

AT A CONTINUED MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING, 150 SOUTH MAIN STREET LEXINGTON, VIRGINIA ON MONDAY MARCH 9, 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

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

Chairman Riegel called the continued meeting to order.

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

Several items were added to the agenda.

**Citizens' Comments**

Chairman Riegel called for public comment but none was offered.

**Resolution Endorsing Upgrade of the EMS License for the Kerrs Creek Volunteer Fire Company from Basic Life Support to Operate as an Advanced Life Support EMS Agency**

The Kerrs Creek Fire Department had requested through the Rockbridge County Firefighters Association to approach the Board of Supervisors for a resolution of support of their request to change from first responder status to Advanced Life Support Transport. Supervisor Ford noted the misinformation gathered during the last meeting and that clarifications have been made since then. Supervisor Comstock commended KCFD for responding to the Board's request for information and noted the proposed resolution satisfies the concerns about county funding. Supervisor Ford stated to approve the resolution and not fund KCFD would be an injustice to the members. Supervisor Ford made the motion to approve the resolution and Supervisor Comstock provided the second. Supervisor Ford noted that one advantage to KCFD receiving ALS licensure is that those calls answered by them could reduce the amount the County pays to the City of Lexington under the Joint Services Agreement. The Board spent a few minutes discussing how the payment made to the City of Lexington was calculated and the factors on which it was based. Another topic explored was the Kerrs Creek Fire Department's area of response and what areas could potentially be first due response designated to KCFD if the ALS licensure is obtained. After some discussion of the County responsibility to the KCFD and whether it had a moral obligation to offer funding, the following was approved:

**RESOLUTION ENDORSING UPGRADE OF THE EMS LICENSE FOR THE KERRS CREEK VOLUNTEER FIRE COMPANY FROM BASIC**

**LIFE SUPPORT TO OPERATE AS AN ADVANCED LIFE SUPPORT  
EMS AGENCY IN THE COUNTY OF ROCKBRIDGE**

WHEREAS, the Kerrs Creek Volunteer Fire Company currently provides Basic Life Support (BLS) Emergency Medical Service (EMS) response within the department's coverage area and is licensed to provide first responder (non-transport) BLS care by the Virginia Office of EMS; and,

WHEREAS, Advanced Life Support (ALS) emergency medical care includes establishing intravenous access, administration of medications for breathing emergencies, cardiac emergencies, allergic reactions and pain control in the out of hospital environment; and,

WHEREAS, to provide this level of care, an EMS agency must be licensed as an ALS Agency by the Virginia Office of EMS; and,

WHEREAS, the Kerrs Creek Volunteer Fire Company currently has on the station's roster fourteen (14) members with medical training, six (6) of whom are certified to provide ALS care and the department is seeking to upgrade its EMS license from non-transport first responder BLS to ALS Transport; and,

WHEREAS, this upgrade will allow the volunteer members with ALS certification to provide care at the ALS level; and,

WHEREAS, the Board of Supervisors finds that there are multiple advantages to the requested service upgrade, and in particular that there will be increased opportunities for individuals with advanced emergency medical skills to utilize and maintain their patient care skills and that there will be an increased level of EMS services to the citizens of Rockbridge County.

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

1. That the Board of Supervisors hereby endorses and approves the upgrade of the EMS license for the Kerrs Creek Volunteer Fire Company from non-transport Basic Life Support to operate as an Advanced Life Support Transport EMS Agency in the County of Rockbridge.

2. That the coverage area shall be as shown on a map attached hereto as Exhibit A and designated as “Kerr’s Creek 1<sup>st</sup> Due” and “Possible Additional 1<sup>st</sup> Due (rescue)”.

3. Nothing herein shall be deemed as a commitment or approval of local funding.

4. That the provisions of this resolution shall be effective on and from the date of its adoption.

Adopted this 9th day of March, 2009.

Recorded Vote:

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

ABSENT: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman, Board of Supervisors

Attest: \_\_\_\_\_  
Claire A. Collins, Clerk

**Solid Waste Services Management Analysis and Financial Modeling Report**

Mr. Brickner of Gersham, Brickner & Bratton, Inc. (Solid Waste Consultant) reported to the Board an overview of each proposal the County received from the solid waste services request for proposals. His firm’s recommendation is for the County to consider further the Rockbridge Resource Recovery and Sils Construction, Inc. proposals since both offer specific facility projects. Mr. Brickner suggested the County focus on a facility, site for the facility and the ability of proposer to complete the project. In his opinion, the Board needs to spend time focusing on the definition of the venture or “fine tuning” the County’s future plans once the landfill is closed. Mr. Brickner’s report and Board discussion had to be paused until after the conclusion of the regularly scheduled Board of Supervisors meeting.

### **Goshen Pass Picnic Shelter Project Update**

Ms. Susan Hammond, regional area representative of the Virginia Department of Transportation, was in attendance to field Board questions. Mr. Crickenberger briefed the Board that in early 2008, VDOT announced plans to demolish the Goshen Pass Picnic Shelter. The existing shelter had deteriorated and the bathrooms had been vandalized repeatedly and have been closed for several years. An ad hoc group was formed to work with VDOT to review alternatives. The group concluded that the existing shelter was in poor condition and that it would be more practical to construct a new shelter than to try to preserve the existing one. Mr. Crickenberger relayed VDOT's request for the County to be the permit holder for this project and the only issue seems to be the liability coverage for the project volunteers. Ms. Hammond confirmed VDOT would manage the long term maintenance of the shelter. Staff will research insurance alternatives available to the County that would cover the volunteers and report back to the Board.

### **Resolution Endorsing Rail Preservation Application of Buckingham Branch Railroad Company**

Ms. Collins explained the request from Buckingham Branch Railroad Company for a resolution of support for their request for funds from the Virginia Department of Rail and Public Transportation Rail Preservation Fund. Buckingham Branch Railroad will provide the local matching funds if these grants are approved. Supervisor Lewis made the motion to adopt the resolution of support and Supervisor Smith provided the second. The following was recorded:

#### **RESOLUTION ENDORSING RAIL PRESERVATION APPLICATION OF BUCKINGHAM BRANCE RAILROAD COMPANY**

**WHEREAS**, the Buckingham Branch Railroad desires to file an application with the Virginia Department of Rail and Public Transportation for funding assistance for the projects; and

**WHEREAS**, Buckingham Branch Railroad has identified projects that are estimated to cost \$857,143.00; and

**WHEREAS**, the General Assembly, through enactment of the Rail Preservation Program, provides for funding for certain improvements and procurement of railways in the Commonwealth of Virginia; and

**WHEREAS**, the Buckingham Branch Railroad is an important element of the **County of Rockbridge** transportation system; and

**WHEREAS**, the Buckingham Branch Railroad is instrumental in the economic development of the area, and provides relief to the highway system by transporting freight, and provides an alternate means of transportation of commodities; and

**WHEREAS**, the **County of Rockbridge** supports the project and the retention of the rail service; and

**WHEREAS**, the Commonwealth Transportation Board has established procedures for all allocation and distribution of the funds provided.

**NOW, THEREFORE, BE IT RESOLVED**, that the **County of Rockbridge** Board of Supervisors does hereby request the Virginia Department of Rail and Public Transportation to give priority consideration to the projects proposed by the Buckingham Branch Railroad.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be spread upon the minutes of the March 9, 2009 meeting and sent to Buckingham Branch Railroad.

Adopted: March 9, 2009

Signed: \_\_\_\_\_

Title: County Administrator

Recorded Vote:

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

ABSENT: None

### **Resolution Regarding Virginia Department of Transportation Proposed Service Changes and Reductions**

Chairman Riegel explained the information the Board received and that the purpose of the resolution is to encourage the citizens to attend the meeting or provide comments electronically. Supervisor Ford made the motion to adopt the resolution and Supervisor Comstock provided the second. The following was recorded:

#### **RESOLUTION REGARDING VIRGINIA DEPARTMENT OF TRANSPORTATION PROPOSED SERVICE CHANGES AND REDUCTIONS**

**Whereas**, the Virginia Department of Transportation (VDOT) has announced a comprehensive plan to address long-term funding reductions that will significantly change services VDOT will provide including planned reductions to rest areas, Safety Service Patrols, mowing and roadside maintenance, ferry services and the consolidation of VDOT residency offices; and

**Whereas**, VDOT has informed Rockbridge County of a statewide schedule of public meetings to hear comments on the plan with an invitation for the County to attend the meeting in

the Staunton District at 6:00 p.m. on March 12, 2009 at the Augusta County Government Center in Verona Virginia; and

**Whereas**, VDOT began implementing the first phase of reductions when adopting a revised Fiscal Years 2009-2014 Six-Year Improvement Program on February 13 by reducing the number of new projects to be built in the amount of \$2 billion in funding, delaying or eliminating 808 projects statewide; and

**Whereas**, over the next 18 months, VDOT will cut 1,000 full-time and 450 part-time staff in the construction development program, field operations and administrative functions and will close 15 residency offices and 36 equipment repair facilities throughout Virginia; and

**Whereas**, the third phase of the three-part Blueprint for the Future focuses on reducing spending for programs and services for motorist amenities and maintenance contracts for services not affecting driver safety that includes the closure of 25 of the 41 rest areas to be closed based on criteria of proximity to other facilities, age of facility, condition, visitor counts, services provided, tourism relationship and local contributions; and

**Whereas**, one of the rest areas to be closed is located on Interstate 81 near Fairfield with the primary reason for closure listed by VDOT as nearby commercial services; and

**Whereas**, mowing along roadsides will be reduced from \$42 million with new service standards for mowing to save up to \$20 million; and

**Whereas**, no effort made by the state to increase revenues to support transportation services.

**Now Therefore Be It Resolved**, that the Board of Supervisors of the County of Rockbridge calls the VDOT service reductions to the attention of all citizens and encourages citizens to attend the March 12 meeting in Verona or submit comments via e-mail to [vdotinfo@vdot.virginia.gov](mailto:vdotinfo@vdot.virginia.gov) by April 15, 2009 and further requests that the Commonwealth of Virginia consider revenue enhancements for transportation to forego these drastic reductions in transportation programs and services.

Further, Be It Resolved that a copy of this resolution be provided to VDOT, the Governor and the County's legislative delegation.

Adopted: \_\_\_\_\_

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Recorded Vote:

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

**Discussion of Revisions to County Code for Farmers' Market**

Mr. Crickenberger explained he had been approached by a group of citizens interested in holding a weekend Farmers' Market. He discussed a County Code amendment that would allow the Board to review any proposed open air market location and issue a seasonal permit similar to the music festival permits. Ms. Jo Ellen Parent spoke to the Board about the effort to get a farmers' market going and establishing a committee to coordinate/oversee the Saturday morning events. She noted those involved would like to propose the market begin in May 2009. It was the consensus of the Board to further explore this issue and Mr. Crickenberger stated he would provide a final draft of the code revisions based on Board discussions for the next scheduled meeting.

\* \* \* \* \*

**Solid Waste Authority Meeting**

Supervisor Comstock motioned to continue the Board meeting until after the budget work session and to convene the Solid Waste Authority at this time. Supervisor Smith provided the second. The following was recorded:

Recorded Vote:

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

**RECONVENED SOLID WASTE AUTHORITY**

The Board reconvened as the Solid Waste Authority with committee members to continue discussion on Mr. Brickner's recommendation to undergo a clarification process to establish ranking proposers RRR and Sils for purposes of negotiations. On a motion of Mr. Smith, seconded by Mr. Ford, and voted unanimously, the RRR proposal was accepted for the clarification process.

Mr. Lewis made a motion, seconded by Mr. Smith, and voted unanimously, the Board accepted the Sils proposal to proceed to the second phase of the process with Sils as the second proposer to be considered. The Board further designated Messrs. Riegel, Ford, Dudley, Ellestad and Brickner and Ms. Collins to be the sub-group to address the simultaneous clarification process with RRR and Sils.

There being no further business to be conducted by the Solid Waste Authority, the meeting was adjourned for the Board of Supervisors to go into the budget work session.

**BUDGET WORK SESSION FOR PROPOSED FY2009-2010**

The following individuals spoke to the Board and responded to questions relative to the respective department proposed budgets:

<b>Name</b>	<b>Department</b>
Kim Thompson	Recycling
Dan Grim & Sam Crickenberger	Planning & GIS
Karen Austin	Public Service Authority
Tom Higgins	Building & Grounds / Engineer
Robert Foresman	Emergency Management
Joanne Moore & Erich Schnetzler	Building
Vicky Agnor	Rental Assistance
Wayne Nicely	Parks & Recreation
Marilyn Earhart	Registrar
Carol Hines	Treasurer
David Whitesell	Commissioner of Revenue
Sheriff Bob Day	Sheriff's
Jon Repair	Extension Office

**Financial Report**

Mr. Claytor presented the financial report. The following was recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, MARCH 9, 2009, AT 3:00 P.M.

On motion by Supervisor Comstock, seconded by Supervisor Ford, the Board, by record vote adopted the following appropriation resolutions and payment of bills for the month as follows:

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.....	\$908.00
4-11-22010-7001	Equipment (CA Grant).....	\$1,794.00
4-11-32080-3501	Reim. Fire and Rescue (HazMat).....	\$4,346.00
4-11-32080-5404	Haz-Mat Material & Supplies.....	\$523.00
4-11-43045-5101	Electricity NB.....	\$1,869.00
4-11-43045-5102	Water & Sewer NB.....	\$290.00
4-11-43045-5104	Fuel NB.....	\$1,277.00
4-11-43050-3405	Elevator Maintenance (Combined Court).....	\$775.00

4-11-43050-5201 Telephone (Combined Court).....\$464.00  
 4-11-71015-5404 PreSchool Mtl & Supp (Grant).....\$75.00

**Total General Fund** **\$12,321.00**

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.....\$937.00

**Total Solid Waste/Landfill** **\$937.00**

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:

4-72-80030-3002 Design Fees.....\$3,698.00  
 4-72-80030-3004 HazMat Consulting.....\$425.00  
 4-72-80030-3005 Interior Design.....\$1,187.00  
 4-72-80030-5002 Moving Expense.....\$16,844.00  
 4-72-80030-5003 Reimbursable Expenses.....\$1,243.00  
 4-72-80030-5007 HazMat Monitoring.....\$60.00  
 4-72-80030-6001 Contingency.....\$833.00  
 4-72-80030-7001 Equipment, Furniture & Fixtures.....\$183,453.00  
 4-72-80030-7004 Telephone System.....\$41,748.00  
 4-72-80030-8002 General Construction Contract.....\$310,330.00  
 4-72-80040-5003 Reimbursable Expenses.....\$225.00  
 4-72-80040-6001 Contingency.....\$189.00  
 4-72-80040-8002 General Construction Contract.....\$79,661.00

**Total Construction Courthouse** **\$639,896.00**

**TOTAL APPROPRIATIONS ALL FUNDS** **\$653,154.00**

**Current County**

General Fund.....\$513,981.55  
 SWA/Landfill.....\$22,642.27  
 SWA/Recycling.....\$2,566.05  
 Construction (Courthouse).....\$639,897.87

Employee Benefit.....	\$0.00
Central Stores.....	\$2,374.91
<b>Total County Bills</b>	<b>\$1,181,462.65</b>

<b>Current Fiscal Agent</b>	
Regional Jail.....	\$38,304.01
Partnership.....	\$2,200.56
<b>Total Fiscal Agent</b>	<b>\$40,504.57</b>

<b>TOTAL ALL BILLS</b>	<b>\$1,221,967.22</b>
------------------------	-----------------------

RECORDED VOTE:

AYES: Comstock, Ford, Lewis, Smith, Riegel

NAYS: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

\_\_\_\_\_  
Chairman

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

**Resolution Endorsing Capital Improvements Program 2008-2013**

Supervisor Lewis motioned to approve the Capital Improvements Plan Resolution and Supervisor Ford provided the second. Supervisor Comstock noted the potential for addition of a project placeholder for a possible Fire and Rescue Station located at the old bowling alley site to be considered next year during the CIP review. The following was recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, MARCH 9, 2009

**RESOLUTION TO APPROVE AND ADOPT THE ROCKBRIDGE COUNTY, VIRGINIA, CAPITAL IMPROVEMENTS PROGRAM 2008-2013**

WHEREAS, at the direction of the Board of Supervisors, the Rockbridge County Planning Commission has prepared a capital improvement program based on the comprehensive plan for the ensuing five years; and,

WHEREAS, the Planning Commission held a public hearing on the capital improvement program on December 10, 2008; and,

WHEREAS, the Planning Commission has recommended approval of the capital improvement program to the Board of Supervisors for consideration as the basis for the capital budget for Rockbridge County.

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

1. That the Board of Supervisors hereby approves and adopts the Rockbridge County, Virginia, Capital Improvements Program 2008-2013.
2. That capital improvement priorities and funding shall be determined and established through the Board's budget process for the fiscal year 2009-10, and annually for subsequent fiscal years.
3. That the provisions of this resolution shall be effective on and from the date of its adoption.

Adopted this 9th day of March, 2009.

**ROCKBRIDGE COUNTY BOARD OF SUPERVISORS**

By: \_\_\_\_\_  
Chairman, Board of Supervisors

Attest: \_\_\_\_\_  
Claire A. Collins, Clerk

**Recorded Vote:**

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

**Committee Reports**

Supervisor Comstock reported the Regional Jail Commission met recently and noted the County inmate count rose during the month of February.

**Consent Agenda**

**Approval of Minutes 12/8/08, 1/12/09 and 1/21/09**

Supervisor Lewis made the motion to approve the consent agenda and Supervisor Comstock provided the second. The following was recorded:

Recorded Vote:

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

### **Regional Jail Negotiating Committee Work Plan**

Mr. John Higgins, Regional Jail Superintendent, was present to participate in the Board's discussion of expansion of the existing facility. Ms. Collins had prepared a summary of the recent Regional Jail Negotiating Committee Meeting held February 26<sup>th</sup> which she included in the Board's informational packet. The summary indicated Mr. Higgins provided to the negotiating committee an overview and update of the status of the regional jail particularly regarding the exemption language. The community based correction plan and planning study for the jail had been completed with resolutions before each locality for the planning study to be submitted to the state. Mr. Higgins advised the committee that the state had changed the deadline for submissions of planning studies to June instead of September and his desire for the study to be submitted to be in the state pipeline for funding consideration. Mr. Higgins stressed to the committee that if the planning study was not in the state pipeline the project may not be considered for funding as future state budgets may change state provisions of funding for regional jails and reminded the committee submittal of the planning study does not commit the localities to funding. The timeline before any construction is five years from the time of study submission and Mr. Higgins advised the committee that if resolutions are not adopted by June, there will be no exemption for the jail. Supervisor Comstock motioned to reaffirm the September 10, 2007 resolution adopted by the previous Board of Supervisors and Supervisor Lewis provided the second. Supervisor Ford noted that one of the pre-qualifying conditions for possible funding is that the jail must be operating at 150% capacity in order to obtain 50% funding and questioned whether the project would even be considered since, in recent months, capacity has been much less than the percentage criteria. Mr. Higgins responded, in his opinion, the funding would not be affected by the current capacity levels and stressed that now is the time to apply. The Board discussed the possibility of attaching a cover letter to the submittal advising the Department of Corrections that alternatives are being sought. The following vote was recorded:

Recorded Vote:

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

### **Planning Commission Appointment**

Supervisor Ford noted Mr. Chris Wise had expressed a willingness to continue serving on the commission if the Board so desired.

**Adjourn**

Hearing no further discussion the meeting was adjourned at 10:00 p.m.