

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY VIRGINIA, HELD IN THE BOARD ROOM OF THE COUNTY ADMINISTRATIVE OFFICE BUILDING, 150 SOUTH MAIN STREET LEXINGTON, VIRGINIA ON MONDAY, SEPTEMBER 14, 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: JEREMY GARRETT, DAVID WHITESELL, JON REPAIR, ROBERT FORESMAN, JOANNE MOORE

Call to Order, Invocation and Pledge of Allegiance

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

Item(s) to be Added to the Agenda

Supervisor Smith added a discussion concerning the bowling alley property.

Citizens' Comments

Ms. JoEllen Parrent, Buffalo Magisterial District resident and manager of Rockbridge Farmers' Market, reported the market offered a good selection of produce, meats, eggs, crafts and other varied items(started out week one with eight vendors and has since grown to twenty). She added the market is very being well received by the community/visitors and will continue through the end of October.

Ms. Patte Wood, Walkers Creek Magisterial District resident, voiced her concern relative to the new convenience center site near the regional jail and the inability for residents to use the facility on Sundays as they have been able to with a green box site because the center will be closed and gated.

Announcement of Ground Ambulance (ALS) Licensure for Kerrs Creek Volunteer Fire Department

After explaining the procedures for ALS Licensure, Supervisor Ford called upon Mr. Tim Goodbar, Kerrs Creek Volunteer Fire Department representative, to speak to the fire department's request for funding for the purchase of a new ALS vehicle. Mr. Goodbar stated KCFD applied for a 80/20 grant for the new unit and if awarded, would receive \$90,000. The estimated cost of a new unit is \$130,000. Mr. Goodbar stated the original request for funding was for the same amount as Effinger VFD received. Supervisor Ford noted that County assistance with acquisition of the new unit is a one-time occurrence and that future funding requests will come as recommendations of the Fire and Rescue Commission; therefore what the Board does this year is not binding in the future. Mr. Claytor also noted in the past the County has recommended tax-exempt funding. Supervisor Comstock questioned why the Rockbridge Emergency Response Group was not in attendance to support this request and Mr. Goodbar responded that RERG does not meet for another two weeks. Supervisor Ford moved to support the Kerrs Creek Fire Department in its' financing efforts for the new unit by directing Mr. Claytor to work with the Fire Department and assist in getting a favorable interest rate.

Supervisor Smith provided the second. Supervisor Comstock stated he felt the Board should not have departments coming in piecemeal to get funding; rather the requests should be processed through the Fire and Rescue Committee and Commission when created to come as recommendations from such body. The following was recorded:

Recorded Vote

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

Appointment of Member to Regional Industrial Development Authority

This item was set over to the next meeting.

Presentation of VACo 2009 Achievement Award to Rockbridge Area Prevention Coalition

Mr. Jim Campbell of VACo presented the Achievement Award to the representatives of the Prevention Coalition.

Resolution Opposing Proposed Amendments to the Virginia Stormwater Management Program (VSMP)

Mr. Jeremy Garrett, Director of Erosion and Sediment, spoke to the resolution and explained the rationale behind the opposition. The Board directed Ms. Collins to make necessary amendments to the resolution per their discussion. Supervisor Comstock moved to approve the Resolution as amended and Supervisor Lewis provided the second. The following was recorded:

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RESOLUTION OPPOSING PROPOSED STORMWATER MANAGEMENT REGULATIONS

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia is committed to protecting the land and waters of Rockbridge County from degradation by stormwater runoff and recognizes its responsibility to the watersheds of our Commonwealth; and

WHEREAS, the State's proposed new stormwater standards constitute another unfunded mandate which would place an increased financial burden on already fiscally stressed localities in our Commonwealth; and

WHEREAS, Rockbridge County requests additional evaluation of the full impact of this standard prior to implementation of these proposed regulations; and

WHEREAS, the proposed regulation will further promote urban sprawl as land developers seek out larger lots, since the proposed standard can be more easily achieved on less intensively developed properties.

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

1. The County of Rockbridge strongly recommends that the regulation, as proposed, not be adopted; rather the standards should be more thoroughly studied and more realistic standards adopted.

2. That Rockbridge County requests that the Commonwealth of Virginia provide funding assistance to all localities for the development of comprehensive stormwater programs.
3. That a copy of this Resolution opposing this unfunded mandate be sent to Governor Timothy Kaine, Senators Deeds and Hanger, Delegate Cline, the Secretary of Natural Resources, the Director of the Virginia Department of Conservation and Recreation and the Virginia Association of Counties.

Recorded Vote:

Ayes: R. Hunt Riegel, Mack R. Smith, Carroll R. Comstock, Rusty S. Ford, Albert W. Lewis, Jr.
Nays: None
Absent: None

R. Hunt Riegel
R. Hunt Riegel, Chairman

Attest: Claire A. Collins
County Administrator

ORIGINAL ON FILE IN OFFICE OF CLERK TO BOARD OF SUPERVISORS

Resolution Regarding Natural Bridge Juvenile Correctional Center Closure

Ms. Collins presented the resolution. After some discussion about the exact number of full time employees that would be affected by the closing, Supervisor Lewis moved to adopt the resolution and Supervisor Ford provided the second. The Board noted that at the discretion of the County Administrator the language of the resolution be advised and designation of 100 full time employees be added. The following was recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING ON MONDAY, SEPTEMBER 14, 2009

RESOLUTION REGARDING NATURAL BRIDGE JUVENILE
CORRECTIONAL CENTER CLOSURE

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia understands the impact of reduced consumer confidence, job losses, and housing market declines that exist throughout the Commonwealth of Virginia and here within the County; and

WHEREAS, the State's FY 2010 Reduction Plan released by Governor Kaine on September 8, 2009 has significant impact on all of Virginia and the County of Rockbridge in the level and quality of services to be provided in the future; and

WHEREAS, page 48 of the Reduction Plan includes the closure of the Natural Bridge Juvenile Correctional Center and relocates the juveniles housed there to other facilities for a General Fund reduction of \$1,171,317 with layoffs of 68 employees; and

WHEREAS, the County has been notified that the facility currently has more than 100 FTEs consisting of 76 full time and 5 part-time employees at the Center, 2 full time at the Behavioral Services Unit, 19 full time and 1

part-time at the Center high school and 2 full service part-time housing 69 male juveniles with an efficient recidivism rate in comparison to the other six centers in the state; and

WHEREAS, the Center is a model for transitioning juvenile population into community with the male juveniles employed in businesses throughout the region, attending community events and providing services to residents of the community; and

WHEREAS, the universities and colleges (Washington & Lee, Liberty University and Southern Virginia University) partner with the Center to provide services through college students in the region volunteering and mentoring the Center's juvenile population; and

WHEREAS, the Center is called the "Gem" of the Virginia Department of Juvenile Justice and is a role model for other facilities to follow and even for dealing with at-risk juvenile males; and

WHEREAS, the impact on the community is far greater than just economic with the planned closure and layoffs being more than what is reported in the Reduction Plan further adding to the already high unemployment rate and adversely impacting the economic sustainability of the community as well as degrade the community of viable and efficient service from the Center being located here.

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

4. The County of Rockbridge requests that the Commonwealth of Virginia reconsider the closure and layoffs with officials of the State and County working together in partnership to develop an innovative and creative plan for the facility to be operational to avoid employee layoffs.
5. Further, the County of Rockbridge opposes the closure and seeks ideas and ways to overcome closure in reuse or new uses for the facility for maintaining and/or creating jobs.
6. That the members of the Virginia General Assembly take the option available to them to review and amend the Reduction Plan as they have authority to do, particularly with closing of correctional facilities.
7. That a copy of this Resolution concerning closure of the Natural Bridge Juvenile Correctional Center be sent to Governor Timothy Kaine, Senators Deeds and Hanger, Delegate Cline, the Secretary of Public Safety, and the Director of the Virginia Department of Juvenile Justice in hopes that a solution to this planned closure be addressed with jobs retained in partnership between the State and County.

Recorded Vote:

Ayes: R. Hunt Riegel, Mack R. Smith, Carroll R. Comstock, Rusty S. Ford, Albert W. Lewis, Jr.

Nays: None

Absent:None

R. Hunt Riegel_____
R. Hunt Riegel, Chairman

Attest: Claire A. Collins_____
County Administrator

ORIGINAL ON FILE IN OFFICE OF CLERK TO BOARD OF SUPERVISORS

Ordinance to Revise Code to Regulate Barking Dogs

Ms. Huffman spoke to the proposed ordinance which the Board had previously directed her to draft after a complaint was heard during the citizens' comment segment of a prior meeting. Supervisor Lewis questioned whether the ordinance was consistent with the Cities of Lexington and Buena Vista provisions to which Ms. Huffman responded she would check with Buena Vista but knew of its consistency with Lexington. The Board deferred action on this item and asked Ms. Huffman to incorporate/convert to the noise ordinance.

Ordinance to Eliminate the Requirement to File an Annual Personal Property Tax Return After Original Filing

After considerable discussion with Mr. Whitesell and Ms. Huffman, the consensus of the Board was to impose a late filing penalty of \$15.00 in lieu of 10% of the tax assessable. Supervisor Smith moved to take this ordinance to public hearing on September 28th and Supervisor Ford provided the second. The motion carried by the following unanimous vote:

Recorded Vote

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

Report on Wayfinding Signage Program and GeoCaching Project

Ms. Jean Clark, Rockbridge Regional Tourism Director, gave the status of the wayfinding signage program and indicated reapplication would be the next step to complete the project. She also highlighted Phase I of the GeoCaching Project which would encourage tourists to come off the Blue Ridge Parkway to visit area attractions. Ms. Clark mentioned the increased efforts being made to encourage use of Boxerwood Gardens as an added educational tool for the schools.

Financial Report

Mr. Claytor presented the financial report and fielded questions from the Board. Discussion ensued on how the County would be impacted by the most recent cuts made by the Governor. Supervisor Smith moved to approve the school Appropriations Resolution and Supervisor Lewis 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, SEPTEMBER 14, 2009 AT 3:00 P. M.

On motion by Supervisor Smith, seconded by Supervisor Lewis, 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, 2010** in the **SCHOOL FUND** and expended as follows:

(These appropriations are for grants not included in the FY 2010 School Fund budget):

Carl Perkins - 2009

4-050-61100-5800-910-300-770	Miscellaneous.....	\$7,331.00
4-050-68100-8210-910-300-770	Capital Outlay.....	<u>\$42,619.65</u>
	Total	\$49,950.65

Title IV B, 21st Century - 2009, FES

4-050-61000-2100-910-100-771	FICA.....	\$5,931.81
4-050-61100-1130-910-100-771	Coordinator Salary.....	\$17,000.00
4-050-61100-1322-910-100-771	Other Stipends.....	\$13,540.00
4-050-61100-1621-910-100-771	Teacher Stipends.....	\$47,000.00
4-050-61100-3160-910-100-771	Purchased Services.....	\$39,500.00
4-050-61100-5510-910-100-771	Mileage.....	\$3,500.00
4-050-61100-5540-910-100-771	Travel.....	\$5,500.00
4-050-61100-5800-910-100-771	Miscellaneous.....	\$1,999.00
4-050-61100-6013-910-100-771	Materials & Supplies.....	\$45,313.83
4-050-62150-1130-910-100-771	Grant Administrator.....	\$3,325.00
4-050-62150-2100-910-100-771	FICA.....	<u>\$254.36</u>
	Total	\$182,684.00

Title I 1003(a) School Improvement - 2009

4-050-61000-2100-910-100-772	FICA.....	\$3,350.30
4-050-61000-2210-910-100-772	VRS.....	\$6,048.06
4-050-61000-2300-910-100-772	HMP.....	\$7,005.42
4-050-61000-2400-910-100-772	GLI.....	\$345.98
4-050-61000-2500-910-100-772	RHIC.....	\$455.47
4-050-61100-1121-910-100-772	Salary Teachers.....	\$33,465.91
5-050-61100-1151-910-100-772	Salary Aide.....	<u>\$10,328.87</u>
	Total	\$61,000.00

Title I 1003(g) School Improvement - 2009

4-050-61000-2100-910-100-773	FICA.....	\$3,471.95
4-050-61000-2210-910-100-773	VRS.....	\$6,267.67
4-050-61000-2400-910-100-773	GLI.....	\$358.54
4-050-61000-2500-910-100-773	RHIC.....	\$472.00
4-050-61100-1121-910-100-773	Salary Teachers.....	\$45,385.00
4-050-61100-3160-910-100-773	Purchased Services.....	\$9,360.00
4-050-61100-5540-910-100-773	Travel.....	\$2,000.00
4-050-61100-6013-910-100-773	Materials & Supplies.....	<u>\$37,564.74</u>
	Total	\$104,879.90

IDEA - ARRA Part B Section 611 - 2009

4-050-61000-2100-910-200-774	FICA.....	\$17,864.72
4-050-61000-2210-910-200-774	VRS.....	\$32,249.91

4-050-61000-2300-910-200-774	HMP.....	\$26,328.55
4-050-61000-2400-910-200-774	GLI.....	\$1,844.85
4-050-61000-2500-910-200-774	RHIC.....	\$2,428.67
4-050-61100-1121-910-200-774	Salary Teachers.....	\$233,525.80
5-050-61100-8201-910-100-774	Capital Outlay.....	\$18,302.49
	Total	\$332,545.00

(These appropriations are from the School Restricted Cash Account and are for capital projects)

4-050-66200-8101-915	Capital Outlay.....	\$98,211.00
	Grand Total	\$829,449.65

RECORDED VOTE:

AYES: Smith, Lewis, Comstock, Ford, Riegel

NAYS: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

R. Hunt Riegel
Chairman

Attest: _____
County Administrator

Supervisor Smith moved to approve the County Appropriations Resolution and payment of monthly bills. The second was provided by Supervisor Ford. Staff was asked to make sure the NBHS property is designated to receiving government electricity rates where applicable. The following was recorded:

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On motion by Supervisor Smith 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, 2010**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as

follows:

4-11-21010-5402 Technology Trust Fund (Clerk Circuit Ct.)	\$496.00
4-11-32040-3901 State Forest Fire Extinction	\$3,831.00
4-11-43045-3404 Repairs Bldg & Grounds NB	\$600.00
4-11-43045-5101 Electricity	\$1,855.00
4-11-53010-3901 Fees (Public Defender)	\$600.00
4-11-92010-5820 Grant Refund	\$61.00
4-11-99010-6501 Transfer To Schools	\$98,211.00
(Note: Funds for the school transfer are from School Restricted Cash Account. This completes school appropriation in account 4-50-66200-8101-915 approved by the Board of Supervisors on September 14, 2009)	
Total General Fund	\$105,654.00

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, 2010**, from the UNAPPROPRIATED SURPLUS of the **SOLID WASTE, LANDFILL FUND** and expended as follows:

4-20-42080-7002 Construction of Convenience Centers	\$17,649.00
Total Solid Waste	\$17,649.00

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, 2010**, from the UNAPPROPRIATED SURPLUS of the **CONSTRUCTION FUND (COURTHOUSE)** and expended as follows:

4-72-80030-6001 Contingency	\$2,289.00
Total Construction Courthouse	\$2,289.00

TOTAL APPROPRIATIONS ALL FUNDS **\$27,381.00**

Current County

General Fund	\$555,836.27
SWA/Landfill	\$28,865.85
SWA/Recycling	\$21,321.92
Construction (Courthouse)	\$2,288.62
Central Stores	\$3,533.96

Total County Bills **\$611,846.62**

Current Fiscal Agent

Regional Jail	\$34,123.79
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Partnership.....	\$2,850.83
CSA Administration.....	\$741.29
Total Fiscal Agent	\$37,715.91

TOTAL ALL BILLS **\$649,562.53**

RECORDED VOTE:
 AYES: Smith, Ford, Comstock, Lewis, Riegel
 NAYS: None
 ABSENT DURING VOTE: None
 ABSENT DURING MEETING:None

 R. Hunt Riegel
 Chairman

Attest: _____
 County Administrator

Staff Reports

County Extension Office

Mr. Jon Repair, Extension Agent, explained the \$140,000.00 budget cut out of the USDA funded coyote control program and how the County would be impacted by loss of trappers. He also went over other areas of control that would be affected by the funding cut.

Regional Emergency Operations Plan

Mr. Robert Foresman, Emergency Management Coordinator, relayed the discussions the area emergency management coordinators have had with the Virginia Department of Emergency Management relative to the possibility of creation of a regional Emergency Operations Plan that will serve as the basis for emergency response in the area. The idea is that the basic plan and the emergency support functions would be the same for all involved and then sections would be added for each locality with the appropriate contact numbers for resources needed during an emergency, whether it is an isolated incident that affects one locality or a regional incident. Mr. Foresman stated the state has been very supportive of the idea and the projected date for completion of the plan is late spring 2010.

Personnel Management Plan Policy

Ms. Collins presented the draft personnel management plan policy for cost reductions with revenue declines. The policy would be implemented on a step-by-step basis when the County experience revenue reductions for which there is no mechanism in place to enhance revenues. It was noted that some localities have implemented a percentage decrease in salaries across the board rather than opting for furloughs. Supervisor Smith moved to adopt the personnel management plan as presented and Supervisor Comstock provided the second. The motion carried by the following unanimous vote:

Recorded Vote

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

ABSENT: None

COUNTY OF ROCKBRIDGE, VIRGINIA

PERSONNEL MANAGEMENT PLAN POLICY
FOR COST REDUCTIONS WITH REVENUE DECLINES

When the County experiences revenue reductions for which there is no mechanism in place to enhance revenues, the following personnel management plan will be implemented on a step-by-step basis:

- 1) **Hiring freeze with no consideration or creation of new positions;**
- 2) **Vacant jobs remain unfilled with responsibilities and workload assumed by existing staff;**
- 3) **Salaries frozen with no pay increases;**
- 4) **Employees near retirement to be encouraged to retire;**
- 5) **Organizational structure to be redefined;**
- 6) **Across the board furloughs to occur; and**
- 7) **Layoffs of employees on a temporary or permanent basis occur with selection for layoffs handled in a fair and consistent manner.**

Decisions to downsize the workforce are to be based on job-related criteria with efforts made to retain employees whose positions and competencies are central to the County's mission while protecting seniority rights of employees.

Adopted by the Board of Supervisors on September 14, 2009

Committee / Board Activity Reports

Fire and Rescue Committee

Supervisor Ford reported the Commission draft agreement had been completed for review. The committee discussed issuance of a request for proposals for uniform fee for services schedule and the next task is to engage and determine interest of Buena Vista to participate. At this time, Lexington has declined to participate but asked language be added in the request for proposals to allow for future involvement. The Committee is scheduled to meet again on October 21st.

Agricultural Center Committee

Supervisor Smith stated the Committee recently visited three potential sites (bowling alley property, the Horse Center, and a privately owned parcel) for the proposed center. The committee anticipates having a draft mission statement for consideration by next month. Supervisor Smith noted the USDA is encouraging establishing a community facility.

Natural Bridge Gym Steering Committee

Chairman Riegel announced the Committee is considering holding another fundraising event since the Open House was so successful. The Committee will be asked to submit an update report to the Board.

Regional Jail Commission

Supervisor Comstock gave the most recent number of inmates being housed at the jail. Mosley Architects was contracted to provide a cost analysis of a scaled down version of expansion and should be completed by the end of November. The Jail Expansion Negotiating Committee continues to work on Authority issues.

Regional Transportation Committee

Ms. Collins stated the Committee met last week with Virginia Rural Transit and is moving forward with developing proposed route, seeking partner participation and exploring potential avenues to obtain funding.

E-911 Management Board

The Board met on September 3rd and Ms. Collins reported the major point of discussion was the South Tower problematic issues and exploring possible alternatives such as relocation of facilities and using a single frequency page and alert system. It was noted that Alert Rockbridge will have to be explored as a back-up plan.

Emergency Water Supply Committee

Chairman Riegel reported the Committee invited Dick Trandel and Fritz VanderLeeden to help identify potential options. The next meeting of the Committee is scheduled for October 6th.

Consent Agenda

Schedule Public Hearing for City of Lexington Sidewalk Easement Request

Supervisor Comstock moved to schedule the public hearing for September 28th and Supervisor Ford provided the second. The motion carried by the following vote:

Recorded Vote

AYES: Comstock, Ford, Smith, Lewis, Riegel

NAYES: None

ABSENT: None

Discussion of Bowling Alley Property

Supervisor Smith called attention to a number of issues concerning the condition of the building and property. Ms. Collins was directed to meet with appropriate staff members to address these problems.

Adjourn / Continue

Hearing no further discussion the meeting was adjourned at 7:30 p.m.