

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING AT
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, NOVEMBER 13, 2017 AT 5:30 P.M.

PRESENT: CHAIRMAN D.W.HINTY, JR
VICE CHAIRMAN J.M. HIGGINS
R.S. FORD, R.R CAMPBELL
ABSENT: A.W. LEWIS, JR.
CLERK TO THE BOARD: S.H. SUTER
COUNTY ATTORNEY: V.L. HUFFMAN

Call to Order

Chairman Hinty called the meeting to order at 5:30 p.m. and welcomed those present. He stated that Supervisor Campbell would lead the Board in the invocation and invited anyone in the audience to join if they choose to do so.

Supervisor Campbell delivered the invocation and led in the Pledge of Allegiance.

Recognitions and Presentations

National Caregiver Month Proclamation

Supervisor Ford read aloud the following Proclamation:

PROCLAMATION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO FAMILY CAREGIVERS

WHEREAS, The President of the United States has designated November as National Family Caregivers Month; and,

WHEREAS, over 90 million Americans today are family caregivers for their loved ones; and,

WHEREAS, a large number of them are finding themselves providing care 24-hours a day/7-days a week; and,

WHEREAS, although caregiving can be a rewarding experience, it is not without its consequences such as stress, poor health, and caregiver burnout; and,

WHEREAS, six out of 10 family caregivers juggle everyday life tasks such as preparing the children for school, managing household responsibilities, and work full- or part-time. In addition, they have the added responsibility of managing medications for their loved one. Whether it be for a senior with Alzheimer's or a child with special needs the required attention can be non-stop; and,

WHEREAS, caregiving affects the whole family, family time and mealtime are extremely important in the caregiving setting. Ensuring that the caregiver and family members get the proper nutrition is important for maintaining strength, energy, stamina, and a positive attitude; and,

WHEREAS, with the responsibility of family caregivers in our country is growing every year, it is even more essential to encourage these heroes to take some time for respite so they may continue their mission of providing that loving care that only they can provide.

NOW, THEREFORE, We, the Rockbridge County Board of Supervisors, call upon all citizens of Rockbridge County to observe the month of November 2017, as Family Caregivers Month, during which all of our residents may join in celebrating the dedication of our local Family Caregivers, past and present, whose efforts improve the lives of so many in our community.

Adopted this 13th day of November, 2017.

The Proclamation was presented to Mickey Watkins, Director of Maury River Home Care, an affiliate of Valley Program for Aging Services.

Supervisor Ford moved to adopt the Proclamation as presented. Supervisor Campbell provided the second, and the motion carried by unanimous vote by the Board.

AYES: Ford, Campbell, Higgins, Hinty
NAYES: None
ABSTAIN: None
ABSENT: Lewis

Mountain View Elementary School Recognition for National Blue Ribbon Award

Supervisor Campbell asked those present representing Mountain View Elementary School to come forward. He then stated that he had requested this item be on the Agenda and shared his personal thoughts and

appreciation for Principal Lori Teague and her staff. He explained that Ms. Teague and her staff had received the National Blue Ribbon School Award and accepted the award during the National Blue Ribbon Schools Recognition Luncheon in Washington, D.C. He added that the staff at Mountain View Elementary work together like family, and that he was so happy for the team for receiving such an amazing award.

Principal Teague thanked the Board and shared that, it was not just her staff who should be commended for this award, but the children who work so hard at getting good grades. She recognized that such an award is good for not only the school but for the County also.

Chairman Hinty asked County Administrator Spencer Suter and Clerk to the Board to bring a Proclamation back to the next meeting to officially recognize Mountain View Elementary School.

Added Item:

America Recycles Day Proclamation

Community Education and Outreach Coordinator Jake Adams read aloud the following Proclamation:

Proclamation to Establish November 15, 2017 as America Recycles Day in Rockbridge County, Virginia

Each year, the United States generates more than 258 million tons of municipal solid waste, that's more than 4 pounds per person per day. According to the Environmental Protection Agency, our nation has reached an overall recycling rate of 34.6 percent. Each year, our national recycling rate:

- Sends 89 million tons of material to a useful second life instead of the landfill
- Saves the same amount of energy consumed by over 10 million US households in a year
- Avoids greenhouse gas emissions equivalent to removing more than 38 million cars from our roads
- Generates 757,000 jobs and \$36.6 billion in wages

But, much more can be done.

WHEREAS, to focus the nation's attention on the importance of recycling, businesses, industries, government agencies, nonprofit organizations, and individuals have joined together to celebrate America Recycles Day and are encouraging friends, neighbors, and coworkers to pledge to learn more about recycling options in their community and commit to recycle more materials every day of the year; and,

WHEREAS, participating in America Recycles Day 2017 is one way citizens can help raise awareness about the economic and environmental benefits of reducing waste by reusing, recycling, and buying recycled-content products; and,

WHEREAS, Rockbridge County leaders can also use this as an opportunity to spread the word about the excellent recycling programs that have been established, the growth of markets for recyclable materials, and the importance of buying and job creating recycled products.

NOW, THEREFORE, BE IT RESOLVED, that the Rockbridge County Board of Supervisors does hereby designate Wednesday, November 15, 2017 as America Recycles Day in Rockbridge County, Virginia.

Adopted this 13th day of November, 2017.

Supervisor Higgins moved to adopt the Proclamation as presented.

Supervisor Ford provided the second, and the motion carried by unanimous vote by the Board.

AYES: Higgins, Ford, Campbell Hinty
NAYES: None
ABSTAIN: None
ABSENT: Lewis

Citizens Comments

Chairman Hinty called for citizens' comments. There were none.

Items to be added to the Agenda

Chairman Hinty called for items to be added to the Agenda. There were none.

Approval of the October 23, 2017 Minutes

Supervisor Ford moved to approve the October 23, 2017 Minutes.

Supervisor Higgins provided the second, and the Minutes were approved by the following roll call vote:

AYES: Ford, Higgins, Campbell, Hinty
NAYES: None
ABSTAIN: None
ABSENT: Lewis

School Appropriation Resolution

Finance Director Steven Bolster presented the Schools' Appropriation Resolution and recommended approval as presented.

Supervisor Higgins moved to approve the Schools Appropriation Resolution. Supervisor Ford provided the second, and the Resolution was approved by the following roll call vote:

AYES: Higgins, Ford, Campbell, Hinty
NAYES: None
ABSTAIN: None
ABSENT: Lewis

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, NOVEMBER 13, 2017 AT 5:30 P.M.

On motion by Supervisor Higgins _____, by Supervisor _____, the Board, by record vote adopted the following appropriation resolutions:

APPROPRIATION RESOLUTION

FUND 50

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby are made, for the period ending **June 30, 2018** in **FUND 50, SCHOOL FUND** and expended as follows:

Carryover Grant

IDEA Title VI-B 611

4-50-61100-8101-901-100-000 Instruction..... \$82,735.00
Subtotal **\$82,735.00**

New Grant

IDEA Title VI-B 611 2017

4-50-61100-1121-901-200-874 Teacher Salaries..... \$347,864.00
4-50-61100-2100-901-200-874 FICA..... \$37,592.00
4-50-61100-2210-901-200-874 VRS..... \$80,196.00
4-50-61100-2210-901-200-874 Hospitalization..... \$24,537.00
4-50-61100-2300-901-200-874 GLI..... \$6,438.00
4-50-61100-2500-901-200-874 RHIC..... \$6,045.00
4-50-61100-3160-901-200-874 Purchased Services..... \$4,439.00
Subtotal **\$507,111.00**

Perkins CTE 2017

4-50-61100-3160-390-300-872 Purchased Services..... \$7,009.00
4-50-61100-5830-390-300-872 Other Charges..... \$2,496.00
4-50-61100-6030-390-300-872 Materials & Supplies..... \$41,502.00
Subtotal **\$51,007.00**

Additional Revenue Sources

4-50-61322-6030-901-000-000 Instructional Material..... \$1,000.00
4-50-62121-6001-902-000-000 Supplies..... \$16.00
4-50-64200-3660-904-000-000 Purchased Services..... \$12,596.00
Subtotal **\$13,612.00**

TOTAL FUND 50 APPROPRIATIONS **\$654,465.00**

County Financial Package/Approval of County's Appropriation Resolution

Mr. Bolster briefly reviewed his Monthly Memorandum, which included:
Section I - Commissioner of the Revenue

Activities for Month:

1. Working land use revalidations as well as applications for 2018.
2. Working DMV report on new titles to enter into personal property tax rolls.
3. Completed Public Service Corporation Tax Book (October) and working on Mineral Books to present to Treasurer for billing.
4. Preparing the CY 2018 tax forms: tax-relief applications, business personal property, business licenses, and meals/lodging tax forms.
5. Assessing new construction.

Section II - Treasurer

Activities for Month:

1. Mailed 2nd half of Real Estate taxes; due on or before Tuesday Dec 5, 2017
2. Continuing work on delinquent notifications for Personal Property
3. Debt-Set-Off collections continue this FY; \$7,709.71 associated with 54 filings
4. CY 2018 Dog Tags started sale on November 1st and are due on or before January 31, 2018.

Chairman Hinty asked Mr. Bolster to thank the Commissioner of Revenue and Treasurer for their work.

Mr. Bolster then reviewed the Revenues vs. Expenditures Chart and presented the County's Appropriation Resolution. Mr. Bolster requested adding an additional invoice for the Commonwealth's Attorney office in the amount of \$20 for civil summons paperwork. He then recommended approval of the County's Appropriation Resolution as amended.

Supervisor Ford asked whether the civil summons expense had an associated revenue. Mr. Bolster replied that there is an associated revenue. Supervisor Ford then moved to approve the County's Appropriation Resolution as amended, adding the \$20 invoice. Supervisor Higgins provided the second, and the amended Resolution was approved by the following roll call vote:

AYES: Ford, Higgins, Campbell, Hinty
 NAYES: None
 ABSTAIN: None
 ABSENT: Lewis

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, NOVEMBER 13, 2017 AT 5:30 P.M.

On motion by Supervisor_____, seconded by Supervisor _____, the Board, by record vote, adopted the following appropriation resolution and payment of bills for the month as follows:

APPROPRIATION RESOLUTION

GENERAL FUND:

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby is made, for the period ending **June 30, 2018**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-53010-3901 Fees-Crt Appointed Attorney.....	\$3,300.00
4-11-71005-5616 Cont.-Rockbridge Regional Fair/Expo...	\$12,500.00
4-11-71005-5618 Cont.-FOR Swimming CIP Project.....	\$7,500.00
4-11-81090-3008 GHV-House Production-Phase 2.....	<u>\$476,693.00</u>
Total General Fund Appropriations	\$499,993.00

Current County

11 - General Fund	\$869,266.71
94 - Central Stores	\$7,570.37
372 - Construction Project Fund	\$32,335.83
376 - Capital Purchases Fund	<u>\$13,384.65</u>
Total County Bills	\$922,557.56

Current Fiscal Agent

80 - Regional Jail	\$152,476.30
241 - E-Summons Fees	\$17,963.53
721 - Comm Atty Forfeitures	\$458.34
790 - Spring Ridge Rd Project	<u>\$83,919.20</u>
Total Fiscal Agent	\$254,817.37

TOTAL ALL BILLS **\$1,177,374.93**

Convene Solid Waste Authority (SWA)

Chairman Hinty convened the SWA at 5:53 p.m.

Solid Waste Authority Financial Package/Approval of Appropriation Resolution

Mr. Bolster presented the Solid Waste Authority's Appropriation Resolution and recommended approval as presented.

Supervisor Campbell moved to approve the SWA's Appropriation Resolution. Supervisor Ford provided the second, and the Resolution was approved by the following roll call vote:

AYES: Campbell, Ford, Higgins, Hinty
NAYES: None
ABSTAIN: None
ABSENT: Lewis

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY,
HELD AT THE COUNTY ADMINISTRATIVE BUILDING,
150 SOUTH MAIN STREET, LEXINGTON, VIRIGNIA,
ON MONDAY, NOVEMBER 13, 2017 AT 5:30 P. M.

On motion of Supervisor _____, with second by Supervisor _____, the Authority, by record vote, adopted the following appropriation resolution and payment of bills for the month as follows:

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Rockbridge County Solid Waste Authority, that the following appropriations are, and the same hereby is made, for the period ending **June 30, 2018**, from the UNAPPROPROATED SURPLUS of the **SWA-LANDFILL FUND** and expended as follows:

4-19-19050-5402 Tools & Equipment.....	\$8,700.00
4-19-19070-6951 Contingency-Infrastructure.....	\$1,928.00
4-19-19070-7009 Construction-Scales-S.House-Road.....	<u>\$6,346.00</u>
Total SWA-Landfill Fund Appropriations	\$16,974.00
Current SWA	
19 - SWA-Landfill	\$80,067.66
TOTAL SWA BILLS	\$80,067.66

Chairman Hinty closed the Solid Waste Authority at 5:54 p.m. and reconvened the Board of Supervisors meeting.

Radio System Update

Mr. Suter briefly reviewed this agenda item:

In 2015, after years of planning and interjurisdictional negotiations, Rockbridge County, Lexington and Buena Vista determined to build an upgraded, fully federally compliant regional emergency communications system. After procurement and award of a contract to Harris Communications, planning and installation commenced, with a target "live" date to coincide with moving into a new regional 911 center in June of 2017. Various delays, mostly out of our control, have held the project up. However, we can now reliably predict a cutover on February 8, 2018. Recent progress of note includes:

- Vehicle installations - Approximately 80% complete
- Inclusion of W&L University Public Safety as a regional partner
- Cooperative efforts with Natural Bridge State Park for inclusion on the system

- Cooperative efforts with Region 2000 to plan for interoperable communications on the Bedford/Amherst line
- Development of a draft agreement for inclusion of Alleghany County and Covington in our system, with capital and ongoing maintenance cost sharing (this will be brought to the Board of Supervisors for consideration at a later date).
- Cooperation with Harris Corporation to delay full coverage testing until May, 2018, to ensure that the system is tested under worst case conditions (full foliage).
- Informal system coverage testing has thus far yielded promising results
- Portable radio distribution and user training is scheduled for January, in advance of system cutover.

Other, related updates include the fact that the new regional 911 center is complete and ready to occupy. Additionally, we have signed a contract with Tyler Technologies for a new Computer Aided Dispatch System, which will vastly improve operational and reporting capabilities.

Supervisor Ford commended Mr. Suter for his efforts in this project.

Virginia Horse Center (VHC) Continued Discussion

Supervisor Campbell advised that Chairman Hinty had asked him to excuse himself from this discussion. He stated that, once the Board makes a decision, he would like to return to the dais for a discussion pertaining to the VHC. Supervisor Campbell then left the dais at 6:03 p.m.

Mr. Suter briefly reviewed the agenda item:

On October 13th, the Board approved a request from the Virginia Horse Center (VHC) for refinancing and disposal of surplus property. As per requirements of the 2014 agreement with the VHC, the County EDA, Lexington

City Council and Lexington City IDA have also granted approval. The VHC plans to close on a loan with Cornerstone Bank on November 14th. Proceeds of the refinanced loan will be used to retire a \$750,000 loan with New River Bank. Additionally, approximately \$350,000 of a \$500,000 life insurance policy associated with the loan will be used to bring the VHC fully current and finally begin operating at a positive cash flow.

As you are aware, the Board and the VHC has, for the past 18 months, been discussing a collaborative effort to build youth athletic fields off Alphin Lane, with the land secured via a long term, no cost lease. As you are also aware, the land where the fields could be developed is pledged as collateral for the existing New River Bank loan. We have since also determined that part of the space planned for development is pledged as collateral for the original USDA loan. As a result, we are working on a plat and proposal for the USDA to incorporate a lot line adjustment which would serve the intended purposes while keeping all parties whole.

The existing parcel which will secure the Cornerstone loan has recently been appraised at \$209,000. In order to free the required area for development, the County would need to pledge 65% (\$135,850) of the appraised value. Placed in an escrow account, this money would be used to purchase the land should the VHC ever default on the Cornerstone loan (bearing in mind that the goal is to again refinance the loan with the USDA, within the next 12 months, thereby releasing the escrow funds back to the County). Details with the USDA must still be worked out, but as noted, these would include swapping some of the land currently collateralized with the New River Bank loan, but which would be unnecessary for the field construction. Please note that this action would require expenditure of funds to complete appraisals of the swapped parcels, and some potential legal fees to complete the transactions. Also, while we have verbal approval from the USDA for this course of action, there is nothing barring that entity from changing its position. Should that occur, our fallback position would be to simply construct one field, which could be fully contained on the property which our escrow deposit will collateralize the planned Cornerstone loan.

In order to move ahead as quickly as possible after the VHC closes on the Cornerstone Bank loan, staff and the VHC are seeking Board approval to move forward with the plan listed above, immediately upon closing of the Cornerstone loan. Our intention is to return to the Board with:

- 1) A long term lease agreement with the VHC; and
- 2) An agreement with Cornerstone bank which ensures that, for consideration of \$135,850 in an escrow account, Cornerstone would sell the property to the County should the VHC default on the loan.

Mr. Suter then reviewed the draft site plan and collateral exchange exhibit plat with the Board and introduced VHC representatives John Nicholson, Sandra Thomas, Leigh Anne Claywell, and County resident Connie Loughhead.

Mr. Nicholson commended Mr. Suter for his tenacity in helping get this potential project to this point and shared his and the VHC Board's gratefulness for the current members of the Board of Supervisors and their support in helping the VHC as they reorganized over the past several years. He stated that saving the VHC was the right thing to do even though it may not have been the easiest task. He shared that he realized that there would be new BOS members January 1, 2018 and stated that he looked forward to working in partnership with the new members. He then asked Supervisor Ford, who would be retiring from BOS December 31st, if he would continue sharing his support and wisdom with the VHC Board following his departure.

Mr. Suter commended Connie Loughhead and Russ Orrison of Perkins and Orrison for being instrumental in getting the athletic field project to this point.

Supervisor Ford commended Mr. Nicholson and his staff for their transparency, noting that before the transition to new management, the VHC had trouble being transparent.

Mr. Nicholson commended Supervisor Campbell for serving as the Board of Supervisors liaison on the VHC Board.

Supervisor Higgins moved to accept the following recommendations read aloud by Mr. Suter, which were to provide staff with a directive to:

- 1) Work with Cornerstone and the USDA to reach an agreement on a lot line adjustment which would keep both entities whole with regard to collateralized property.
- 2) Develop and return to the Board an agreement with Cornerstone Bank to take possession of the property for consideration of \$135,850, should the VHC default.
- 3) Return to the Board with a final lease agreement with the VHC for the property needed to build fields

A second to Supervisor Higgins' motion was provided by Supervisor Ford, and the motion carried by the following roll call vote:

AYES: Higgins, Ford, Hinty
NAYES: None
ABSTAIN: Campbell
ABSENT: Lewis

Supervisor Campbell returned to the dais at 6:17 p.m. He then read aloud the following statement:

"Mr. Hinty called me a couple of weeks ago to share concerns he received from a few people with regard to me being the BOS observer of the VHC board and it being a potential conflict of interest. My wife works for Cornerstone Bank. The VHC is getting a loan at Cornerstone Bank. He expressed his concern of the perception of a potential conflict and

suggested I excuse myself from discussing the soccer fields. This needs to be resolved tonight.

"About three years ago the BOS asked me to attend VHC board meetings. The VHC thought I was sent to be a board member, but this board reassured them I was just an observer. The VHC later asked me to join their board and again the BOS said no. I agreed with this arrangement.

"Let me give you a summary of how my attendance at a VHC meeting usually goes. Their meetings start at 12:00 with a lunch for the board. I always arrive 30 to 45 minutes late, so lunch is finished. They always tell me 'get something to eat,' not realizing that as an observer I did not consider it appropriate and have never participated in their lunch. Occasionally, I have been asked specific questions by members of the VHC board and have answered, but that is the extent of my participation. The meetings generally last 3 to 3 ½ hours.

"During these meetings I have listened to VHC staff explain to the board why they were using Cornerstone Bank. They have often stated that they like Cornerstone because it is a community bank, and recognize how much Cornerstone does to support community. They have also mentioned that they enjoy the fact that Cornerstone is willing to work with them and the staff is friendly. Members of the VHC are here tonight, if anyone wants to verify these statements. They can also verify that the staff and board did not know my wife worked at CornerStone until about 6 months ago. Ellen is an ambassador for the Chamber of Commerce and represents CornerStone Bank. We attended a Chamber event at the VHC and some of the VHC staff recognized her from the bank. Ellen is the Retail Banking Manager. Retail deals with deposit accounts, consumer lending, personal investments and mortgage lending. Items in our agreement with the VHC, loans, refinancing, etc. are originated and handled on commercial side of the bank because the VHC is a business.

"So, we have a decision to make this evening before tomorrow's VHC board meeting. You could ask the VHC to stop banking at Cornerstone, which would

be improper. You could insist that Ellen resign from Cornerstone. This board can select a different supervisor to replace me as their VHC observer. Or you can conclude that no conflict exists and I will continue discussing and voting on VHC items in the future."

He then added that he had spoken with the Commonwealth's Attorney who did not feel there was a conflict of interest.

Supervisor Ford asked Supervisor Campbell to continue going to the VHC meetings.

Chairman Hinty asked County Attorney Vickie Huffman if she had any comments.

Ms. Huffman replied that she did not. She did however note that the Commonwealth's Attorney's written opinion is the only valid opinion.

Chairman Hinty asked that Supervisor Campbell receive a written opinion from the Commonwealth's Attorney and to continue serving as the Boards liaison to the VHC Board.

Ms. Huffman advised that it didn't appear to be a conflict of interest for Supervisor Campbell to observe the VHC meetings because he did not vote. She added that the only possible conflict would be for him to take action on VHC items during a Board of Supervisors meeting.

Chairman Hinty agreed with Ms. Huffman's comment.

Appointments

Blue Ridge Court Community Corrections- Two positions

Mr. Suter advised that he and Supervisor Higgins currently served as the County's representatives. He stated that the terms had expired on June 30th and asked for the Board's consideration for reappointment or to appoint new members.

Chairman Hinty requested that Mr. Suter and Supervisor Higgins remain on the Blue Ridge Court Community Corrections Board.

Supervisor Campbell nominated Mr. Suter and Supervisor Higgins for reappointment to the Blue Ridge Court Community Corrections Board, with an effective date of July 1, 2017 until June 30, 2019. Supervisor Ford provided the second, and nomination passed by the following roll call vote:

AYES: Campbell, Ford, Higgins, Hinty
NAYES: None
ABSTAIN: None
ABSENT: Lewis

Staff Reports

Supervisor Campbell moved to approve the Staff Reports. Supervisor Ford provided the second, and the Reports were accepted by the following roll call vote:

AYES: Campbell, Ford, Higgins, Hinty
NAYES: None
ABSTAIN: None
ABSENT: Lewis

Continued Meeting

Chairman Hinty advised that this meeting needed to be continued until Monday, November 20th at 8:30 a.m. for a Joint Meeting with the EDA and to tour the new Devil's Backbone Distribution Facility.

Mr. Suter reminded the Board that there would be a Joint Meeting with the School Board on Thursday, November 30th at 4:30 p.m. at the School Board Office. This would be the first joint meeting on the FYE 2019 budget schedule.

The meeting was continued at 6:29 p.m.