

**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, NOVEMBER 23, 2009 AT 6:00 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, CHRIS SLAYDON, PENNI MCMICHAEL, ROBERT FORESMAN, TOM HIGGINS

**Call to Order**

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 discussion of a landfill/trash issue.

**Citizens' Comments**

Mr. Bernard Goodbar, Kerrs Creek Magisterial District resident, distributed to the Board a budget proposal for FY 2011 requesting \$11,250 for County's equitable share of support for a Shenandoah Valley Regional Agricultural Economic Development Coordinator position. Mr. Goodbar stressed this was a draft document but wanted to provide the Board with the information.

Mr. John Gunner, Buffalo Creek District resident, questioned if there was any progress on meeting with Buck Hartwell as was suggested at the last meeting. Mr. Gunner offered facilitating the meeting if the Board is interested.

Ms. Patte Wood requested installation of an amplification system in the Extension Office meeting room upstairs since so many meetings are being held there.

**Presentation by Draper Aden Associates on Active Gas Extraction and Flaring System for Landfill**

Mr. Jeff Crate noted DAA did submit the grant application on time. The State is so overwhelmed at this point that he cannot find out how many applications were filled but the agency is still planning to give award status on December 15<sup>th</sup> but it is anticipated the announcements may come after the holidays.

The presentation was turned over to Mr. Don Markovich gave an overview of the concept of a blower flare station as well as fielded questions from the Board.

**Resolution of Support for VMI Grant Application to Make Improvements to the Chessie Trail**

Mr. Crickenberger spoke to the resolution. Supervisor Ford questioned where funding would come from for this project and Mr. Crickenberger was able to provide the funding details. It was pointed out that "County" was misspelled in the body of the resolution and that the first **FURTHER** was not needed. Supervisor Lewis moved to adopt the Resolution as amended and Supervisor Ford provided the second. Supervisor Smith started a discussion of the possibility of VMI providing

easements for future utilities. Mr. Crickenberger stated he would pass along the comment. The motion carried by the following unanimous roll call vote:

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

**Announce of VBOCA 2009 President’s Award for Excellence**

Chairman Riegel recognized County Administrator, Claire Collins, as the recipient of this award.

**Appointment to Public Service Authority**

Supervisor Lewis moved to nominate Mr. Rick Mast to the Public Service Authority and Supervisor Smith provided the second. There were no other nominations. The motion carried by the following unanimous roll call vote:

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

**Appointment to Upper James River Resource Conservation & Development Council**

Supervisor Lewis moved to nominate Mr. Jerry Jackson as an at large member to the Upper James River C&D Council and Supervisor Smith provided the second. The motion carried by the following unanimous vote:

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

Supervisor Ford moved to nominate Bernard Goodbar as an at large member to the Upper James River Resource C&D Council and Supervisor Lewis provided the second. The motion carried by the following unanimous vote:

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

In order to clarify the duties of the Council, staff was directed to invite a representative of the UJRRC&DC to attend the next meeting of the Board of Supervisors.

**Public Hearing**

**Concurrent Resolution Creating The Rockbridge Regional Fire and Rescue Commission**

Ms. Huffman gave a summary of information relative to the proposed concurrent resolution. The Board had no questions for Ms. Huffman. Chairman Riegel called for public comment but none was offered. After expressing his appreciation of the work the Fire and Rescue Committee had done,

Supervisor Smith moved to adopt the Concurrent Resolution and Supervisor Ford provided the second. Supervisor Ford recognized and thanked Ms. Koogler for all her work on the committee. The motion carried by the following unanimous roll call vote:

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

**CONCURRENT RESOLUTION CREATING  
THE ROCKBRIDGE REGIONAL FIRE AND RESCUE COMMISSION**

**WHEREAS**, the undersigned governing bodies of the creating political subdivisions have determined that the formation of a Fire and Rescue Commission for the Rockbridge region is necessary to improve relations and communication between the emergency services organizations and the Localities; and,

**WHEREAS**, such governing bodies have further determined that joint action through a Regional Fire and Rescue Commission will improve the provision of fire and rescue services throughout the region for the benefit of all residents.

**NOW THEREFORE**, the below named localities of the Commonwealth of Virginia hereby adopt this concurrent resolution and hereby **RESOLVE** to create "The Rockbridge Regional Fire and Rescue Commission" pursuant to the following agreement:

**ROCKBRIDGE REGIONAL  
FIRE AND RESCUE COMMISSION**

THIS AGREEMENT made and entered into with an effective date of January 1, 2010, by and between the BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, a political subdivision of the Commonwealth of Virginia, (the "County"); the CITY COUNCIL OF THE CITY OF LEXINGTON, a municipal corporation, ("Lexington"); the CITY COUNCIL OF THE CITY OF BUENA VISTA, a municipal corporation, ("Buena Vista"), also collectively referred to herein as the "Local Governments or the Localities."

**WITNESSETH:**

WHEREAS, representatives of the parties to this agreement have worked together through formation of a Fire and Rescue Committee (the "Committee") to improve relations and communication between the emergency services organizations and the Localities, and to provide improved emergency services to the citizens throughout the Rockbridge region; and,

WHEREAS, the Committee has recommended formation of a regional Fire and Rescue Commission (the "Commission") with the goal of improving the provision of fire and rescue services throughout the region for the benefit of all residents; and,

WHEREAS, the Committee has prepared a recommended Mission Statement for the Rockbridge Regional Fire and Rescue Commission, a copy of which is attached hereto as Exhibit A; and,

WHEREAS, each of the parties hereto has approved and endorsed the Mission Statement; and,

WHEREAS, the parties hereto have entered into this agreement to establish the Rockbridge Regional Fire and Rescue Commission and to approve the responsibilities and duties of the Commission.

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto and to the citizens of Rockbridge County, the City of Lexington and the City of Buena Vista, the receipt and adequacy of which are hereby acknowledged, the parties to this agreement hereby agree to the following terms and conditions:

I. Formation of the Commission.

A. Established; composition. The commission is established as the Rockbridge Regional Fire and Rescue Commission. The Commission shall consist of the following nine (9) members for staggered initial terms, to avoid the simultaneous expiration of the terms of a majority of the members, and thereafter for four (4) year terms. Any appointees to the commission may be removed, with or without cause, at the discretion of the appointing authority.

1. Operational Medical Director, or his/her designee, shall serve by position and not by individual, such that any successor serving as such Director shall automatically be appointed to the Commission – appointment shall be for an indefinite term.

2. 1 representative appointed by the Board of Supervisors of Rockbridge County, shall serve an initial term of two (2) years, and thereafter shall serve for four (4) year terms. The initial appointee of the County of Rockbridge is Claire A. Collins.

3. 1 representative appointed by the City Council of the City of Lexington, shall serve an initial term of three (3) years, and thereafter shall serve for four (4) year terms. The initial appointee of the City of Lexington is Jon Ellestad.

4. 1 representative appointed by the City Council of the City of Buena Vista, shall serve an initial term of four (4) years, and thereafter shall serve for four (4) year terms. The initial appointee of the City of Buena Vista is Frank Hogan.

5. 2 representatives appointed by the Rockbridge County Firefighters Association (RCFA).

a. The 1<sup>st</sup> representative of the RCFA shall serve an initial term of two (2) years, and thereafter shall serve for four (4) year terms. The initial 1<sup>st</sup> representative appointee of the RCFA is Jerry Wilson.

b. The 2<sup>nd</sup> representative of the RCFA shall serve an initial term of three (3) years, and thereafter shall serve for four (4) year terms. The initial 2<sup>nd</sup> representative appointee of the RCFA is Ben Wilmer.

6. 2 representatives appointed by the Rockbridge Emergency Rescue Group (RERG).

a. The 1<sup>st</sup> representative of the RERG shall serve an initial term of three (3) years, and thereafter shall serve for four (4) year terms. The initial 1<sup>st</sup> representative appointee of the RERG is Ronnie Slough.

b. The 2<sup>nd</sup> representative of the RERG shall serve an initial term of four (4) years, and thereafter shall serve for four (4) year terms. The initial 2<sup>nd</sup> representative appointee of the RERG is Timmy Alphin.

7. 1 citizen/consumer representative of the Rockbridge region appointed by the other eight (8) Commissioners. The citizen/consumer representative shall serve an initial term of four (4) years, and thereafter shall serve for four (4) year terms. The initial citizen/consumer representative shall be appointed at the organizational meeting of the Commission.

B. Officers; bylaws. The Commission shall elect a Chairman and Vice-Chairman from its membership. The Commission shall elect a Secretary, to record the minutes of its meetings; the Secretary need not be a representative on the Commission. The initial representatives on the Commission shall adopt its by-laws, which may contain any provision for managing the Commission and regulating its meetings and affairs, not inconsistent with law or this agreement.

C. Minutes; reports. The Commission shall keep minutes of its meetings and shall make written quarterly reports of its activities to the Local Governments.

## II. Purpose, Duties and Authority.

A. The Commission will advocate for fire and rescue services in relations between individual departments and/or squads, the public, and/or the Local Governments. Further, the Commission will be responsible for serving as the coordinating body to:

1. Develop protocol for sharing resources.
2. Streamline response and administrative operations.
3. Develop a cost-effective regional maintenance program.
4. Prepare a set of Standard Operating Guidelines to include 1-3.

5. Draft a long-range detailed plan for future fire and rescue efficiency to include organizational structure, operations and finances.

6. Take the leadership role in developing new policies, setting agendas for dealing with issues as they occur, adopting a process for moving any such issues forward to a decision, and making timely recommendations to the appropriate entity for dealing with issues.

7. Recommend policies and procedures consistent with federal and state standards and guidelines to the regions' Directors of Emergency Services, the Regional Communications Center (911) Management Board, RERG, RCFA, and the Local Governments.

B. The Commission shall have the authority to undertake, consider and make recommendations on any matters or issues involving or relating to fire and rescue services, including but not limited to:

- Staffing/Personnel
- Equipment
- Communications
- Finances
- Operational Procedures

III. Funding; expenses.

Commission members will serve in a volunteer capacity. In the event that funding becomes available for incidental expenses of the Commission, the Commission shall select a fiscal agent from among the Local Governments for maintenance of the funds/account. The Commission may submit specific requests for funding to the Local Governments. The Commission, in conjunction and cooperation with the Local Governments, is authorized to apply for and administer grant programs and other externally sponsored programs in accordance with program terms and conditions.

IV. Term.

This agreement will remain in effect for a period of twenty (20) years, and shall automatically renew for periods of five (5) years thereafter, unless or until any party gives ninety (90) days' written notice to the other parties at any time of its intent to terminate this agreement. If this agreement is terminated by any party hereto, the Commission shall be dissolved as of the effective date of the termination and any funds or assets of the Commission shall be distributed among the Local Governments, in the same proportion in which it was contributed, within a reasonable time following the date of dissolution after payment of any outstanding bills and receipt of any accounts receivable.

V. Notices.

Unless otherwise provided herein, all demands, notices, approvals, consents, requests, opinions and other communications hereunder shall be in writing and shall be deemed to have been

given when delivered in person or mailed by first class registered or certified mail postage prepaid, addressed as follows, or as may be otherwise directed in writing by the respective parties:

If to the County of Rockbridge: County Administrator  
Rockbridge County Administrative Offices  
150 South Main Street  
Lexington, VA 24450

If to the City of Lexington: City Manager  
City Hall  
P.O. Box 922  
300 East Washington Street  
Lexington, VA 24450

If to the City of Buena Vista: City Manager  
City Hall  
2039 Sycamore Avenue  
Buena Vista, VA 24416

VI. Applicable Law; Entire Understanding.

This agreement shall be governed by the applicable laws of the Commonwealth of Virginia. This agreement expresses the entire understanding between the parties and shall not be modified except in writing signed by the parties.

VII. Counterparts.

This agreement may be executed in several counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

**IN WITNESS WHEREOF**, the Governing Bodies of the undersigned Localities, by authorized action, have caused this Concurrent Resolution to be approved after properly advertised public hearings in each locality, and their respective seals to be affixed hereto and attested by their respective clerks commencing the 1<sup>st</sup> day of January, 2010.

**CITY OF LEXINGTON, VIRGINIA**

**Attest:**

\_\_\_\_\_  
Clerk, City Council

\_\_\_\_\_  
Mayor, City of Lexington, Virginia

Approved as to form:

\_\_\_\_\_  
City Attorney

**CITY OF BUENA VISTA, VIRGINIA**

**Attest:**

\_\_\_\_\_  
Clerk, City Council

\_\_\_\_\_  
Mayor, City of Buena Vista, Virginia

Approved as to form:

\_\_\_\_\_  
City Attorney

**COUNTY OF ROCKBRIDGE, VIRGINIA**

**Attest:**

\_\_\_\_\_  
Clerk, Board of Supervisors

\_\_\_\_\_  
Chairman, Board of Supervisors

Approved as to form:

\_\_\_\_\_  
County Attorney

Adopted the 23<sup>rd</sup> day of November, 2009, by the Board of Supervisors of Rockbridge County, Virginia, to be effective on January 1, 2010.

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

**ROCKBRIDGE COUNTY BOARD OF SUPERVISORS**

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

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

## EXHIBIT A

### ROCKBRIDGE REGIONAL FIRE & RESCUE COMMISSION

Mission Statement: The goal of the Rockbridge Regional Fire and Rescue Commission is to improve the provision of fire and rescue services throughout the region for the benefit of all residents.

To accomplish the Mission Statement, the Commission will advocate for fire and rescue services in relations between individual departments and/or squads and the public and/or local governments. Further, the Commission will be responsible for serving as the coordinating body to:

- 1) **Develop protocol for sharing resources;**
- 2) **Streamline response and administrative operations;**
- 3) **Develop a cost-effective regional maintenance program;**
- 4) **Prepare a set of Standard Operating Guidelines to include 1-3;**
- 5) **Draft a long range detail plan for future fire and rescue efficiency to include organizational structure, operations and finances; and**
- 6) **Act on policy matters by taking the leadership role in developing new policies, setting agendas for dealing with issues as they occur, adopting a process for moving any such issues forward to a decision; and making timely recommendations to the appropriate entity for dealing with issues.**

The authority of the Commission is to recommend policies and procedures consistent with federal and state standards and guidelines to the regions' Directors of Emergency Services, the Regional Communications Center (911) Management Board and local governing bodies.

The Commission shall consist of nine (9) members for four-year terms as follows:

Representative appointed by City of Buena Vista  
Representative appointed by City of Lexington  
Two representatives by Rockbridge County Firefighters Association (RCFA)  
Operational Medical Director  
Two representatives by Rockbridge Emergency Rescue Group (RERG)  
Representative appointed by Rockbridge County  
A citizen appointed by the other eight (8) Commissioners

#### **Ordinance to Amend County Code Chapter 24 Article II, Division 2 – Fees for Criminal, Traffic, and Civil Cases**

Ms. Huffman spoke to this agenda item. There were no questions from the Board members. Chairman Riegel called for public comment but none was offered. Supervisor Smith moved to adopt the Ordinance and Supervisor Comstock provided the second. The motion carried by the following unanimous roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,  
NOVEMBER 23, 2009

**ORDINANCE TO AMEND THE ROCKBRIDGE COUNTY CODE, CHAPTER 24,  
ARTICLE II, DIVISION 2—FEES FOR CRIMINAL, TRAFFIC AND CIVIL CASES TO  
IMPOSE A FEE OF \$3 ON EACH CIVIL, CRIMINAL AND TRAFFIC ACTION FILED  
IN THE DISTRICT OR CIRCUIT COURTS OF ROCKBRIDGE COUNTY FOR  
COURTHOUSE CONSTRUCTION**

WHEREAS, pursuant to an amendment to Section 17.1-281 of the Code of Virginia (1950, as amended) in the 2009 legislative session, the County of Rockbridge is authorized to impose a \$3 fee on each civil, criminal and traffic action filed in the district or circuit courts of the County for courthouse construction; and,

WHEREAS, the County has received certification from the Virginia Department of General Services that, on or after January 1, 2008, the General District Court facility and the Rockbridge County Circuit Court building were operated not in compliance with the current safety and security guidelines contained in the Virginia Courthouse Facility Guidelines in accordance with the provisions of §17.1-281(C).

NOW, THEREFORE, BE IT ENACTED by the Rockbridge County Board of Supervisors that Chapter 24, Article II, Division 2 – FEE FOR CRIMINAL, TRAFFIC AND CIVIL CASES of the Rockbridge County Code is hereby amended and reenacted as follows:

**DIVISION 2. FEES FOR CRIMINAL, TRAFFIC AND CIVIL CASES**

**Sec. 24-30. Purpose.**

In accordance with Code of Virginia, §17.1-281, this division is established for the purpose of assessing fees incident to criminal, traffic and civil cases in the county for courthouse construction, renovation or maintenance.

(Ord. of 4-22-91, §1; Ord. of 5-11-92, §1)

**Sec. 24-31. Assessments.**

(a) The county board of supervisors hereby levies a fee of two dollars (\$2.00) as part of the costs in (i) each civil action filed in the district and circuit courts for the county and (ii) each criminal or traffic case in the district or circuit court of the county in which the defendant is charged with a violation of any statute or ordinance beginning July 1, 1992. This assessment, referred to as the 'courthouse maintenance fee,' shall be collected by the clerk of the court in which the action is filed and remitted to the county treasurer to be held by the treasurer subject to disbursements by the board of supervisors for the construction, renovation, or maintenance of the courthouse or jail and court-related facilities and to defray increases in the cost of heating, cooling, electricity, and ordinary maintenance of such facilities.  
(Ord. of 4-22-91, §2; Ord. of 5-11-92, §2)

(b) Effective December 1, 2009, in accordance with §17.1-281(C) of the Code of Virginia (1950, as amended), there is hereby imposed an assessment of three dollars (\$3.00) as part of the costs in (i) each civil action filed in the district or circuit courts of the county and (ii) each criminal or traffic case in the district or circuit court of the county in which the defendant is charged with a violation of any statute or ordinance; provided, however, that such assessment shall not be assessed in any civil action if the amount in controversy is \$500.00 or less. This assessment, referred to as the 'courthouse construction fee,' shall be collected by the clerk of the court in which the action is filed and remitted to the county treasurer to be held by the treasurer subject to disbursements by the board of supervisors solely for the construction, reconstruction, renovation of, or adaptive re-use of a structure for the courthouse.  
(Ord. of 11-08-09)

(c) The fees imposed in this section shall be collected from any defendant by the clerk of the court in which the action is pending in all cases where costs are assessed.

(d) The fees imposed in this section shall be cumulative and shall be in addition to any other fees prescribed by law.  
(Ord. of 11-08-09)

This Ordinance shall be effective for the circuit court on December 1, 2009, and for the district courts on February 1, 2010.

Adopted this 23<sup>rd</sup> day of November, 2009.

Recorded Vote:

AYES: Smith, Comstock, Ford, Lewis, Riegel

NAYES: None

ABSENT: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman

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

**Application by Emmett Tryee to Rezone .8 acres from General Industrial (I-1) to Residential General (R-1)**

Mr. Crickenberger noted the rezoning was just a “clean-up” from last month’s Flowers Lane rezoning and added that the Planning Commission has recommended approval as consistent with the comprehensive plan. Chairman Riegel called for public comment but none was offered. Supervisor Smith moved to adopt the ordinance and Supervisor Lewis provided the second. The motion carried by a unanimous roll call vote.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATIVE  
OFFICES ON MONDAY, NOVEMBER 23, 2009

**Ordinance To Change The Zoning Classification Of A .8-Acre Lot Owned By Emmett Tyree, Located At 82 Cloverleaf Lane Off Flower Lane In The Buffalo Magisterial District Of Rockbridge County, Identified As Tax Parcel #75A-3-1F, From General Industrial District (I-1) To Residential General District (R-1)**

WHEREAS, this rezoning was initiated upon motion of the Rockbridge County Planning Commission on September 9, 2009, and unanimously approved by the Rockbridge County Board of Supervisors on September 14, 2009; and,

WHEREAS, the Planning Commission has held a public hearing on this matter on November 14, 2009, and recommended approval of the rezoning; and,

WHEREAS, legal notice and advertisement has been provided in accordance with §15.2-2204 of the Code of Virginia (1950, as amended) and in accordance with the Rockbridge County Land Development Regulations; and,

WHEREAS, the Board of Supervisors has held a public hearing on this matter on November 23, 2009; and,

WHEREAS, the Board of Supervisors has determined that the rezoning of the property would generally promote the health, safety and general welfare of the public, and that it accomplishes one or more of the objectives set forth in §15.2-2200 of the Code of Virginia (1950, as amended), and serves one or more of the purposes set forth in §15.2-2283 of the Code of Virginia, including but not limited to ensuring that the zoning designation conforms to the existing land use for the specified properties so the single-family dwellings in the area are no longer non-conforming uses, as a matter of good zoning practice.

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

1. That the zoning classification of a certain parcel of real estate containing .8 acre, owned by Emmett J. Tyree, Trustee, identified upon the Rockbridge County Land Records as Tax Map No. 75A-3-1F, located at 82 Cloverleaf Lane off of Flower Lane in the Buffalo Magisterial District of Rockbridge County, is hereby changed from General Industrial District (I-1) to Residential General District (R-1)

2. That this action is taken upon motion of the Rockbridge County Planning Commission on September 9, 2009, and approval of the Board of Supervisors on September 14, 2009.

3. That this ordinance shall be effective on the date of its adoption. All ordinances or parts of ordinance in conflict with the provisions of this ordinance are hereby repealed. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

Recorded Vote:

AYES: Smith, Lewis, Comstock, Ford, Riegel

NAYES: None

ABSENT: None

Adopted this 23<sup>rd</sup> day of November, 2009.

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

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

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

**Application by Boxerwood Education Association for Tax Exempt Status  
Approval of Funding Priorities for FY10-11 Budget**

Ms. Huffman started the discussion by giving a summary of the information provided by Boxerwood Education Association. She added that any action the Board takes will serve as a precedent for similar organizations. After much discussion, this item will be on the next meeting's agenda.

**Approval of Funding Priorities for FY10-11 Budget**

Supervisor Ford moved to adopt the funding priorities for FY10-11 Budget and Supervisor Smith provided the second. The motion carried by unanimous vote.

**Rockbridge County Board of Supervisors  
Funding Priorities for FY10-11 Budget**

The Board of Supervisors recognizes the financial difficulties faced by county citizens because of the current economic situation and plans to first reduce expenditures before considering any tax or fee increases. However, revenue projections for FY10-11 show a continuing decline. Locally, revenues associated with business activities, personal property, and fees for service show the largest decline. State funding for localities decreased further this fiscal year with the Governor's budget cuts announced in September. With state revenues declining at a higher than predicted rate, we expect the legislature to make additional funding cuts for FY10-11. Stimulus funding received for FY10-11 could dramatically decrease.

The state funding cuts have not included language changing mandated program requirements. Instead, the state cuts shifted funding requirements from the state to local governments. With these mandated costs and local revenue declines, the Board must take a critical look at all funding requests and make some difficult decisions to pass a balanced budget. The Board's goal is to reduce expenditures to compensate for revenue reductions, plan for no tax and fee increases, and support only mandated and essential programs. Priority will be given to services that provide a critical "safety net" for citizens in need due to circumstances beyond their control. To meet these goals, the Board establishes the following funding priorities for FY10-11.

- 1/ The Board has a legal and/or moral obligation to fund debt payments, federal and state mandates, and contracts with financial obligations. Funding for these requirements will be included in the budget.
- 2/ Funding for public education, fire and rescue services, and library continue to be a top priority. Every effort will be made to fund these programs no less than they received last year.
- 3/ Organizations funded by contractual formula, mandates, or other agreements shall provide evidence of cost cutting to reduce the county's share. Only programs specifically approved by agreements

shall be included in the funding request. Documentation showing program requirements and associated costs shall be included in budget submissions.

- 4/ Organizations with multi-year funded projects shall provide plans to cut program costs. The current Board has no obligation to fund programs approved by previous Boards.
- 5/ Organizations financially supported by the county without contracts or mandates shall show how they can reduce or eliminate county funding support. Only completely justified programs will be considered for funding.
- 6/ Budget submissions shall contain revenue projections from all sources for the current year and expected revenue in FY10-11. No organization should expect the Board to make up revenue lost from any other sources.

### **Discussion of Continued Use of Natural Bridge High School Fields**

After some discussion, Supervisor Comstock moved to approve a one year extension for use of the fields and also have the County designate for one year this area for parks and recreational uses for purposes of liability. Supervisor Lewis provided the second. The motion carried by a unanimous roll call vote.

Staff will ask for vacation of property by unauthorized tenants.

### **Report on Comprehensive Plan Review**

#### **WVTF Radio Tower in R-1**

Mr. Glenn Gleixner, WVTF Public Radio General Manager, gave the overview of the project. Mr. Paxton Durham, WVTF Public Radio Chief Engineer, spoke to the selection of the site. It was clarified that co-locations are available on the tower. No action was required by the Board.

### **Special Exception Review**

#### **AT&T / New Cingular Wireless – Telecommunication Tower in A-2 District**

Mr. Crickenberger updated the Board on the issues that were brought up during the Planning Commission meeting. This matter will be brought back to the Board in the near future.

### **Authorization to Proceed with Zoning Enforcement Action – Swink**

Mr. Crickenberger explained the situation that a doublewide was put on particular Swink property without proper permitting. The landowner has two options: 1) removal of the structure; or 2) obtains required permits. It was the consensus of the Board to allow the Director of Zoning to proceed with zoning enforcement action.

### **Committee / Board Activity Reports**

#### **Regional Jail Commission**

Supervisor Comstock noted the Commission expects to receive DOC response on down sized facility by December 9<sup>th</sup> and if approved resolution of issues need to be on fast track.

#### **Agricultural Center Committee**

Ms. Collins stated Virginia Tech has emailed thoughts and ideas for discussion to subcommittee.

### **Regional Sustainability Center Update**

Ms. Collins reported the management team has narrowed down the top ranked proposal submitted by Virginia Tech and plan a kick-off meeting for December 16<sup>th</sup>.

### **Mayors and Chairs Meeting Overview**

Ms. Collins provided a summary of the items discussed at the November 18<sup>th</sup> meeting.

### **Solid Waste Negotiating Team Update**

A meeting will be scheduled prior to December 16<sup>th</sup>.

### **DEQ Forum of Little Calf Pasture River**

Supervisor Lewis gave a summary of the forum.

## **Consent Agenda**

### **Approval of Minutes (October 26<sup>th</sup>)**

### **Schedule Joint Meeting with School Board for December 9<sup>th</sup> or 16<sup>th</sup>**

Supervisor Ford moved to approve the consent agenda and designating the 16<sup>th</sup> for joint meeting. Supervisor Comstock provided the second and the motion carried by unanimous vote.

## **Landfill Issue**

Supervisor Smith stated he has heard complaints about trash trucks running on Sundays hauling little amounts of trash. Also it was told to him that employees at the landfill have nothing to do. A comment was made that Mohawk is taking large amounts of carpet to the landfill.

## **Meeting Scheduled for December 28<sup>th</sup>**

It was the consensus of the Board to cancel this meeting. Public notices will be circulated.

## **Adjourn / Continue**

Hearing no further discussion, the meeting was adjourned at 9:20 p.m.