

**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, FEBRUARY 8, 2010 AT 9:00 A.M.**

PRESENT: CHAIRMAN A.W. LEWIS, JR.  
MEMBERS: C.R. COMSTOCK, R.S. FORD, R.H. RIEGEL, M.R. SMITH  
CLERK OF BOARD: CLAIRE A. COLLINS  
FISCAL DIRECTOR: ROBERT E. CLAYTOR  
COUNTY ATTORNEY: VICKIE L. HUFFMAN  
STAFF: SAM CRICKENBERGER, ROBERT FORESMAN, TOM HIGGINS, PENNI MCMICHAEL

**Call to Order**

Chairman Lewis called the meeting to order.

**Item(s) to be Added to the Agenda, if any**

Chairman Lewis added a discussion item relative to waste management. Supervisor Ford added two items, the discussion of a parking issue at House Mountain and discussion of the upcoming VACo/VML Legislative Day which he will be attending.

**Citizens' Comments**

Chairman Lewis called for public comment but none was offered.

**Lake Merriweather Dam Discussion**

Ms. Collins noted this item was placed on the agenda to initiate Board discussion on the issues raised by concerned citizens at the last Board meeting. She suggested staff help the Rockbridge Area Conservation Council (RACC) organize a meeting where questions could be answered between the owners of the dam and State regulatory agencies. The Board discussed Senator Hanger's willingness to facilitate a round table discussion on the pending bill in state legislature relative to water quality, dam safety issues and hazardous dams. Staff was authorized to proceed with assisting to schedule meeting. In response to a question from Supervisor Ford, Ms. Collins stated that Mr. Foresman has the most recent state inspections of the County dams. Supervisor Comstock requested copies of the reports be distributed to the Board.

**Staff Reports**

**Zoning Enforcement Report**

Mr. Crickenberger began the enforcement follow-up report by distributing to the Board a list of all the County's special exception permits. He explained that other than tracking the time limits of these permits and a periodic review of the permit conditions, his office responds to violations on a complaint basis. A long discussion ensued regarding establishment of a regular/proactive review of special exception permit conditions, rather than complaint driven enforcement. The Board directed that Mr. Crickenberger meet with the County Administrator to develop and implement a quality assurance process for tracking and checking special exception permits.

### Landfill Update

Mr. Higgins began the report by explaining the gas probes situation at the landfill and the DEQ compliance boundary requirements for the number of probes and monitoring. Approximately two months ago, a problem was discovered where gas was showing up in one of the probes on the opposite side of the capped fill. Mr. Higgins noted that Draper Aden Associates, on behalf of the County, must provide a plan by the end of February and he anticipates the recommendation to be to move the compliance boundary further out and possibly to replace the probe with three additional probes. Next, Mr. Higgins recommended the County delay doing another aerial survey to assess the remaining space because this must be done for the final cap of the landfill in 2012 and it was his opinion the County has enough air space to last until closure. To conclude his update, Mr. Higgins discussed with the Board the current status of the vegetation at the landfill due to the recent snowfall and what corrective measures the County may have to implement after conclusion of the winter season. Ms. Collins commented the gas flare system design was almost complete and the next step would be to issue request for proposals to seek privatization.

### Financial Report

Mr. Claytor reported on the ongoing activities in the offices of the Treasurer and the Commissioner of Revenue and updated the Board on the financial status of the County. He then presented the proposed County Appropriations Resolution and fielded questions the Board had relative to the monthly bills. After some discussion, Supervisor Riegel moved to adopt the County Appropriations Resolution and to authorize the payment of bills. Supervisor Comstock provided the second and the motion carried by unanimous roll call vote.

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 FEBRUARY 8, 2010 AT 9:00 A.M.

On motion by Supervisor Riegel, 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 is, 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:

4-11-12070-3002	Reassessment Cost.....	\$153,142.00
4-11-12190-3004	Audit Expense.....	\$4,172.00
4-11-21010-5402	Technology Trust Fund.....	\$10,200.00
4-11-31020-1008	Sheriff Overtime.....	\$2,310.00
4-11-32080-3501	Reimburse Fire & Rescue Squads.....	\$4,105.00
4-11-41080-5101	Road & Street Light Electricity.....	\$28,378.00
4-11-43045-3404	Repairs Bldg & Grounds NB.....	\$7,142.00
4-11-43045-5101	Electricity.....	\$1,994.00
4-11-43045-5104	Fuel.....	\$4,798.00
4-11-53010-3901	Fees (Public Defender).....	\$360.00

4-11-92010-5820 Grant Refund .....\$299.00  
 4-11-91040-0804 Debt-Goshen Water (VRA-2010) .....\$201,616.00  
**Total Appropriations General Fund .....\$418,516.00**

**APPROPRIATION RESOLUTION**

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/s is, and the same hereby is made, for the period ending **June 30, 2010**, from the UNAPPROPRIATED SURPLUS of the **SOLID WASTE FUND (Fund 19)** and expended as follows:

4-19-19040-3002 Professional Services .....\$11,472.00  
**Total Appropriations Landfill Fund .....\$11,472.00**

**APPROPRIATION RESOLUTION**

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/s is, and the same hereby is made, for the period ending **June 30, 2010**, from the UNAPPROPRIATED SURPLUS of the **SOLID WASTE AUTHORITY (Fund 20)** and expended as follows:

4-20-42080-7002 Construction Conv. Center .....\$5,661.00  
**Total Appropriations Solid Waste Authority.....\$5,661.00**

**Total Appropriations All Funds.....\$435,649.00**

**Current County**

General Fund.....\$574,897.02  
 SWA/Landfill.....\$22,255.19  
 SWA/Recycling.....\$4,354.21  
 Courthouse Construction.....\$0.00  
 Central Stores.....\$2,186.22  
**Total County Bills \$603,692.64**

**Current Fiscal Agent**

Regional Jail.....\$63,231.77  
 CSA Administration.....\$124.54  
 Rockbridge Partnership.....\$0.00  
**Total Fiscal Agent \$63,356.31**

**TOTAL ALL BILLS \$667,048.95**

RECORDED VOTE:

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

ABSENT DURING VOTE: None  
ABSENT DURING MEETING: None

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A. W. Lewis, Jr.  
Chairman

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

Mr. Claytor called attention to the request from Buena Vista Rescue Squad to participate in the interest payment program. The squad is purchasing property to build a new building and the Rockbridge Emergency Rescue Group (RERG) approved the squad's participation in the interest payment program. The Board discussed the original intent of the program being for equipment purchase or for building maintenance/improvements; however a prior Board had approved participation in the program for property/real estate purchase. Supervisor Comstock moved to approve the request and to direct staff to provide clarification to all the companies and the RERG of the original intent of the Interest Payment Program. Ms. Collins stated this situation was a prime example of the need for a regional fire and rescue effort/program. After more discussion, Supervisor Comstock withdrew his motion. Supervisor Ford moved to table the request and Supervisor Smith provided the second. The motion carried by a unanimous vote.

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

### **Preliminary Discussion on FY2010-2011 Budget**

Mr. Claytor informed the Board the proposed budgets from the Constitutional Officers and the agency requests had been submitted. All other budget requests are due Friday, February 12<sup>th</sup>. Discussion ensued on the variables the County will face during the budget process. Mr. Claytor briefly identified known levels of increases and decreases for FY2010-2011. The Board scheduled budget workshops that will occur during the first two weeks in March.

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

Chairman Lewis reported the Central Shenandoah Planning District Commission had submitted a budget request for a slight increase in funding from the County for the upcoming fiscal year. He implored the Board to view the allocation of funds as an investment and encouraged funding the request.

In response to a question from Supervisor Ford, Mr. Claytor clarified the Preschool on the Bus Program is managed by the Director of Curriculum for the school system who is responsible for monitoring the progress of the program. The County only acts as the fiscal agent.

Supervisor Ford took this time to address the item he requested be added to the agenda concerning parking at House Mountain. He reported the Virginia Outdoors Foundation has a problem with parking at House Mountain. A landowner has offered to sell some land but the Foundation is not interested in holding title to the land and Supervisor Ford wanted to keep the Board apprised of the situation.

Supervisor Riegel reported the Rockbridge Area Network Authority will hold its next meeting on February 10<sup>th</sup> at 3:30 p.m. The Authority continues to explore possible funding equations for the broadband project. Supervisor Riegel stated the cost of the fiber optic equipment for the open ditch in Goshen is \$8,000.00 and informed the Board the contractor may lay the cable at no cost. Also a provider has offered to pay one third of the cost. Supervisor Comstock offered his approval but stressed there must be an acknowledgment that this project is part of the overall program. Hearing no further discussion, Supervisor Comstock moved to give staff the authorization to appropriate up to \$6,000.00 towards the installation of fiber optic conduit in Goshen and Supervisor Smith provided the second. The motion carried by the following vote:

AYES: Comstock, Ford, Smith, Lewis  
NAYS: None  
ABSTAIN: Riegel

Supervisor Comstock commented the focus of the most recent Regional Jail Commission meeting was on the upcoming budget issues.

Supervisor Smith discussed the Agricultural Center Committee decision to establish an Executive Committee which had scheduled a meeting for this afternoon.

## **Consent Agenda**

### **Approval of Minutes of January 26<sup>th</sup> meeting**

### **Appointments to Boards and Commissions**

#### **Todd Lowry to Rockbridge Disability Services Board**

Supervisor Ford moved to adopt the consent agenda with noted minor corrections to the minutes and Supervisor Riegel provided the second. The motion carried by the following unanimous vote:

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

## **Waste Management Discussion**

Chairman Lewis asked for Ms. Huffman's opinion on the next step the Board should take in light of the most recent response from RRR concerning the short haul and recycle issue. Based on the legal advice given by Ms. Huffman, Board consensus was to authorize staff to write another letter to RRR requesting they respond to the issue specifically and also to schedule a Solid Waste Authority meeting directly following the adjournment of the next scheduled Board meeting on February 22<sup>nd</sup>.

## **Adjourn / Continue**

Hearing no further discussion, Supervisor Ford moved to adjourn and Supervisor Smith provided the second. The meeting was adjourned at 12:05 p.m.