

HIGHLAND COUNTY BOARD OF SUPERVISORS

MINUTES

MEETING DATE – SEPTEMBER 22, 2016

The Highland County Board of Supervisors continued its regular meeting on September 22, 2016 at 6:30 p.m. at the Highland Modular Conference Center, Spruce Street, Monterey, Virginia.

PRESENT: David W. Blanchard
Harry Sponaugle

ABSENT: Kevin W. Wagner

ALSO PRESENT: Roberta A. Lambert, County Administrator
Melissa A. Dowd, County Attorney

Vice-Chairman Blanchard called the meeting to order.

ITEM #1

HIGHLAND COUNTY HUMANE SOCIETY

The Board reviewed correspondence from the Highland County Humane Society requesting approval to hold a rabies clinic on October 8. Dr. Joe Malcolm will be overseeing the event with Dr. C. J. Wise from Westwood Clinic serving as the Veterinarian on site.

Supervisor Sponaugle moved to approve the request for the rabies clinic as presented. The motion was seconded by Supervisor Blanchard and carried with the following vote.

<u>PRESENT</u>	<u>VOTE</u>
David W. Blanchard	Yes
Harry Sponaugle	Yes
 <u>ABSENT</u>	
Kevin W. Wagner	

ITEM #2

OLD BUSINESS

There being no old business, Vice-Chairman Blanchard moved to the next item on the agenda.

ITEM #3
NEW BUSINESS

The Board reviewed a request from the Economic Development Authority (EDA) to appoint Jason Rexrode to fill a vacancy on the EDA with a term ending June 30, 2019 due to the resignation of Kirk Billingsley.

Supervisor Sponaugle moved to appoint Jason Rexrode to the EDA as requested. The motion was seconded by Supervisor Blanchard and carried with the following vote.

<u>PRESENT</u>	<u>VOTE</u>
David W. Blanchard	Yes
Harry Sponaugle	Yes
 <u>ABSENT</u>	
Kevin W. Wagner	

ITEM #4
CLOSED MEETING

Supervisor Blanchard moved for a closed meeting pursuant to Section 2.2-3711 (A) (1) Personnel – duties of a specific employee. The motion carried. Motion, from Supervisor Blanchard to come out of the closed meeting, carried. Vice-Chairman Blanchard reconvened in open session. On motion of Supervisor Blanchard and carried, the Board approved the following resolution:

RESOLUTION
Return to Open Session

<u>PRESENT</u>	<u>VOTE</u>
David W. Blanchard	Yes
Harry B. Sponaugle	Yes
 <u>ABSENT</u>	
Kevin W. Wagner	

WHEREAS, the Highland County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.1 (D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Highland County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters 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 Board of Supervisors.

ITEM #5
ADJOURN / RECESS

There being no additional business, the meeting was continued at 7:15 p.m.

APPROVED:

Chairman

HIGHLAND COUNTY BOARD OF SUPERVISORS
HIGHLAND MODULAR CONFERENCE CENTER
SPRUCE STREET / HIGHLAND CENTER DRIVE
MONTEREY, VIRGINIA

AGENDA
SEPTEMBER 22, 2016
7:30 p.m.

JOINT MEETING WITH HIGHLAND COUNTY PLANNING COMMISSION

A. GENERAL

7:30 Call Meeting to Order

B. PUBLIC HEARINGS

CONDITIONAL USE PERMIT APPLICATIONS:

Hamill D. Jones, Jr. – Erection of restored Sounding Knob Fire Tower
on Sounding Knob approximately 1.6 miles South of Rt. 250
Zoned A-2 – Tax Map No: 32-A-21

Elizabeth A. Pyles – Construction of a structure known as a “Granny
Pod”, not intended to be a permanent structure
Zoned B-2 – Tax Map No: 58-A-10

C. ITEMS FOR ACTION, DISCUSSION, REVIEW OR INFORMATION

Item 1. Old Business

Item 2. New Business

Item 3. Closed Meeting

2.2-3711 (A) (1)

2.2-3711 (A) (5)

2.2-3711 (A) (7)

2.2-3711 (A) (29)

Personnel (*as needed*)

Prospective Business (*as needed*)

Legal – (*as needed*)

Contract – (*as needed*)

Item 4. Adjourn / Recess

NEXT MEETING(S):

Regular Meeting
October 4, 2016
7:30 p.m.
Highland Modular Conference Center

Monthly Work Session
October 19, 2016
7:30 p.m.
Highland Modular Conference Center

HIGHLAND COUNTY BOARD OF SUPERVISORS

MINUTES

MEETING DATE – SEPTEMBER 22, 2016

The Highland County Board of Supervisors continued its regular meeting on September 22, 2016 at 7:30 p.m. at the Highland Modular Conference Center, Spruce Street, Monterey, Virginia.

PRESENT: David W. Blanchard
Harry Sponaugle

ABSENT: Kevin W. Wagner
Casey Thaler, Planning Commission

ALSO PRESENT: Roberta A. Lambert, County Administrator
Melissa A. Dowd, County Attorney
Joshua Simmons, Zoning Administrator
Ronald Wimer, Planning Commission
Sue Cornelius, Planning Commission
Jesse Swecker, Planning Commission
Bill Rich, Planning Commission
Zach Beard, Planning Commission Secretary

Vice-Chairman Blanchard called the meeting to order.

The Board and Planning Commission held a joint meeting in order to conduct public hearings on two (2) applications for conditional use permits.

**PUBLIC HEARING – CONDITIONAL USE PERMIT APPLICATION FROM
HAMILL D. JONES, JR.**

Hamill D. Jones, Jr. submitted an application for a conditional use permit for the erection of the restored Sounding Knob Fire Tower on Sounding Knob approximately 1.6 miles South of Rt. 250. The property is zoned A-2 and is Tax Map No. 32-A-21.

Joshua Simmons, Zoning Administrator, presented a staff report on the application. Mr. Jones, the applicant, also gave a presentation as follows:

"I am proposing to purchase, restore and erect the historic Sounding Knob Fire Tower on top of Jack Mountain in the area above and approximately ¼ mile south of Highland High School. Restoration of the Tower will include re-

galvanization of the entire structure, replacement of steps as needed, replacement of cabin walls, replacement of cabin roof, replacement of glass windows, attachment to concrete footings, and erection of security fence around the base of the Tower. The height of the Tower is approximately 85-90 feet."

Mr. Jones explained that additional information could be found in his application.

The Planning Commission and the Board of Supervisors opened the public hearing for comment.

Polly Turner: Ms. Turner advised that she was not opposed to erection of the tower but did have some questions for Mr. Jones which she would ask him following the meeting.

Jack Kilgallen: Mr. Kilgallen stated that he was not opposed but also had some questions for the applicant.

Ronald Wimer: Mr. Wimer, who is also a Deputy Sheriff and member of the Town Council, asked Mr. Jones if he would allow the co-location of radio equipment on the tower and Mr. Jones advised that no, he would not allow that.

Supervisor Sponaugle: Supervisor Sponaugle asked if the tower fell – would it land on adjoining landowner's properties. Mr. Jones advised that it would be stopped by dense trees before reaching the ground.

There being no further public comments, the Planning Commission and Board of Supervisors closed the public hearing.

Following discussion, the Planning Commission voted unanimously to send the application to the Board of Supervisors with a favorable recommendation.

After reviewing the application, public comments and recommendation from the Planning Commission, the Board found that the proposed use 1) would not adversely effect property values in the area, 2) would not have any undue adverse effect on the character of any existing neighborhood or the area, and 3) would generate minimal traffic and any effect on traffic volumes in the area will be negligible.

Supervisor Sponaugle then moved to adopt a resolution approving a conditional use permit for Hamill D. Jones, Jr. to erect a restored fire tower, known as the "Sounding Knob Fire Tower" on property Zoned A-2, Tax Map No. 32-A-21 pursuant to Section 701.01-1 of the Highland County Zoning Ordinance *Structures or facilities exceeding the heights specified in the Zoning Schedule, Table 1, may be permitted by conditional use permit issued by the Governing*

Body. The motion was seconded by Supervisor Blanchard and carried with the following vote.

<u>PRESENT</u>	<u>VOTE</u>
David W. Blanchard	Yes
Harry Sponaugle	Yes
 <u>ABSENT</u>	
Kevin W. Wagner	

PUBLIC HEARING – CONDITIONAL USE PERMIT APPLICATION FROM ELIZABETH A. PYLES

Elizabeth A. Pyles, along with representatives from the McDowell Presbyterian Church, submitted an application for a conditional use permit to use property, which is zoned General Business District (B-2), for construction of a “Granny Pod” or similar mobile / modular home to be used as a temporary, ancillary living space for Ms. Pyles mother in McDowell, Virginia, pursuant to §612.03-9 *individual residential uses associated with a permitted use* and §702.00 *additional buildings on a single lot*, Tax Map No. 58-A-10.

Joshua Simmons, Zoning Administrator, presented a staff report on the application. Ms. Pyles, the applicant, also gave a presentation concerning the usage and temporary nature of the residence.

The Planning Commission and the Board of Supervisors opened the public hearing for comment.

There being no public comment, the public hearing was closed.

Following discussion, the Planning Commission voted unanimously to send the application to the Board of Supervisors with a favorable recommendation with the condition that the structure be removed after Ms. Pyles mother is no longer using the structure.

After reviewing the application and recommendation from the Planning Commission, the Board found that the proposed use 1) would not adversely effect property values in the area, 2) would not have any undue adverse effect on the character of any existing neighborhood or the area, and 3) would generate minimal traffic and any effect on traffic volumes in the area will be negligible.

After learning that the Building and Zoning office had been unable to check the last several days of mail for written public comments on the application, Supervisor Sponaugle moved to table action on the request for the conditional use permit to allow time for review of any additional information

received in the mail. The motion was seconded by Supervisor Blanchard and carried with the following vote.

<u>PRESENT</u>	<u>VOTE</u>
David W. Blanchard	Yes
Harry Sponaugle	Yes
 <u>ABSENT</u>	
Kevin W. Wagner	

ITEM #1
OLD BUSINESS

There being no old business, Vice-Chairman Blanchard moved to the next item on the agenda.

ITEM #2
NEW BUSINESS

- a. Joint Work Session with Planning Commission and Town Council

Ms. Dowd recommended that the Board, Planning Commission and Town Council hold a joint work session on the draft revisions to the Zoning Ordinance.

Supervisor Sponaugle moved to hold the work session on November 16 at 7:30 p.m. at the Board's regular monthly work session. The motion was seconded by Supervisor Blanchard and carried with the following vote.

<u>PRESENT</u>	<u>VOTE</u>
David W. Blanchard	Yes
Harry Sponaugle	Yes
 <u>ABSENT</u>	
Kevin W. Wagner	

ITEM #3
CLOSED MEETING

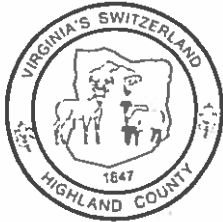
There being no request for closed meeting, Vice-Chairman Blanchard moved to the next item on the agenda.

ITEM #4
ADJOURN / RECESS

There being no additional business, the meeting was continued at 8:26 p.m.

APPROVED:

Chairman



COUNTY ADMINISTRATOR
ROBERTA A. LAMBERT
MONTEREY, VIRGINIA

**HIGHLAND COUNTY
BOARD OF SUPERVISORS**

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KEVIN W. WAGNER
MONTEREY, VIRGINIA

HARRY B. SPONAUGLE
DOE HILL, VIRGINIA

AT A CONTINUED MEETING

OF THE BOARD OF SUPERVISORS OF HIGHLAND COUNTY, VIRGINIA

HELD AT THE HIGHLAND MODULAR CONFERENCE CENTER
MONTEREY, VIRGINIA

SEPTEMBER 22, 2016

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO HAMILL D. JONES, JR. FOR THE USE OF CERTAIN REAL PROPERTY ZONED AGRICULTURAL GENERAL DISTRICT (A-2) FOR ERECTION OF A RESTORED FIRE TOWER, KNOWN AS THE "SOUNDING KNOB FIRE TOWER"

WHEREAS, Hamill D. Jones, Jr., the applicant, has applied for a conditional use permit to use property, which is zoned Agricultural General District (A-2), for erection of a restored fire tower, known as the "Sounding Knob Fire Tower", (the "Application"), pursuant to § 701.01-1 of the Highland County Zoning Ordinance (the "Zoning Ordinance") *Structures or facilities exceeding the heights specified in the Zoning Schedule, Table 1, may be permitted by conditional use permit issued by the Governing Body:*

WHEREAS, the real property that is the subject of the Application is more particularly described as Tax Map No. 32-A-21.

WHEREAS, the Board of Supervisors of Highland County (the "Board") held a duly advertised public hearing on the Application on September 22, 2016 at which all persons affected were afforded the opportunity to appear and present their views:

WHEREAS, the Board of Supervisors has carefully considered the Application along with any exhibits and attachments and any information presented at the public hearing.

WHEREAS, the Board of Supervisors has reserved unto itself the right to approve conditional use permits, and the Board in the exercise of its legislative discretion and upon recommendation of the Highland County Planning Commission desires to approve the conditional use permit requested by the Applicant.

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Highland County, Virginia as follows:

1. The Board of Supervisors makes the following findings with respect to the Application:
 - a. The proposed use will not adversely effect property values in the area.
 - b. The proposed use will not have any undue adverse effect on the character of any existing neighborhood or the area.
 - c. The proposed use will generate minimal traffic, and any effect on traffic volumes in the area will be negligible.
 - d. The proposed use is consistent with public health, safety, convenience and welfare and good zoning practices.
2. The Board of Supervisors hereby grants a conditional use permit to the Applicant for the use of certain real property zoned Agricultural General District (A-2) for erection of a restored fire tower, known as the "Sounding Knob Fire Tower".

3. This conditional use permit shall be valid for a period of six (6) months from the date of this Resolution at which time it shall expire unless the project has commenced or the Board of Supervisors has granted an extension.
4. This Resolution shall be in full force and effect upon its passage.

On motion of Board Member Harry B. Sponaugle to adopt the Resolution and carried by the following recorded vote:

Ayes: David W. Blanchard and Harry B. Sponaugle
Nays: None
Abstain: None
Absent: Kevin W. Wagner

A copy teste: Roberta A. Lambert
Roberta A. Lambert, Clerk of the Board
and County Administrator