 2019

10. INFORMATIONAL ITEMS

- a. [Treasurer's Report](#) April 2019
- b. [Revenue/Expenditure Summary](#) April 2019
- c. [Unassigned Cash/Fund Balances](#) April 2019
- d. [Library News](#) May 2019

BOARD OF SUPERVISORS MEETING SCHEDULE

Revised 05/16/19

Tuesday, June 4th –

- 5:00 PM – Broadband Authority
- 6:00 PM – Regular Administrative Business Meeting
- 7:00 PM – Public Hearings

Tuesday, June 18th –

- 6:00 PM – Board work session – topic TBD

Tuesday, July 16th –

- 6:00 PM – Regular Administrative Business Meeting
- 7:00 PM – Public Hearings

Tuesday, August 6th –

- 6:00 PM – Regular Administrative Business Meeting
- 7:00 PM – Public Hearings

Tuesday, August 13th –

- 5:00 PM – EMSAC – Public Safety Conference Room – (Good, Moore)
- 6:00 PM – FAC

Monday, August 19th –

- 6:30 PM – Joint Committee Meeting – Campbell Co. Technical Center – (Good, Gunter)

Tuesday, August 20th –

- 6:00 PM – Board work session – topic TBD

Tuesday, September 3rd –

- 5:00 PM – Broadband Authority
- 6:00 PM – Regular Administrative Business Meeting
- 7:00 PM – Public Hearings

Tuesday, September 17th –

- 6:00 PM – Board work session – topic TBD

Tuesday, October 1st –

- 6:00 PM – Regular Administrative Business Meeting
- 7:00 PM – Public Hearings

Tuesday, October 15th –

- 6:00 PM – Board work session – topic TBD

Thursday, November 7th –

- 6:00 PM – Regular Administrative Business Meeting
- 7:00 PM – Public Hearings

Tuesday, November 12th –

- 5:00 PM – EMSAC – Public Safety Conference Room – (Good, Moore)
- 6:00 PM – FAC

Monday, November 18th –

6:30 PM – Joint Committee Meeting – Campbell Co. Technical Center – (Good, Gunter)

Tuesday, November 19th –

6:00 PM – Board work session – topic TBD

Tuesday, December 3rd –

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings

Tuesday, December 17th –

11:00 AM – Swearing-in Ceremony (Circuit Court)