

COUNTY OF BATH, VIRGINIA
BOARD OF SUPERVISORS MEETING
BATH COUNTY COURTHOUSE, Room 115

Monday, October 24, 2016, 6:30 p.m. Joint Public Hearing with Planning Commission.
Board of Supervisors Public Hearing and Closed Session.

At the Joint Public Hearing of the Planning Commission and Board of Supervisors of Bath County, Virginia, Claire A. Collins, Chairperson; Richard B. Byrd, Vice Chairman; Edward T. Hicklin; Mathew S. Ratcliffe; Lady and Gentlemen Supervisors; Michael M. Collins, County Attorney; and Ashton N. Harrison, County Administrator. Planning Commissioners present, John Cowden, Chairman; Jason Miller, Vice Chairman; Trudy Woodzell; Monroe Farmer; John Loeffler

John Cowden, Planning Commission Chairman, called the Planning Commission to order for the joint public hearing between the Board of Supervisors and Planning Commission.

Claire A. Collins, Chair called the Board of Supervisors to order.

Supervisor Byrd made the motion which was adopted 4-0, 1 absent, to enter into joint meeting with the Planning Commission to receive public input and consider amending Bath County Land Use Regulations to add stave mill to M-1 Industrial Zoning District.

Mrs. Sherry Ryder, County Planner and Zoning Administrator, said a company that produces staves for barrels is interested in locating at the Millboro Industrial Park. Bath County Land Use Regulations does not currently include stave mill as a permitted use in M-1 Industrial Zoning District. Mrs. Ryder recommended adding stave mill as a permitted use in M-1 Industrial Zoning Districts under section 612.02-16 of the Bath County Land Use Regulations and to add under 302.02.1 Definitions - Stave Mill. A stave mill produces narrow strips of wood that compose the sides of barrels. Stave mills process either hardwood, used to make "tight", or waterproof barrels, or softwood, used to make "slack" barrels, or those that were used for transporting dry goods and food products. Logs are cut and brought to the mill to be processed. Mrs. Ryder said this recommendation comes from staff and the County Attorney.

County Attorney Collins said the Board of Zoning Appeals also reviewed this and agreed that stave mill more likely fit as a permitted use rather than use by section. He said he wanted to relay their opinion to the Board and Planning Commission considering it agreed with Mrs. Ryder's recommendation.

John Cowden, Planning Commission Chairman, opened the public hearing.

Mr. Bruce McWilliams, Williamsville District, said he hoped the community could get behind this opportunity and make it happen. He said it would be remiss to lose something that seems like small language. He encouraged everyone to move forward for the benefit of the County.

Mr. Cliff Gilchrest, Millboro District, said he supported adding stave mill to M-1 zoning districts.

Mr. John C. Singleton, EDA Legal Counsel, said he wanted to make sure the definition was not exclusive, because the barrels would be used to transport liquids. He added that not only would the staves be made, but also the tops and bottoms of the barrels.

Mrs. Ryder suggested adding "other components" to the definition. The definition would read as follows: Stave Mill - A stave mill produces narrow strips of wood that compose the sides and other components of barrels. Stave mills process either hardwood, used to make "tight", or waterproof barrels, or softwood, used to make "slack" barrels, or those that were used for transporting dry goods and food products. Logs are cut and brought to the mill to be processed.

County Attorney Collins said in the definition it referenced hardwood, used to make "tight", or waterproof barrels, which would cover transporting liquids. County Attorney Collins agreed with Mrs. Ryder that adding other components would cover producing the tops and bottoms of the barrels.

Mrs. Ryder said she received a letter from Cleveland and Lorraine McCune in support of adding stave mill as a permitted use to the Land Use Regulations and supporting the rezoning request.

John Cowden, Planning Commission Chairman, closed the public hearing for the Planning Commission. The public hearing remained opened for the Board of Supervisors.

Mr. Farmer made the motion to approve adding stave mill as a permitted use to Section 612.02-16 of the Bath County Land Use Regulations and approving 302.02.1 definition of stave mill as amended. Mr. Miller seconded the motion which was adopted 5-0.

Mr. Miller made the motion to adjourn the Planning Commission. Mr. Loeffler seconded the motion which was adopted 5-0.

Chair Collins asked for comments on amending Bath County Land Use Regulations to add stave mill to M1 Industrial Zoning District.

Supervisor Byrd asked Mrs. Ryder to read the definition of stave mill with amendments. He also asked if there were any restrictions on noise, parking or trucking, such as number of trucks per day or decimeters pertaining to noise.

Mrs. Ryder said to her knowledge there were no restrictions in M-1 zoning districts related to the aforementioned items.

Supervisor Byrd made the motion to approve adding stave mill as a permitted use to Section 612.02-16 of the Bath County Land Use Regulations and approving 302.02.1 definition of stave mill as amended confirming the motion made by the Planning Commission. The motion was adopted 4-0, 1 absent.

Bath County Board of Supervisors remained in session for the Public Hearing to rezone TM# 87-135 Bath County Industrial Park/Economic Development Authority, located in the Millboro District comprising of 144.66 acres that is currently zoned A-2 Agricultural General, B-2 General Business, and R-2 Residential.

Mrs. Sherry Ryder, County Planner and Zoning Administrator, said with the 144.66 acres that comprise the Millboro Industrial Park there are multiple zoning designations. She referenced the County's Comprehensive Plan page 11-2, in Millboro District it reads: "The primary concentration of land zoned M-1 Industrial in the County was found here in the Millboro District in the Millboro Industrial Park. A portion of the park was rezoned B-2 General Business. The County should consider returning it to its original designation on order to attract suitable industry for economic development purposes." Mrs. Ryder said to date the County has not returned the parcel to M-1 zoning designation. Mrs. Ryder said upon her suggestion, the IDA/EDA has made application to rezone the entire parcel to M-1 and she felt this should follow the Comprehensive Plan that was adopted in 2014. She said the property is located within a designated growth area. Mrs. Ryder referenced Bath County Land Use Regulations 802.05, et seq and 612.03-2 page 4-3 Economy Goal #1, page 4-5g and page 11-2 of the Bath County Comprehensive Plan. Mrs. Ryder said the Planning Commission held a public hearing on September 26, 2016, and voted 4-0, 1 absent, to recommend rezoning the entire 144-66 parcel M-1 Industrial. Mrs. Ryder called the Board's attention to the list of documents in the packet for their review.

Chair Collins opened the public hearing. Having no comments from the public the Chair closed the public hearing.

Supervisor Hicklin made the motion to rezone TM# 87-135 Bath County Industrial Park located in the Millboro District comprising of 144.66 acres that is currently zoned A-2 Agricultural General, B-2 General Business, and R-2 Residential to M-1 Industrial. The motion was adopted 4-0, 1 absent.

Upon a motion made by Supervisor Ratcliffe which was adopted 4 in favor, 0 against, 1 absent, the Board went into closed meeting in the Upstairs Conference Room Pursuant to Code of Virginia of 1950 as amended Section 2.2-3711.A.1 Personnel.

Supervisor Byrd made a motion which was adopted 4-0, 1 absent, in favor of coming out of closed meeting and returning to the regular meeting and to certify as follows:

CERTIFICATE OF CLOSED MEETING

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

NOW, THEREFORE, BE IT RESOLVED, that the Bath County Board of Supervisors certifies that, to the best of each member's knowledge (1) Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies and (2) Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed and considered by the Bath County Board of Supervisors.

Ayes: Claire A. Collins, Richard B. Byrd, Edward T. Hicklin, and Matthew S. Ratcliffe

Nays: None

Absent: Stuart L. Hall

Actions from Closed Session - Supervisor Byrd made the motion to extend the contractual agreement between the Board of Supervisors and Ashton Harrison as County Administrator effective January 1, 2017, for four years and authorized the Chair to sign the agreement. The motion was adopted 4-0, 1 absent.

Supervisor Hicklin made the motion to adjourn the meeting. The motion which was adopted 4-0, 1 absent.

Chair Collins adjourned the meeting.

Ordered that this Board do now stand adjourned until 7:00 p.m., November 8, 2016, for the regular monthly meeting of the Board of Supervisors.

Ashton N. Harrison, Clerk

APPROVED:

Claire A. Collins, Chairperson