

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 MAY 11, 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, DAN GRIM, ROBERT FORESMAN, SHERIFF DAY, DAVID WHITESELL

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. Ms. Collins introduced Ms. Monica Plecker, intern from James Madison University, to the Board and informed Ms. Plecker will be assisting various offices during her six-week internship.

Item(s) to be Added to Agenda

Chairman Riegel called for items to be added but none were offered.

Citizens' Comments

Ms. Jean Clark, Regional Tourism Director, introduced Ms. Debbie Land, new General Manager for the Natural Bridge of Virginia. Ms. Land briefly explained the history of the establishment and highlighted future plans for the facility.

National Weather Service Recognition of County as "StormReady" Community

Mr. Phil Hysell, National Weather Service Warning Coordination Meteorologist, defined the StormReady volunteer program and noted the County was the fifth in the forecast area to meet the guidelines. He presented certificates to Mr. Stan Crigger, Virginia Department of Emergency Management regional representative, and to Mr. Robert Foresman, County Emergency Management Coordinator. Mr. Peter Corrigan, National Weather Service representative, presented to Mr. Foresman ten "Turn Around Don't Drown" signs to be placed in designated areas throughout the County. Mr. Corrigan briefly explained how the program was initiated. The Board thanked the presenters and Mr. Foresman.

Virginia Department of Transportation Report on Draft Six-Year Transportation Plan

Ms. Susan Hammond presented the draft transportation plan and stated the public hearing on this document is scheduled to be held on May 26th. She suggested the Board re-examine keeping the Long Hollow Road project as the priority project because at the end of six years it would still require \$3 million to get the project to construction. The Board spent time reviewing each project.

United States Rural Development Presentation on Rural Business Enterprise Program

Mr. Joe Boatwright and Mr. Kent Ware gave the presentation. They discussed with the Board the purpose of this program and eligible grantees. The USDA loans the money to the locality through a grant, which in turn can be loaned to the businesses.

Appointment of Member to Building Code of Appeals

Supervisor Lewis made the motion to nominate Thomas F. Anderson to be reappointed to the Building Code of Appeals Board and Supervisor Ford provided the second. There being no other nominations, the following was recorded:

Recorded Vote:

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

ABSENT: None

Resolution in Support of Forest Protection

Supervisor Comstock stated this resolution was a follow-up plan to the George Washington National Forest Plan the Board heard at its last meeting and recommended the Board pass the resolution of support. Mr. Mark Miller, Kerrs Creek Magisterial District, spoke in favor of the resolution. Mr. Jerry Deacon, Kerrs Creek Magisterial District expressed his concern about the Wilderness Act and questioned how much wilderness the County needed because of the limitations it puts on the logging industry. Mr. Marvin Tinsley, Amherst County resident, added he does business with local loggers and clarified "suitable acreage". He stated having forestry is rural development and the desire is not to take more land off of the grid than the County has currently. Mr. Tim Goodbar, Kerrs Creek Magisterial District, brought up PILT (Payment in lieu of taxes) and asked the Board not to offer support to the resolution. Mr. Miller responded he has worked on National Forest designations for the last ten years and the intent is to choose mostly "roadless acres" to minimize the impact on the timber industry. He added he did not believe timber harvest would be affected by this particular resolution. Mr. Miller continued by stating Whites Peak is the only area that could have an impact on the industry because it is currently not a "roadless area" but nothing has been harvested there for many years. He stated he saw no reason to pit timber sales against forest management. Mr. Miller clarified "wilderness" designation is a permanent Congressional designation and is akin to a conservation easement. Ms. Laura Neale, South River District, stated she felt all three districts were good candidates for the proposed designation and could be marketed to attract tourism. After some Board discussion, Supervisor Comstock made the motion to adopt the resolution with the removal of Whites Peak area and Supervisor Lewis provided the second. After a short discussion, Supervisor Comstock withdrew the motion and Supervisor Lewis concurred. Staff will follow up by contacting the United States Forest Service to determine how much land in the proposed designation is deemed "suitable acreage" and staff will also further examine PILT issue.

Discussion Item(s)

Group to Work with National Boy Scouts of America Representatives

Chairman Riegel stated he had received a request for a group to be formed to work with the National Boy Scouts of America representatives to help with issues in the due diligence process to determine the feasibility of the conceptual plans for land in Goshen. This request prompted a Board discussion on if a work group should be established. Supervisor Lewis noted six categories/issues that need to be addressed: 1) water; 2) waste management; 3) Merriweather Dam management; 4) transportation; 5) environmental concerns; and 6) economic contributions / feasibility. If a group was formed he felt these issues should be focused on and adequately addressed. Ms. Collins added the request's intent is to engage the public in the planning process. She cautioned those present to keep an open mind and noted there was a lot of confusion and hearsay circulating throughout the community. Supervisor Ford felt the Board was being bombarded and a cohesive plan from the BSA was pertinent. Ms. Collins explained the status of the project and stressed the Capital Council statements do not reflect the opinions of the National Boy Scouts of America as they are separate entities. Mr. Isaac Manning and Mr. Jack Furst are the current representatives from the National Boy Scouts and are the representatives to communicate with. Supervisor Ford commented the Horse Center project was a prime example of a well funded national organization saying they did not know what they wanted and reminded everyone of the uphill battle the County faced in bringing this project to fruition. Supervisor Lewis responded he felt the BSA approach is different and should not be compared with the Horse Center. He suggested the Board members bring names of individuals they felt should be included in the working group to the next meeting. Chairman Riegel concurred and added each should supply a short list of objective individuals. Supervisor Ford questioned the need for a committee formation and Mr. Crickenberger agreed by stating to form a committee would give the impression the County would facilitate the project. Ms. Collins shared her experience of attending, over the weekend, a "green five day event" which had no negative impact on the surrounding areas. Supervisor Smith noted he would not decide on the matter until a business plan is presented to the Board and Supervisor Comstock announced that a formal application could be at least a year away. Supervisor Comstock suggested this discussion be continued at the next regularly scheduled Board meeting (a public forum sponsored by RACC will have taken place in the meantime). A short discussion ensued on the definition of a working group and what its charge would be. Chairman Riegel proposed the Board members prepare a short list on nominees for the next meeting, if so desired.

Status and Future Action regarding Moore's Creek

Ms. Huffman briefed the Board on the status of the Moore's Creek legal issue since the judge's ruling on this case was handed down. Since the County's interpretation on the matter received the favorable ruling, the City of Lexington has requested to enter into negotiations with the County to determine if an agreement can be reached on the future of the reservoir without involving further court involvement. Supervisor Comstock motioned to respond to the City's request by appointing a

negotiating team consisting of the Chairman Riegel, Ms. Collins and Ms. Huffman to meet with City representatives and Supervisor Lewis provided the second:

Recorded Vote:

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

ABSENT: None

Draft Decal Ordinance

Ms. Huffman explained the purpose of the proposed ordinance and noted the draft does not include the exemption for Fire and Rescue members because the issue of the individual departments having uniform standards is still being examined by the Regional Fire and Rescue Committee. Supervisor Ford questioned if the County is currently overcharging for motorcycle licenses and Ms. Huffman affirmatively responded. Supervisor Comstock suggested the replacement or duplication fee be equal to first issue fee. Supervisor Smith motioned to set the draft ordinance for public hearing at the May 26th Board meeting and Supervisor Ford provided the second. Further discussion ensued on what date the decal deadline should fall and whether it should align with collection date of personal property tax. Both Supervisors Smith and Ford withdrew the motion. Ms. Huffman will bring back to the Board a revised ordinance based on the input she received during this discussion.

Economic Development

Chairman Riegel started this discussion by stating the purpose for this agenda item would be to initiate consideration about what type of development the County would like to entice and to determine whether there is consensus among the Board where emphasis should be focused. Supervisor Ford questioned why the Board would limit themselves to specific sector and Chairman Riegel responded the County only has limited resources at this time for economic development. Chairman Riegel stated he felt that diversity should be the key and preferably through attracting small businesses and “green” businesses. Supervisor Comstock suggested, since the County is in transition relative to economic development, to focus on the agricultural development possibilities and the sustainability center. Mr. Claytor offered the Board might focus on working closely with the surrounding community colleges and align focus on workforce investment development. Supervisor Smith stressed the sector the County focuses on attracting must have a positive impact on the quality of life for the area residents. Economic development will be a continuing Board discussion during the future meetings.

Establish and Authorize the Annual Salary of the Members of the Board

Ms. Huffman explained the Board is required to address this matter annually after holding a public hearing. The draft ordinance provided to the Board is unchanged from last year (annual salary established at the maximum of \$5,500, with the additional annual salary of \$1,800 to the Chairman and \$1,200 to the Vice-Chairman). Supervisor Comstock made the motion to schedule the matter for public hearing for the May 26th Board meeting and Supervisor Smith provided the second. The following was recorded:

Recorded Vote:

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

ABSENT: None

Financial Report

Mr. Claytor presented the proposed school appropriations for the month. After review, Supervisor Lewis made the motion to approve the school Appropriation Resolution and Supervisor Ford provided the second. 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, MAY 11, 2009 AT 3:00 P. M.

On motion by Supervisor Lewis, seconded by Supervisor Ford, the Board, by record vote adopted the following appropriation resolutions:

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations is, and the same hereby is made, for the period ending **June 30, 2009** in the SCHOOL **FUND** and expended as follows (These appropriations were not included in the appropriation of the FY 2009 School Fund budget):

Forest Reserve

4-50-62121-5800-910 Superintendent Misc.....**\$72,662.00**

FY 2008 Title IIA

4-50-61100-1121-100-910-721 Salary Teachers.....\$2.87

4-50-61100-2100-100-910-721 FICA.....\$360.88

Total

\$363.75

Learn and Serve

4-50-61100-3160-100-910-736 Purchased Services.....**\$737.96**

FY 2009 Title IIA

4-50-61100-3160-100-910-741 Purchased Services.....**\$2,501.37**

FY 2009 Title IID

4-50-61100-3160-100-910-742 Purchased Services.....\$22.66

4-50-68100-6030-100-910-742 Materials & Supplies.....\$67.97

Total

\$90.63

TOTAL APPROPRIATIONS FUND 50 \$76,355.71

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation be, and the same hereby is made, for the period ending **June 30, 2009** in the SCHOOL **FOOD SERVICE FUND (Fund 56)** and expended as follows (These appropriations were not included in the appropriation of the FY 2009 School Food Service Fund budget):

4-056-65100-8101-990 Capital Outlay Replacement.....**\$15,898.72**

TOTAL APPROPRIATIONS FUND 56 \$15,898.72

RECORDED VOTE:

AYES: Lewis, Ford, Comstock, Smith, Riegel

NAYS: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

R. Hunt Riegel
Chairman

Attest: _____
County Administrator

Mr. Claytor went over several County bills to provide clarification and answered questions fielded from the Board relative to the bills. After a brief discussion prompted by Supervisor Smith on the costs of the most recent Tire Amnesty Day, 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, MAY 11, 2009, AT 3:00 P.M.

On motion by Supervisor Ford, seconded by Supervisor Comstock, 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:

4-11-11010-5504	Travel Board of Supervisors.....	\$500.00
4-11-12020-5504	Travel County Administrator.....	\$405.00
4-11-31020-7005	Police Equipment(Emerg. Mgt. Grant).....	\$2,217.00
4-11-32080-5404	Haz-Mat Material & Supplies.....	\$65.00
4-11-43040-5101	Electricity NB Property.....	\$2,089.00
4-11-43040-5104	Fuel NB Property.....	\$241.00
4-11-53010-3901	Fees (Court Appt. Legal).....	\$600.00
4-11-71015-5404	PreSchool Matl. & Supp (Grant).....	\$1,653.00
Total General Fund		\$7,770.00

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 (FUND 20)** and expended as follows:

4-20-42050-0100	Waste water Treatment Charges.....	\$8,778.00
-----------------	------------------------------------	-------------------

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:

4-72-80030-5003	Reimbursable Expenses.....	\$388.00
4-72-80030-5004	Spec. Insp. and Test.....	\$210.00
4-72-80030-6001	Contingency.....	\$49.00
4-72-80030-7001	Equipment, Furniture & Fixtures.....	\$10,849.00
4-72-80030-8002	Construction Contract.....	\$964,572.00
4-72-80040-5003	Reimbursable Expenses.....	\$78.00
4-72-80040-5004	Spec. Insp. and Test.....	\$66.00
4-72-80040-8002	Construction Contract.....	\$245,626.00
Total Construction Courthouse		\$1,221,838.00

TOTAL APPROPRIATIONS ALL FUNDS **\$1,238,386.00**

Current County

General Fund.....\$365,338.32
SWA/Landfill.....\$26,173.33
SWA/Recycling.....\$28,857.47
Construction (Courthouse).....\$1,221,837.61
Employee Benefit.....\$0.00
Central Stores.....\$5,500.00

Total County Bills **\$1,647,706.73**

Current Fiscal Agent

Regional Jail.....\$47,652.42
Partnership.....\$1,248.06

Total Fiscal Agent **\$48,900.48**

TOTAL ALL BILLS **\$1,696,607.21**

RECORDED VOTE:

AYES: Ford, Comstock, Lewis, Smith, Riegel

NAYS: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

—

R. Hunt Riegel
Chairman

Attest: _____
County Administrator

Mr. Claytor asked for and obtained the Board consensus to transfer the remaining funds leftover in the Courthouse Construction line item into a restricted account for Industrial Properties.

Committee and Board Member Activity Reports

Due to time constraints, the Board passed over this agenda item.

Staff Reports

Rockbridge Public Transportation Project

Supervisor Comstock informed the Board the Rockbridge Regional Transportation System (RATS) has taken charge of this project in conjunction with the two Cities and the County. Ms. Collins gave a summary of the discussion held at the

most recent meeting where representatives from RATS, both Cities and the County were in attendance discussing this topic.

Solid Waste Collection Sites Update

Mr. Claytor went over the list of sites being considered by the Collection Committee. The Committee continues to explore all the possible options for collection site designation. After a brief discussion, Supervisor Lewis made the motion to proceed with the development of a convenience center site on the property the County owns near the Regional Jail and Supervisor Smith provided the second. The following was recorded:

Recorded Vote:

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

Consent Agenda

Approval of Minutes 2/09, 2/23, 3/2 and 3/3/09 meetings

Host Intergovernmental Meeting/Dinner June 24th at 6:00 P.M. Virginia Horse Center

Supervisor Ford pointed out two last name spellings that were incorrect in minutes and then made the motion to approve the consent agenda as amended and Supervisor Comstock provided the second. The following was recorded:

Recorded Vote:

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

Adjourn / Continue

Hearing no further discussion, the meeting was adjourned at 7:50 p.m.