

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, MARCH 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: PENNI MCMICHAEL

Call to Order

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

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

Supervisor Ford added a Fire and Rescue Committee report and Supervisor Riegel added a trash related item. Chairman Lewis added a closed session which Ms. Collins asked the Board to consider the matter be discussed in open session.

Citizens' Comments

Mr. Peter Del Vecchio, Walkers Creek Magisterial District resident and Rockbridge County Schools Task Force member, described to the Board the newly formed task force's purpose, focus and membership number.

Mr. Skip Hastings, Kerrs Creek Magisterial District resident, stated he had friends in Richmond that perceive that the County is not interested in attracting new businesses to the area and thus creating new jobs. He urged the Board to examine what can be done so that students are encouraged to remain in the area and to carefully consider the future of this County.

Mr. John Emore, Glasgow resident, stated he is a masonry contractor who has worked forty years in the county. He expressed his concern about Mexicans who have come into the area taking jobs from the locals. Mr. Emore complained that most Mexicans he has encountered were illegal immigrants not paying County taxes. Supervisor Comstock directed staff to follow up on complaint by researching immigration monitoring regulations.

Discussion of Noise Ordinance

Ms. Huffman noted the revised draft is based on the Board comments she received at the last meeting. After a few clarifications, Supervisor Ford moved to schedule the revised Noise Ordinance for public hearing on March 22, 2010 and Supervisor Riegel provided the second. The motion carried by a unanimous roll call vote.

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

Financial Report

Mr. Claytor reported on the ongoing activities in the offices of the Treasurer and the Commissioner of Revenue and informed the Board on the financial status of the County. Supervisor Riegel asked for and obtained clarification that next year the County still anticipates the elimination of County decals. Mr. Claytor presented the Schools Appropriations Resolution noting the expenditures were related to Project Graduation which is a pass through grant. Supervisor Smith moved to adopt the Schools Appropriations Resolution and Supervisor Ford provided the second. The motion carried by a unanimous roll call vote.

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

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 8, 2010 AT 9:00 A. M.

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

Project Graduation

4-050-61100-1620-390-500-777	Supplemental Pay.....	\$2,000.00
4-050-61100-5800-390-500-777	Miscellaneous.....	\$2,050.00
4-050-61100-6002-390-500-777	Food Supplies.....	\$1,400.00
4-050-61100-6030-390-500-777	Technology Mat. & Supp....	<u>\$2,500.00</u>

Total **\$7,950.00**

RECORDED VOTE:

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

Albert W. Lewis, Jr.

Attest: _____
County Administrator

Mr. Claytor presented the County Appropriations Resolution and fielded questions the Board had relative to the monthly bills. After a short discussion on several of the bills, Supervisor Riegel

moved to adopt the County Appropriations Resolution and to authorize the payment of bills. Supervisor Ford provided the second and the motion carried by a unanimous roll call vote.

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

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 8, 2010 AT 9:00 A.M.

On motion by Supervisor Riegel, 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 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:

4-11-32080-3001 Contracted Services (Snow Emergency).....	\$3,126.00
4-11-32080-3501 Reimburse Fire & Rescue Squads.....	\$974.00
4-11-33040-3901 Juvenile Detention Home Care.....	\$5,738.00
4-11-34015-3002 Contracted Services (E&S).....	\$3,005.00
4-11-41080-5101 Electricity (Streetlights).....	\$2,805.00
4-11-43045-3404 Repairs Bldg & Grounds NB.....	\$1,213.00
4-11-43045-5101 Electricity.....	\$1,868.00
4-11-43045-5102 Water and Sewer.....	\$305.00
4-11-43045-5104 Fuel.....	\$5,523.00
4-11-53010-3901 Fees (Public Defender).....	<u>\$120.00</u>
Total Appropriations General Fund	\$24,677.00

Current County

General Fund.....	\$725,636.28
SWA/Landfill.....	\$39,589.85
SWA/Recycling.....	\$1,800.00
Central Stores.....	<u>\$2,199.00</u>

Total County Bills **\$769,225.55**

Current Fiscal Agent

Regional Jail.....	\$55,142.00
CSA Administration.....	<u>\$185.60</u>

Total Fiscal Agent.....\$55,328.00

TOTAL ALL BILLS \$824,553.55

RECORDED VOTE:

AYES: Riegel, Ford, Comstock, Smith, Lewis

NAYS: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

A. W. Lewis, Jr.
Chairman

Attest: _____
County Administrator

Mr. Claytor presented his last action item concerning the contribution to the Horse Center for 4-H participation in the Fair. After a brief discussion, Supervisor Smith moved to appropriate \$3,600.00 from unencumbered funds to the Horse Center for 4-H participation in the Fair and Supervisor Comstock provided the second. Supervisor Riegel asked that the motion be amended by changing the funding amount to \$3,090.00 (level funding). The motion was amended to \$3,090.00 and it carried by a unanimous roll call vote,

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

Committee / Board Activity Reports

Regional Fire and Rescue Committee

Supervisor Ford reported the Committee has not met since 2009 but there is an apparent need to proceed with business. He suggested holding a meeting and moving forward with revenue recovery for the County (which Lexington already does). Mutual Aid Agreements were also discussed.

Mayors and Chairs Meeting

Ms. Collins reported the majority of the discussion was spent on proposed establishment of a Fire and Rescue Commission. Two other topics covered were the ongoing briefings on Solid Waste Services and discussion of regional Rental Assistance program. The next meeting is scheduled for March 17th at Berky's Restaurant which the County will host.

Rockbridge Area Network Authority

Supervisor Riegel stated RANA is working with Design Nine on the Round Two Broadband application and announced the deadline for submittal had been extended. RANA has made a contact

on the Allegheny Highlands Project. A greater emphasis on private partners will be a new tactic used in this round.

Trash Item

Supervisor Riegel announced March 27th has been designated as “County Clean-up Day” by RACC with the intent to raise the level of consciousness about littering. Supervisor Smith questioned if tire amnesty could be scheduled for the same day. Supervisor Ford questioned whether it was feasible to have staff coordinate Tire Amnesty Day with County Clean-up Day. Supervisor Comstock noted that the Board should be cautious about perceived preference to farmers over other businesses with reference to disposal of tires. Staff was directed to come up with a plan by the next meeting.

Consent Agenda

Approval of Minutes

Due to a hardware failure, there were no draft minutes for Board consideration.

Open Session on Personnel Matter

Ms. Collins thanked the Board for granting her request that all discussions with regard to the article authored by Mr. Harwood and published in the most recent edition of The Rockbridge Advocate. The letter Ms. Collins wrote to Mr. Harwood and highlighted excerpts for the Board follows in its entirety:

“Dear Mr. Harwood:

Thank you for your article of March 12, 2010 on regional cooperation in which you focused on regional solid waste services. I have the utmost respect and trust in you as a businessman, reporter, resident and taxpayer of the region as I do everyone else. The fly on my office wall the evening of March 25 heard you interview me. You and I know what was said that evening. I have a vivid recollection of the comments you made in response to my answers to your questions that I will not print because I am not in the business of character assassination and am a person of faith who forgives, forgets and moves on to advocate for the benefit of people and community.

However, I did comment about how a regional master plan (blueprint) being created by the region with community input for developing solid waste services, creation of jobs, economic development, joint services and other types of regional cooperation would be a positive first step toward keeping the area from ‘dying on the vine’. The region continues to lose jobs and in these economic times even government jobs are being lost. The area has lost more than 500 jobs in the past ten years. The ability for the community to have a long-range vision and plan to follow and implement would help the region transition from reliance on manufacturing to new economic sustainability and prosperity.

I also advised you how regional solid waste services under contract with RRR could become a reality and how without RRR’s financial information that has been requested by the negotiating team of the Solid Waste Authority, I have no knowledge of RRR’s financial capacity or fiscal capacity.

In closing, there is no ‘us’ versus ‘them’. There is only ‘us’ who need to work toward solving regional service issues with the public being involved. I have faith and trust in the people, businesses and

governments of the region that solutions will be determined and implemented that are not adverse to the community which I am humbled and honored to serve.

Please note that a copy of this letter is being provided to the City Managers of Buena Vista and Lexington to share as they professionally determine.

Sincerely,
Claire A Collins
County Administrator
County of Rockbridge, Virginia”

Supervisor Riegel speak to content of the article, but knows the other entities are extremely upset and is wondering if this explanation can be shared with the other localities. Supervisor Comstock added the explanation should be accompanied with the understanding that the upset individuals not accept on face value, but talk with the person involved and get a clear understanding. Chairman Lewis stated he had been approached by both Mayors and expressed concern for future of regional cooperation. Supervisor Comstock suggested Ms. Collins follow-up by providing a copy of her letter to the cities and offering to attend public meetings if the cities deem appropriate. The Board concurred with Supervisor Comstock’s suggestion.

Closed Session

Supervisor Smith moved that the Board of Supervisors convene in closed session to discuss as permitted by Virginia Code Section 2.2-3711(A)(1), a personnel matter involving performance evaluation, job assignments or salaries of specific officers, appointees or employees. Supervisor Comstock provided the second and the motion carried by a 3-2 roll call vote.

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

Reconvene in Public Session

Supervisor Smith moved to reconvene in public session and Supervisor Riegel provided the second. The motion carried by a unanimous roll call vote.

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

Supervisor Ford moved that the Board certify that in the closed meeting just concluded, nothing was discussed except the matter or matters specifically identified in the motion to convene in closed session and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. Supervisor Smith provided the second and the motion carried by a unanimous roll call vote.

AYES: Comstock, Smith, Ford, Riegel, Lewis

NAYS: None
ABSENT: None

Adjourn and Call to Order Solid Waste Authority Meeting

The meeting was adjourned at 11:30 a.m. and the Solid Waste Authority meeting was called to order. Mr. Claytor explained what had occurred since the County released its numbers and the outcome of his meeting with Mr. Paul Palma to review financials (Chairman Lewis was also in attendance). Mr. Claytor emphasized the two biggest issues being 1) loss of County revenue and 2) the requirement to build ten additional collection centers. Mr. Claytor also explained his concern relative to business clientele and what they will be charged.

Chairman Lewis and Supervisor Riegel also met with RRR and came up with an alternate resolution which was explained. It was emphasized no actions had been voted on and the negotiations are still open ended.

Continuation

The meeting was continued until after the Board of Supervisors Budget Work Session scheduled at 1:00 p.m.