

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING, 150 SOUTH MAIN STREET LEXINGTON, VIRGINIA ON MONDAY FEBRUARY 09, 2009 AT 3:00 P.M.

PRESENT: CHAIRMAN R.H. RIEGEL  
MEMBERS: C.R. COMSTOCK, R.S. FORD, M.R. SMITH A.W. LEWIS, JR.  
CLERK OF BOARD: CLAIRE A. COLLINS  
FISCAL DIRECTOR: ROBERT E. CLAYTOR  
COUNTY ATTORNEY: VICKIE L. HUFFMAN  
STAFF: SAM CRICKENBERGER, TOM HIGGINS, JOHN REYNOLDS, ERICH SCHNETZLER, DAVID WHITESELL, CAROL HINES, JON REPAIR

### **Call to Order, Invocation, and Pledge of Allegiance**

Chairman Riegel called the meeting to order. Supervisor Lewis gave the invocation and led in the Pledge of Allegiance.

### **Item(s) to be added to Agenda, if any**

Supervisor Ford stated he would be providing the Board a summary of the VACo/VML Legislative Day in which he and Ms. Collins attended in Richmond on February 5<sup>th</sup>. A report on the Regional Fire and Rescue Committee meeting will also be provided by Supervisor Ford. Chairman Riegel added an update on the conversations held with the Chairman of the Board of Education.

### **Citizens' Comments**

Chairman Riegel called for citizen comment but none was offered.

### **RACS Update**

Dr. Dennis Cropper, RACS Executive Director, introduced Ms. Kelly Shifflett and Rev. Paul Carter (RACS Board member) to everyone in attendance. Ms. Shifflett gave an overview of the Rockbridge Area Community Services, focusing on the agency's services and successes in the past year. She also provided the Board with a breakdown of the number of Rockbridge County residents that used one or more of the agency's services last year. Description of the services RACS provides and their annual report can be found on their website.

### **Financial Report / Budget Process Update**

Mr. Claytor presented the Board with the financial report. Mr. David Whitesell, Commissioner of the Revenue, informed the Board his office just started using e-filing in order to provide information to the State in a timelier manner. The Board then established dates for the budget review and adoption. After several clarifications were made by Mr. Claytor relative to the monthly bills, Supervisor Smith motioned to approve the appropriations resolution and the payment of the monthly bills. Supervisor Lewis provided the second and the following was unanimously approved:

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/s be, and the same hereby is made, for the period ending **June 30, 2009**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-12020-5504	Travel County Administrator.....	\$88.00
4-11-12025-5401	Office Supplies (Legal).....	\$100.00
4-11-12025-5801	Dues & Subscriptions (Legal).....	\$60.00
4-11-22010-7001	Equipment (CA Grant).....	\$80.00
4-11-31020-5406	Photo. & Fingerprint (Insurance).....	\$3,995.00
4-11-32080-3501	Reim. Fire and Rescue (HazMat).....	\$2,463.00
4-11-32080-5404	Haz-Mat Material & Supplies.....	\$470.00
4-11-32080-7001	Preparedness Equipment Grant.....	\$50,000.00
4-11-43045-3404	Repairs Bldg & Grounds NB.....	\$3,913.00
4-11-43045-5101	Electricity NB.....	\$1,798.00
4-11-43045-5102	Water & Sewer NB.....	\$30.00
4-11-71015-5404	PreSchool Mtl & Supp (Grant).....	\$808.00
4-11-82020-5603	Cont. Debt BV Rt 60 Project.....	\$33,861.00
<b>Total General Fund</b>		<b>\$97,666.00</b>

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/s be, and the same hereby is made, for the period ending **June 30, 2009**, from the UNAPPROPRIATED SURPLUS of the **SOLID WASTE FUND LANDFILL** and expended as follows:

4-19-19040-3500	DEQ Gas Compliance.....	\$1,498.00
<b>Total Solid Waste/Landfill</b>		<b>\$1,498.00</b>

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/s be, and the same hereby is made, for the period ending **June 30, 2009**, from the UNAPPROPRIATED SURPLUS of the **SOLID WASTE FUND, FUND 20** and expended as follows:

4-20-42050-0100	WWT Charges.....	\$4,703.00
<b>Total Solid Waste</b>		<b>\$4,703.00</b>

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/S be, and the same hereby is made, for the period ending **June 30, 2009**, from the UNAPPROPRIATED SURPLUS of the **CONSTRUCTION FUND (COURTHOUSE)** and expended as follows:

4-72-80030-3001	Courtroom Technology Design.....	\$2,475.00
4-72-80030-3002	Design Fees.....	\$7,806.00
4-72-80030-3005	Interior Design.....	\$2,375.00
4-72-80030-3007	Advertising.....	\$6.00
4-72-80030-5002	Moving Expense.....	\$237.00
4-72-80030-5003	Reimbursable.....	\$399.00
4-72-80030-6001	Contingency.....	\$5,135.00
4-72-80030-7001	Equipment, Furniture & Fixtures.....	\$294,268.00
4-72-80030-7004	Telephone System.....	\$330.00
4-72-80030-8002	General Construction Contract.....	\$437,297.00
4-72-80040-3002	Design Fees.....	\$2,071.00
4-72-80040-6001	Contingency.....	\$672.00
4-72-80040-8002	General Construction Contract.....	\$309,870.00

**Total Construction Courthouse** **\$1,062,941.00**

**TOTAL APPROPRIATIONS ALL FUNDS** **\$1,166,808.00**

**Current County**

General Fund	\$546,031.44
SWA/Landfill	\$19,232.67
SWA/Recycling	\$10,329.98
Construction (Courthouse)	\$1,063,539.82
Employee Benefit	\$1.40
Central Stores	\$2,217.92

**Total County Bills** **\$1,641,353.23**

**Current Fiscal Agent**

Regional Jail	\$43,136.77
Partnership	\$3,669.90

**Total Fiscal Agent** **\$46,806.67**

**TOTAL ALL BILLS** **\$1,688,159.90**

RECORDED VOTE:

AYES: Smith, Lewis, Comstock, Ford, Riegel

NAYS: None

ABSENT DURING VOTE: None  
ABSENT DURING MEETING: None

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Chairman

Attest: \_\_\_\_\_  
County Administrator

### **Update on CIP Revisions**

Mr. Crickenberger went over with the Board a summary sheet addressing the questions and issues the Board had provided to him relative to the CIP. The summary sheet provided rationale, corrections, answers, explanations and which issues would require Board action in order to make changes. The Board requested place holders for potential capital items anticipated but had not been acted upon by the Board. Five projects were identified: 1) jail expansion; 2) new Sheriff's Office; 3) Goshen water upgrade; 4) new Fire Training Center; and 5) new emergency operations. The revised draft of the CIP will be sent back to the Board by February 23<sup>rd</sup>. Mr. Crickenberger and Ms. Huffman will verify that the Board need not hold a public hearing on the CIP.

### **Proposal to Replace Goshen Pass Picnic Shelter**

Supervisor Lewis asked this item be heard since Mr. Roy Fauber was in attendance to make the proposal presentation. Mr. Fauber gave the Board a project status update. The shelter will be named the "Lyle Shelter" in memory of Mr. Royster Lyle. Ms. Huffman briefly discussed the legal risks / obligations the County would assume by being the permit holder. She will research further the issue of insurance liability during the project and report back to the Board. It was noted that VDOT will take title/ownership once the shelter is complete and will also be responsible for maintenance. Mr. Crickenberger clarified the ad hoc citizen committee is seeking authority to move forward with the project and asking for the County to hold the building permit. This proposal will be placed on the February 23<sup>rd</sup> agenda and the Board will determine whether it wished to pursue.

### **Award of Contract for Courthouse Janitorial Services**

Mr. Higgins explained the County received two bids for janitorial services for the new courthouse. Shenandoah Environmental Management, LLC submitted a bid of \$73,350.00 (yearly -- to be paid on a monthly basis) and Clean Care Cleaning Services, LLC submittal was for \$91,986.00. Supervisor Comstock made the motion to award the contract to Shenandoah Environmental Management, LLC and Supervisor Smith provided the second. The Board discussed the term of the contract and who would oversee the performance. The following vote was recorded:

### **RECORDED VOTE**

AYES: Comstock, Ford, Smith, Lewis, Riegel  
NAYES: None

### **Award of Contract for Renovations of Registrar's Office**

Mr. Higgins reminded the Board this project was bid earlier and the County only received one bid; therefore the County had to reissue the request for proposals. The County this time received three bids for the interior construction necessary for the relocation of the Registrar's Office. Sils Construction, Inc submitted \$13,785.00, LWR Builders, LLC \$21,320.00 and Welsh Construction, Inc. \$18,602.34. According to Mr. Higgins all submittals came in too high for the project specifications. He estimated the job to be around \$6,000.00 and was unsure why the bids were so high. Mr. Higgins recommended the Board consider directing the construction and painting be performed in house by the Building Department. After a brief discussion, Supervisor Smith made the motion to reject all bids and direct Staff to proceed with the renovations. Supervisor Ford provided the second and the vote follows:

#### **RECORDED VOTE**

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

### **Adult Probation Office Rental Increase**

Mr. Claytor started the discussion by explaining the cost of the rent is shared between the County and the City of Lexington. Ms. Huffman briefed the Board on the background of the lease of the office space at 15 Courthouse Square. Mr. Christiansen, owner of the building notified Ms. Huffman that, due to insurance increases, he will increase the County's monthly rent to \$310.00 per month plus utilities. The increase would be effective March 1, 2009 and the lease would continue on a month-to-month basis. Ms. Huffman reminded the Board that thirty day notice would be required if they wished to terminate the existing monthly lease. The Board briefly discussed the adequacy of the security at the current location and whether the City of Lexington would have a better location to offer. Relocating the office to the County Administrative Office was another option briefly mentioned by the Board. No action was taken. The Board will hold off until the floor plan for the Administrative Office Building is considered later in the meeting.

### **Discussion Items**

#### **County Administration Floor Plan Options**

Supervisor Comstock stated he asked for the Board to revisit the floor plan of the building because of the recent requests for possible space for agency offices. The Board looked at several different options and the consensus was to relocate the Fiscal Services Director, Accounting, Recycling and Data Processing offices downstairs into the space left vacant by the judges and clerks offices. Mr. Crickenberger's office and the GIS/Zoning office will all be consolidated into the space left vacant by the Juvenile Probation office. This configuration would create vacant office space that the Board could consider offering to an agency. After further consideration, Supervisor Smith motioned to approve the rental increase for the Adult Probation Office space on a month to month basis and directed staff to explore the option of relocating the office to the County Administrative Office Building. Supervisor Lewis provided the second. Mr. Jon

Repair, County Extension Agent, urged the Board to consider closely the security and safety of its County employees and clientele when deliberating this issue. The following vote was recorded:

**RECORDED VOTE**

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

Supervisor Lewis motioned to accept the intent of the County Administrative Office Building proposed floor plan with the directive that Staff formally offer the vacant office space to the Rockbridge Partnership and continue to explore the feasibility of moving Adult Probation Office into the Administrative Building. Supervisor Comstock provided the second and the following was recorded:

**RECORDED VOTE**

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

**Report on Disposal of Farm Tires**

At the January 12<sup>th</sup> meeting, the Board discussed disposal of farm tires and directed Staff to address this issue and provide a report. Supervisor Smith brought attention to the difficulty farmers have in disposing tires even during tire amnesty days and the costs associated with the disposal. Ms. Collins suggested to the Board the County hold a tire amnesty day in conjunction with hazardous waste disposal day and community clean up day on Saturday, March 28, 2009. At the County garage, four tires per household will be accepted and twenty accepted at the landfill. Ms. Collins added farmers will be able to dispose of the twenty tires at no charge at the landfill on March 28<sup>th</sup>. The Board discussed how the County will dispose of the tires once they are collected and if collection should also be accepted at the convenience centers. Supervisor Smith motioned to adopt the recommendation of scheduling a tire amnesty day and Supervisor Ford provided the second. The following was recorded:

**RECORDED VOTE**

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

The County will continue to address the disposal of farm tires with all solid waste services and the Board encouraged the public to participate on March 28<sup>th</sup>.

**Decal Ordinance**

Ms. Huffman explained the draft ordinance would amend Chapter 25, Article IV- Motor Vehicle License Tax – to eliminate the requirement to purchase a new vehicle decal each year, to retain the annual license fee, to reduce the motorcycle license fee to \$18.00 and to add an exemption for active volunteer rescue squad and fire department members. The focus of the Board discussion was on consistent use of prescribed standards being adhered to by all regional squads and departments. Both the

Commissioner of the Revenue and the Treasurer provided input in this discussion. Supervisor Ford stated the accordance to prescribed standards will be a topic of discussion for the next scheduled meeting of the Fire and Rescue Committee meeting.

### **Revisions to County Code on Inoperable Vehicles**

Ms. Huffman briefed the Board on a proposed ordinance to accomplish revisions of the County Code that adds a presumption that a vehicle is not in operating condition if it cannot be started and moved, or if the owner refuses to start and move the vehicle. The period for compliance is reduced from 45 days to 14 days. Ms. Huffman further explained that in addition, one inoperable vehicle used for advertising or business-recognition purposes at a business in the Tourism Corridor Overlay District is exempt(also exempted farm tractors and farm utility vehicles), provided the owner obtains approval from the TCO Board. A minimal review fee of \$30 would be imposed. At the TCO Board's request, additional revisions are made to provide that continuing oversight be handled by Planning and Zoning staff. Violations would be enforceable as zoning violations and/or revocation of the TCO's certificate of appropriateness. If approved, owners will need to apply for approval for any existing vehicles within 60 days. Staff will provide notice to known owners to whom this provision would be applicable. In response to a question from Supervisor Smith, Ms. Huffman stated citizen complaints would be directed to the Sheriff's Office who would in turn relay specifics to County Staff. Chairman Riegel asked for and obtained clarification from Ms. Huffman that abandoned vehicles were not addressed in the draft ordinance. Ms. Huffman requested the Board consider taking this matter to public hearing on February 23, 2009. Supervisor Comstock motioned to take to public hearing and Supervisor Lewis provided the second. The following was recorded:

#### **RECORDED VOTE**

AYES: Comstock, Ford, Smith, Lewis, Riegel  
NAYES: None

### **Request to Post Minutes on County Website**

Ms. Collins informed the Board of the correspondence the office had received from John Higgins, Regional Jail Superintendent, requesting the minutes from the Board's meetings be placed on the County website. The Board directed staff to post the minutes once approval of them is granted by the Board.

### **Procurement of Professional Services for Management Analysis**

Ms. Collins led the Board into this agenda item by stating the responses to the Request for Proposals for Solid Waste Services are due on Friday, February 17<sup>th</sup>. In evaluating the proposals, Staff thought it would be helpful for the County to compare the proposed costs for services to the costs for the County to provide the same services. The County does not currently have adequate information to perform such comparisons, since these services have never previously been undertaken. It was further explained that financial professionals could perform an evaluation of the operational costs for the necessary services, prepare a financial model of the anticipated cost to provide these services, provide performance measurements and provide additional expertise in public-

private partnerships and privatization to assist the Board, panel and staff with review, analysis and negotiations. The Board directed Staff to issue a Request for Proposals for professional services for management analysis.

### **Committee Reports**

Supervisor Comstock reported on the Regional Jail Commission, Supervisor Ford gave the report for the Fire Communications and Equipment Sub-committee meeting and also declared information he obtained from his visit with area delegates in Richmond recently. Mr. Riegel reported on his discussion with the Chair of the Board of Education regarding the white paper on schools and the Board of Education's action to date. The Chair of the Board of Education expressed that they are cooperating with the other school systems in the region and assured that they would weave the information into their budget presentation proposal and informally mention the subject with the other School Boards at their meeting on February 19. Ms. Collins briefed the Board on the E911 Committee meeting.

### **Staff Reports**

Ms. Collins called attention to the correspondence received from the Maury Service Authority updating the Board on the progress of the nutrient reduction upgrade to the Lexington-Rockbridge Regional Wastewater Treatment Plant. The Board briefly discussed whether the Authority was required to seek approval from the localities prior to granting the upgrade contract. The Board also discussed the possibility the Public Service Authority may request the County grant a loan for the wastewater treatment lines north to Raphine. Ms. Karen Austin, PSA Director, is scheduled to meet with Mr. Claytor and Ms. Collins this week.

### **Consent Agenda**

#### **Approval of Minutes for November 24, 2008 meeting**

Supervisor Ford motioned to approve the minutes as submitted and Supervisor Lewis provided the second. The following was recorded:

#### **RECORDED VOTE**

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

### **Adjourn / Continuation**

Hearing no further discussion, the meeting was adjourned at 8:00 p.m.