

**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,
OCTOBER 12, 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, ROBERT FORESMAN, JOE OYLER (INTERN
FOR EMERGENCY MANAGEMENT), DAN GRIM, TOM STANLEY,
BARBARA LONDON**

Call to Order

Chairman Lewis called the meeting to order and led the Pledge of Allegiance. He thanked everyone for being at the meeting, and especially welcomed the members of the Goshen Fire Department.

Item(s) to be Added to Agenda

Supervisor Smith asked that discussion of properties of the Industrial Development Authority be added to the agenda.

Citizens' Comments

The Chairman called for public comment but none was offered.

Reconsider Resolution Approving Financing by Goshen Volunteer Fire Department

Chairman Lewis introduced the Goshen Fire Department Resolution, the action taken at the previous meeting. The document of the Goshen Fire Department, states the proposed building may be expanded to allow for co-location of the Goshen First Aid Crew if needed in the future. Supervisor Smith stated the document meets his expectations, he supports the idea of co-location in the future, and expressed the possibility of paid personnel in the future. Chief Mike Jolly replied that at this time paid personnel is not a consideration, as they have well trained volunteers, and are having no trouble making calls. Their goal is to be in the building by August 2011. Supervisor Riegel asked about the closing dates to which Chief Jolly explained the time line had been pushed back to take care of a few items. Supervisor Riegel asked that "Goshen" replace "Natural Bridge" in Item 2 of the Resolution. Supervisor Smith moved to accept the amended Resolution Approving the Financing by Goshen Volunteer Fire Department, seconded by Supervisor Ford. The motion was unanimously adopted by roll call vote.

AYES: Smith, Ford, Riegel, Comstock, Lewis

NAYES: None

ABSENT: None

Virginia Cooperative Extension Agent Update on Drought Declaration

Tom Stanley, Extension Agent, highlighted the report on the ongoing drought conditions in the County in that the projected damage of 50-60 percent has been sent to the local USDA Office. He advised that agricultural policies are largely driven by the mid-west. The message is to have more insurance based management for crop and pasture damage. Drought damage assessments will be ongoing for the remainder of the year. Supervisor Smith noted that insurance cost is \$.41/acre. He also believes the corn loss is greater than noted in the report. Mr. Stanley agreed this is clearly the assessment in drought designated areas for non-insurable crops. Supervisor Ford asked about a new Farm Bill to which Mr. Stanley replied it would probably be late next summer leading to the Fall 2011 Session. Supervisor Smith asked about cutbacks to Extension Offices. He explained the Regional Centers will be reduced from 108 to 22 Centers, with one Administrative Assistant at each Center. Supervisor Smith asked where the Regional Office would be located, to which Mr. Stanley commented it would likely be in Verona. With the County provided office supported by Virginia Tech remaining. He distributed a fact sheet summary and budgetary sheet to the Board members, and advised that he will keep the Board updated on the impact to the County.

Natural Bridge Gym Steering Committee Request for Continued Use of Field

Supervisor Riegel explained the discussion at the last Gym Steering Committee, and proposed approving the concept of a 6-month notice for moving allowance for the group to use the field. Supervisor Smith noted the non-binding, no written commitment, except morally, and questioned the possibility of a prospect needing to have core drillings in evaluating the property. Supervisor Comstock favors a 4-month allowance. Supervisor Ford questioned whether there have been any discussions with Schools about the use of the elementary school property. Supervisor Riegel offered a motion to request staff to communicate with the Gym Steering Committee for a 4-month notice moving allowance. Supervisor Comstock seconded the motion, with an exclusion to give the developer access to the field for preliminary engineering site analysis for economic development purposes. The motion carried and was unanimously approved.

AYES: Riegel, Comstock, Ford, Smith, Lewis

NAYES: None

ABSENT: None

Recommend Nominees for Appointment to Board of Equalization

The following names were placed in nomination for appointment to the Board of Equalization:

Walkers Creek Magisterial District	Glenn Wilson
Natural Bridge Magisterial District	Teresa Fainter
Kerrs Creek Magisterial District	Bob Irons, Jr.
Buffalo Magisterial District	Nelson Hall

Supervisor Comstock asked that the South River Magisterial District nominee be held until a later date. A motion was made by Supervisor Riegel, seconded by

Supervisor Smith, and approved by unanimous vote, to submit the above names to the Circuit Court for certification.

Solid Waste Authority Meeting at 9:30 a.m.

It was the consensus of the Board that a meeting of the Solid Waste Authority was not necessary.

Regional Public Transportation Fiscal Year 2011 Project Agreement and Master Agreement for Use of Commonwealth Transportation Funds

County Administrator, Claire Collins, introduced the subject of Regional Public Transportation by advising of award of grant for a fixed deviated route, with a breakdown of Operating Expenses and Capital Budget for FY2011. The route will encompass Route 60 with designated stops in the Cities of Lexington and Buena Vista with stops on Route 11 to Wal-Mart, Free Clinic and, now proposed to stop along Greenhouse Road for riders to get to and from the medical and public facilities – effective July 1, 2010. Each locality was required to adopt a resolution, committing the local match amount of funding - \$18,000 per locality (\$54,000 total) with \$10,000 each from VMI and W&L (\$20,000 total). The project cannot move forward if one locality does not fund its share. Since receiving notification of award of funding for the regional project, Request for Proposals for Operating Service were issued by the working group consisting of Lexington City Manager, Jon Ellestad, Buena Vista City Manager, Tim Dudley, Dawn Watkins, Dallas Clark, and Rockbridge County Administrator Claire Collins. Three proposals have been received and a date is being scheduled for proposer presentations and interviews in order for an award of contract to be made for the deviated fixed route service to begin February 1, 2011. To answer questions regarding ownership of the buses, Mr. Claytor offered that since the County will serve as fiscal agent, the buses will be owned by the County, who may offer "in-kind" services for fuel and maintenance to be billed to the Transportation Grant. Ms. Collins stated that should the services be terminated the buses are required to be returned to the State. The Board discussed ridership and beneficiaries of the services for both the rider and the facility at the end of the route. Supervisor Comstock considers both to be a big mark at this time. Supervisor Riegel feels it is both and feels public transportation for this area needs to be tested. Supervisor Smith noted that County residents will not benefit unless they live along the deviated route. Supervisor Ford commented that those in the County who most need the service will be served. Supervisor Comstock recommended trying it for one year. Ms. Collins stated that different public agencies have come forward expressing the need for people to be able to utilize a public transportation system to get to facilities such as the Jail and Community Services Board along Greenhouse Road. Supervisor Smith expressed interest in privatization, and feels the expansion of government at the local level is something we cannot afford, and that he can only support it if it is private. Supervisor Riegel stated there are three good vendors who know how to provide bus services, but the issue is how much the localities will have to be involved in the future. Supervisor Comstock sees the County as always being involved. The fare of \$.50 will be subsidized, but thinks there is value in doing it at this time, and it can be reevaluated at a later date. Supervisor Ford asked if Carillion has been approached, to which Ms. Collins replied they have, and believes Carillion to be a potential future resource. Chairman Lewis stated it is a noble project, noting it is

remarkable that all three jurisdictions will contribute. Mr. Claytor noted that projected future costs to the County will be addressed during the budget sessions. Supervisor Comstock offered the motion for approval of the Master Agreement and the Project Agreement, authorizing the County Administrator to execute the agreements on behalf of the region. After relinquishing the Office of Chairman, Supervisor Lewis seconded the motion.

Supervisor Ford asked the County Attorney about liabilities the County may incur which may not be shared by the Cities, to which Ms. Huffman replied that the County could, since it is the sole recipient of the monies the State is awarding, be responsible for seeking reimbursement should a partner withdraw, but that an amendment could be offered where each partner would participate in the funding of the project. Further discussion ensued regarding the obligations of each partner to the State and the State's obligation to the Federal Government. Supervisor Riegel noted although there is a certain level of risk the County is incurring, there is a valiant effort in exploring the project. Chairman Lewis commended on the project exhibiting "regional cooperation." The motion, with an amendment whereby each partner will duly share in the funding and liabilities of the foregoing project was unanimously approved by roll call vote.

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

Rockbridge Public Service Authority Board Member Compensation and Mileage Rate Increase Request

The County Administrator called the Board's attention to the fact that the Service Authority can set their compensation and mileage rate. Technically what they are receiving in compensation is exactly what the I.D.A. receives. Mr. Claytor stated the County adheres to the State's mileage rate, which is currently \$.50 per mile. When the State changes, the County changes. A motion by Supervisor Riegel, seconded by Supervisor Ford, requesting the Public Service Authority Board set their mileage reimbursement rate no greater than the County rate was unanimously approved. Supervisor Riegel further asked that a message be sent to the Authority that the Board of Supervisors has asked all departments to hold the line on compensation at this point in time. The requests were approved by consensus.

Status of EMS Revenue Recovery Contract

The County Attorney reported that she has reviewed the draft contract which was sent by the provider, EMS-MC, the original requests for proposals, the proposals submitted by EMS-MC, and a contract that the County of Augusta executes with the same company to provide services. The County of Augusta contract seems more complete in that it contains provisions that counties are required to include in contracts. The effective date of implementation of service is January 1. Supervisor Ford asked about the invitation to Buena Vista inviting them to join Rockbridge. Ms. Collins responded that the City of Buena Vista has been contacted with no input received to date.

Rockbridge County Code Amendment for Unsafe Structure Complaints

The County Attorney presented the code amendment recommending that the Building Official be allowed to operate on the written or verbal complaint system since it seems to be working. Supervisor Riegel questioned consistency with State Code, with Ms. Huffman advising she is not aware of a State Code Section requiring identification. Supervisor Smith moved the code amendment be scheduled for public hearing on October 25th at 7:00 p.m. The motion was seconded by Supervisor Ford and carried unanimously approved by roll call vote.

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

Ntelos Easement Request for Fiber Optic Cable to Serve Verizon Tower off Greenhouse Road

The County Attorney presented the Ntelos Easement Request introducing Mr. Steve Thompson, Project Engineer for Ntelos, who explained the need for two easements for the plans for burying fiber optic cable in the same section as overhead power lines, to follow the Dominion Power above ground line that runs along the northern boundary line, along the interstate to the property owned by the Public Service Authority to place cable underground along Greenhouse Road to the Verizon Tower. Supervisor Smith asked whether the area along Greenhouse Road is within the jail expansion area. After discussion of various alternate options by Board Members, Chairman Lewis noted that Ntelos and RANA discuss an agreement to share resources for broadband services throughout the County. Ms. Huffman suggested continuing discussion with Mr. Thompson for the best option. Supervisor Riegel speaking on behalf of RANA expressed that RANA has received a grant for fiber optics and would be very interested in collaborating with Ntelos to partner in this area. Mr. Thompson will have Mr. Mike Baker, Executive Director; contact Ms. Collins to discuss the options. After discussion, it was suggested by Supervisor Riegel that the ordinances be kept separate since RANA will be more far reaching in mutual sharing whereas, this specifically provides service to a particular customer(s). Mr. Thompson stated that the only potential users they envision are the Public Service Authority and Verizon. Supervisor Ford offered a motion to set a Public Hearing to be held on October 25th at 7:00 p.m. for the Ordinance to Authorize Conveyance of Easements to Ntelos Network, Inc., for Installation of Fiber Optic Cable to Serve the Verizon Tower on County Property off Greenhouse Road in the Kerrs Creek Magisterial District. Ms. Huffman noted that when the new Community Services Board building was constructed Ntelos acquired a 15 foot easement from the County making this a housekeeping item since it is already in the system. Supervisor Smith seconded the motion, which was unanimously approved.

Supervisor Ford also made a motion to set a Public Hearing to be held on October 25th at 7:00 p.m. for the Ordinance to Authorize an Underground Fiber Optic Cable Easement to Ntelos Network, Inc., to Service the Rockbridge Area Community Services Board Building on County Property along Greenhouse Road in the Kerrs Creek Magisterial District. Supervisor Smith seconded the motion, which was unanimously approved.

Treasurer's Report

County Treasurer, Ms. Carol Hines, reported the Treasurer's Office is still collecting Personal Property Taxes. September and October collections of Personal Property, Real Estate and Delinquent Taxes have totaled \$1.9 million. To clarify Board members questions regarding getting the tax bills out earlier, Ms. Hines stated that her office received the bills on the 7th and they were mailed on the 10th, meeting legal requirements. Supervisor Smith inquired about electronic billing, with Ms. Hines replying that she is not aware of any effort to require in the near future.

Fiscal Year 2011-2012 Budget Priorities

Fiscal Director, Mr. Robert Claytor, noted the Funding Priorities for FY 2011-2012 as provided by the County Administrator, and gave an extensive overview of the County's financial position in planning for the new fiscal year. The impact of the recession still affects the area. Local revenues are expected to remain stable. Fees are down, but personal property is up and offsets the loss of fees. State revenue will decline by a small amount for the County as seen in the biennial budget. Impact to schools is unknown. The middle school has been raised as a priority. In addition, the landfill options, collection center construction, broadband local match, and public transportation match are added to the list. Fire and rescue continue to be a priority. To cut funding, services must be cut. Debt Service is expected to increase to pay for the MSA WWT plant upgrade. Mr. Claytor asked the Board to review the lists and decide by the end of the month what changes need to be made to funding priorities in comparison to last year. Chairman Lewis noted this was helpful and useful to have the revisions to help the Board keep focus. He suggests including some of the priority items in the basic funding paragraph. Mr. Claytor recognized that others may have similar ideas, and suggested that as changes are made, he will bring them back to the Board for final approval at the first meeting next month. Supervisor Riegel asked about scheduling a work session to study an evaluation of effectiveness for some of these funded programs. A work session was scheduled for Monday, October 25th from 3 - 5 p.m. to be held in the Board Room prior to the regularly scheduled meeting.

Mr. Claytor highlighted the School Appropriations. On motion of Supervisor Smith, seconded by Supervisor Ford, the Board unanimously approved the School Appropriation Resolution. (The Resolution is on file in the Clerk's Office.) He noted in the County Appropriations Fund 11, the cost for hauling trash only is \$34,099 for the first billing period. Fund 20, Recycling, the cost is \$44.09/ton. On motion of Supervisor Riegel, seconded by Supervisor Comstock, the County Appropriations was approved by roll call vote, with Chairman Lewis abstaining. Mr. Claytor reviewed the Revenues vs. Expenditures FY1 0-11. Revenues are as projected and should go over projections as taxes are collected. No major changes affecting these programs are expected for this year. There is a change in the Commonwealth Attorney's funding, as Ms. McCurdy, a major secretary, was hired as Clerk for the General District Court. A second secretary position is authorized by the Compensation Board, but was not funded; however, there was about \$18,000.00 put in to hire a part-time secretary. The Compensation Board has agreed for that money to be used to offset the salary of a full-time secretary. He stated that bids may be offered before January for cleaning the Courthouse. Mr. Claytor informed the Board regarding clogged condensers in the cooling system in the Courthouse, along with a

huge increase in the water bill for which the Trane representative attributes to the abnormal heat conditions of the past months. On motion of Supervisor Riegel, seconded by Supervisor Comstock, the motion carried by majority vote with Chairman Lewis abstaining to approve payment of bills and Appropriation Resolution for payment.

AYES: Riegel, Comstock, Smith, Ford

ABSTAIN: Lewis

NAYES: None

ABSENT: None

(Copy of Resolution is on file in the Office of the Clerk to the Board)

Mr. Claytor briefed the Board on the Appropriation Resolution for Contribution to the SPCA in the amount of \$9,470.00, which is less than the localities' full amount. He noted that they only charge for mandated hold days. SPCA pays for any days after that. Supervisor Smith moved to approve the Appropriation Resolution for the SPCA, seconded by Supervisor Ford. The motion carried by unanimous roll call vote.

AYES: Smith, Ford, Riegel, Comstock, Lewis

NAYES: None

ABSENT: None

(Copy of Resolution is on file in the Office of the Clerk to the Board)

Staff Reports - 2011 Aerials

Dan Grim distributed maps and explained the fly schedule and progress being made for upgrades to protect flood zones. There are plans to fly in early 2011 when leaves are off, no clouds, and no floods in order to get the desired capture. There will be four bands, three true colored bands which all capture is digital. It is expected to have the entire County mosaic available after the first month. FEMA will help get the flood maps upgraded quickly. This primarily will benefit the County in the areas of emergency services management and economic development. The County's cost share is \$9,249.00. Mr. Grim will take the proposal to the Goshen Town Council and Glasgow Town Council meetings, as a decision must be made by mid-December. Chairman Lewis will accompany Mr. Grim to this meeting.

Update on RARO Board and Appointment

The County Administrator reported that her office has not received any communication from the RARO Board. Supervisor Riegel moved to vacate the appointment of Tracy Shafer and appoint Lorne Bates to serve on the RARO Board, for the Natural Bridge Magisterial District, to fill the unexpired term of Tracy Shafer. The term will expire June 30, 2013. Supervisor Ford seconded the motion which was unanimously approved.

Approval of Minutes

A motion to approve the Minutes of September 27th was offered with requested title changes by Vice-Chairman Ford, and seconded by Supervisor Riegel. The motion carried with unanimous approval.

Other Business

Supervisor Smith asked why Wilderness Road was not on the agenda, to which the County Administrator stated that Jean Clark had requested more time since Augusta and Rockingham Counties have not yet adopted a resolution approving this designation. Chairman Lewis noted that approval is needed for the entire road.

Mr. Claytor stated that the Recycling Centers hours of operation when the Daylight Savings Time falls back in early November needs to be addressed. After a brief discussion, he suggested operating hours of 7 a.m. —6 p.m., to which the Board concurred.

Supervisor Smith recommended that the Board ask I.D.A. to maintain all I.D.A. owned properties in a presentable manner, particularly Raphine.

Adjourn

On a motion by Supervisor Smith, seconded by Supervisor Ford, the meeting was adjourned at 12:45 p.m.