

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS
HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, MAY 14, 2018 AT 5:30 P.M.

BOARD MEMBERS PRESENT: DAVID W. HINTY, JR. (CHAIRMAN)
 JOHN M. HIGGINS (VICE-CHAIRMAN)
 RONNIE R. CAMPBELL
 DANIEL E. LYONS
 A.J. "JAY" LEWIS, II.

COUNTY ADMINISTRATOR
AND CLERK TO THE BOARD: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Chairman Hinty called the meeting to order at 5:31 p.m. He stated that Supervisor Campbell would deliver the invocation for anyone who wished to participate.

Prayer and Pledge:

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

Recognitions and Presentations:

National EMS Week Proclamation:

Supervisor Lewis read aloud the proclamation below, approved unanimously by the Board:

**PROCLAMATION EXPRESSING THE APPRECIATION OF THE
BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO
LOCAL EMERGENCY MEDICAL SERVICE (EMS) AGENCIES AND PROVIDERS**

WHEREAS, The Congress and President of the United States have designated May 20th – 26th as National Emergency Medical Services (EMS) Week; and,

WHEREAS, the men and women of the EMS agencies serving Rockbridge County, the City of Lexington, and the City of Buena Vista provide a vital public service by responding to the EMS needs of our residents and visitors; and,

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their local EMS providers; and,

WHEREAS, safety of our citizens is a primary goal of local, state, and national government; and,

WHEREAS, EMS providers are often among the first to arrive upon the scene of emergencies and disasters, be they medical, natural or manmade, to provide immediate and often life-saving assistance while fulfilling their mission to provide the best pre-hospital care; and

WHEREAS, EMS providers participate in numerous hours of rigorous training and continuing education in order to enhance their life-saving skills and thereby dramatically improve the survival and recovery rate of their patients; and

WHEREAS, EMS providers and agencies demonstrate a high level of commitment and dedication to their communities and fellow citizens by providing training, health screenings and other life-safety awareness programs in their respective localities;

NOW, THEREFORE, We, the Rockbridge County Board of Supervisors, call upon all citizens of Rockbridge County to observe the week of May 20th – 26th, 2018, as Emergency Medical Services week, during which all of our residents may join in celebrating the dedication of our local EMS Providers, past and present, and their families, whose support allows them to serve our community.

(This item was added to the Agenda)

Introduction of New Executive Director of the Maury Service Authority:

County Administrator Spencer Suter introduced Jordan Combs. Mr. Suter advised Mr. Combs had been retained by the MSA Board to succeed Executive Director of the MSA Jerry Higgins, who is retiring. He noted that Mr. Combs is a VMI graduate with a great deal of experience with the MSA. Supervisor Higgins noted that, as a member of the MSA Board, he was very pleased with the selection, explaining that Mr. Combs had attended every meeting of the MSA Board for the past two years.

Citizens Comments:

Chairman Hinty called for citizens Comments. There were none.

Items to be added to the Agenda:

Supervisor Campbell asked to discuss the annual Employee Appreciation Luncheon at the end of the meeting.

Approval of the April 23, 2018 and May 1, 2018 Minutes:

Supervisor Lyons moved to approve the April 23, 2018 and May 1, 2018 Minutes. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

Approval of the County's Appropriation Resolution and Payment of Bills:

Finance Director Steven Bolster reviewed his memorandum:

"Section I - Commissioner of the Revenue

Activities for Month:

1. Prepared and presented the Land Book to the Treasurer.
2. Completed another busy state income tax season (assisted 134 citizens).
3. Working DMV report for April 2018 (reconciled 1,096 vehicles).
4. Preparing late notices for business license renewals to be mailed (282 letters).
5. Auditing Schedule C's against business license files.
6. Worked new construction assessments (27 sites).

Section II - Treasurer

Activities for Month:

1. Continue to collect State income & Estimated State taxes.
2. New 2018 Real Estate first half tax bills - due June 5, 2018.
3. Debt-Set-Off collections remain high volume - \$30,624.46 associated with 194 filings.
4. Enhanced .net Treasurer component of the BAI software is available for the public to see & pay their real estate bill on-line with debit or credit card (convenience fee will be added). This information is all noted on the reverse side of the real estate bill.

Section III - Director of Fiscal Services

Information Items:

1. Procurement update.
2. FY 2018 financial update."

Mr. Bolster then presented the County's Appropriation Resolution shown below, and recommended approval of the resolution and the payment of bills.

Supervisor Higgins moved to approve the resolution and the payment of bills. Supervisor Campbell provided the second, and the motion carried by the following roll call vote:

AYES: Higgins, Campbell, Lyons, Lewis, Hinty
NAYES: None

ABSENT: None

ABSTAIN: 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, MAY 14, 2018 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:

4-11-22010-5504 Travel.....	\$1,769.00
4-11-22010-5505 Continuing Education.....	\$500.00
4-11-31020-7005 Police Equipment.....	\$5,375.00
4-11-42030-3904 County Share-Landfill Operations.....	\$50,000.00
4-11-44010-5414 Repairs, Tires, Parts.....	\$25,000.00
4-11-44010-5415 Gas, Oil, & Diesel.....	\$20,000.00
4-11-53010-3901 Fees.....	\$1,600.00
4-11-81080-5401 Office Supplies.....	\$750.00
4-11-99010-6703 Transfer to School Constr. Fund.....	\$930,451.00
Total General Fund Appropriations	\$1,035,445.00

Current County

11 - General Fund	\$883,607.36
94 – Central Stores	\$7,922.42
372 – Construction Project Fund	\$5,551.78
376 – Capital Purchases Fund	<u>\$19,260.58</u>
Total County Bills	\$916,342.14

Current Fiscal Agent

80 - Regional Jail	\$158,513.62
241 – E-Summons Fees	\$1,430.36
721 – Commonwealth Atty. Forfeitures	<u>\$363.34</u>
Total Fiscal Agent	\$160,307.32

TOTAL ALL BILLS **\$1,076,649.46**

Approval of the School Divisions Appropriation Resolution:

Mr. Bolster presented the School Divisions Appropriation Resolution.

Supervisor Lewis moved to approve the resolution. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

AYES: Lewis, Higgins, Campbell, Lyons, Hinty
NAYES: None
ABSENT: None
ABSTAIN: 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, MAY 14, 2018 AT 5:30 P.M.

On motion by Supervisor _____, seconded 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:

Additional Revenue Sources

4-50-64200-6007-904-000-000 Materials.....	\$111.00
Subtotal	\$111.00

VDOT Six Year Plan Review and Authorization to Schedule a Public Hearing:

Mr. Suter briefly reviewed the Board Report shown below. He noted one error in his report, the date for the Boards Public Hearing would be May 29th, as May 28th is a State holiday.

"Annually, the Board reviews the VDOT 6 year plan to assess progress and make modifications and additions where required. This requires publication of the draft plan, followed by a scheduled public hearing. Typically, the process starts with a review of the current-year plan, followed by a presentation from local Residency Administrator Susan

Hammond. During the presentation, Ms. Hammond describes progress on current projects, schedules for planned progress and recommended future projects. She also discusses available fund sources and amounts.

During her presentation, the Board is encouraged to offer feedback and suggestions on future projects. Ultimately, the Board can authorize advertisement of the plan (as amended, if needed), or could opt to push out to another meeting to revisit.

I had previously sent the Board the current 6-year plan. Attached are VDOT's proposed FY2019 6 year plan and budget documents for review."

He then introduced Ms. Hammond, who reviewed the Six-Year Plan by line item. She called attention to several projects on the list which had been completed, noting that they would be removed once the financial closeout process for each is completed. Following her review of the Plan, Ms. Hammond asked if there were any questions. There were none.

Mr. Suter noted that the Board could opt to schedule the public hearing for May 29, or wait until June. He recommended the former.

Supervisor Higgins moved to authorize scheduling a Public Hearing for Tuesday, May 29th. Supervisor Campbell provided the second, and the motion carried by the following roll call vote:

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

RANA Request for Resolution in Lieu of Bond for VDOT:

Mr. Suter briefly reviewed the Board Report shown below.

"As you know, the Rockbridge Area Network Authority (RANA), after a challenging beginning, has gained its legs and is now solvent and stable. Its Board and management continue to look for ways to help grow the network in a steady, efficient fashion. One challenge they have faced is meeting VDOT bond requirements, when they make drops and short expansions in the VDOT Right of Way. The original network backbone was installed with assurances backed by the County. Now RANA must maintain a district-wide permit at a cost of \$1,300 per year and must also post bonds for every new installation or maintenance project they undertake. Though it is fully recognized that VDOT must require assurance, the costs of the bonds can be onerous and reduces the amount of gain RANA can realize. However, VDOT offers the option to allow a county to offer a resolution in lieu of bond for public authorities and others.

After gaining approval from the RANA Board of Directors, RANA Executive Director Scott Robertson approached me with an oral request for such consideration, followed by a letter. County Attorney Vickie Huffman has adapted the VDOT boilerplate resolution for Rockbridge County, for your consideration. Ms. Huffman and I have discussed and support this request, given the fact that VDOT has never had to collect a bond for any RANA work. However, even given the low risk, we would advise entering into a separate agreement with RANA, ensuring that RANA would be responsible for repayment of any penalty arising from such a resolution. In this way, the County would be protected to the maximum extent possible, while removing a barrier for RANA's continued expansion.

Before expending effort on a separate agreement, we wanted to present the request to the Board to see if there is conceptual support. Should the Board agree, we would draft such an agreement and return to the Board at a later date (likely May 29) with both documents for consideration."

He then introduced RANA Executive Director Scott Robertson.

Mr. Robertson explained that this would save RANA money and clarified that RANA would be solely responsible for any claims. He noted that currently, there were four (4) projects he could be working on.

Supervisor Campbell recommended approving the resolution to get the projects moving forward.

Supervisor Lyons recommended approval of the resolution with a stipulation that it be approved with the intentions to proceed with the four (4) projects spoken of, and that a contract between RANA and the County be brought to the Board at its next regular meeting. Should a contract not be ready, Supervisor Lyons recommended revoking the resolution until a contract was ready.

Mr. Suter asked Mr. Robertson if he predicted completion of the four (4) projects by the next Board Meeting in the event the contract was not ready.

Mr. Robertson replied, no.

Supervisor Lyons moved to adopt the resolution, effective immediately, but subject to revisiting with an associated agreement on May 29th. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

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

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON MONDAY, MAY 14, 2018**

**LAND USE PERMIT
RESOLUTION**

WHEREAS, it becomes necessary from time to time for the Rockbridge Area Network Authority to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public utilities projects along, across, over and upon highway systems of the Commonwealth of Virginia; and, **WHEREAS**, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting permits to the Rockbridge Area Network Authority by the Virginia Department of Transportation for the work aforesaid;

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

Section 1: That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Rockbridge County Board of Supervisors does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Rockbridge Area Network Authority for work within the jurisdictional boundaries of the County of Rockbridge, and guarantees the successful completion of the work, or, if appropriate, restoration of the right of way to its original condition.

Section 2: That the Executive Director of the Rockbridge Area Network Authority, or his designee, be, and hereby is authorized to execute on behalf of the Rockbridge Area Network Authority all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the Rockbridge Area Network Authority shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the Rockbridge Area Network Authority, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

(Chairman Hinty then reorganized the remaining items on the Agenda)

Review and Consideration of Byers Technical Institute (BTI) Performance Agreement:

Director of Community Development Sam Crickenberger briefly reviewed the Board Report shown below.

"Attached is the Performance agreement for the Go Virginia Rockbridge Area Advance Manufacturing Program (RAAMP). RAAMP was awarded a \$200,000 GO Virginia grant to expand Byers Technical Institute. \$100,000 from Go Virginia and \$100,000 private/public match. The performance agreement spells out the specifics on how the match will be collected and distributed by the County Economic Development Authority. Buena Vista City Council has already approved the agreement as presented."

Mr. Crickenberger recommended adoption.

Supervisor Higgins asked how much funding was being dedicated by the City of Buena Vista. Mr. Crickenberger explained that the match was based on population and that the EDA would be contributing \$38,500, Buena Vista contributing \$11,500 and Beyers Inc. contributing \$25,000 and Waynesboro Metal Fabricators \$25,000.

Supervisor Higgins moved to adopt the resolution approving the Performance Agreement. Supervisor Campbell provided the second, and the motion carried by the following roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MAY 14, 2018

Resolution to Approve a Performance Agreement Between the Rockbridge County Board of Supervisors, the City of Buena Vista, the Economic Development Authority of Rockbridge County, Byers Technical Institute, LLC, Byers, Inc., and Waynesboro Metal Fabricators, LLC, and to Appropriate Grant Match Incentive Funds of \$38,500.00 to the County EDA as the County's Portion of the Grant Match for Economic Development Purposes

WHEREAS, the Rockbridge County Board of Supervisors (the "County"), the City of Buena Vista (the "City"), and the Economic Development Authority of Rockbridge County (the "Authority") desire to promote and encourage the economic development and vitality of the Rockbridge County and Buena Vista area through the recruitment of new industry and the expansion of existing business and employment opportunities for the citizens of the region in order to provide for increased employment and corporate investment in the region; and,

WHEREAS, the training, education and existence of a qualified workforce is essential to industry and business development; and,

WHEREAS, Byers Technical Institute, LLC (“BTI”) desires to support the economic development efforts of the County, the City and the Authority, and anticipates expanding its technical education facility in Rockbridge County, Virginia, to improve, expand, and enhance its campus, teaching facility and teaching staff (hereinafter referred to as the "Project"); and,

WHEREAS, BTI has been awarded a grant of and expects to receive \$100,000 from Regional Council Eight, Northern Shenandoah Valley Regional Commission of the Commonwealth's Department of Housing and Community Development (“DHCD”), (a DHCD "GO VIRGINIA" Grant) through the DHCD for the purpose of inducing the Company to complete the Project; and,

WHEREAS, the County and the City will provide one-half (1/2) of the local matching funds for the "GO VIRGINIA" Grant and provide additional assistance as set forth in the Performance Agreement; and,

WHEREAS, Byers, Inc. (“Byers”) and Waynesboro Metal Fabricators, LLC (“WMF”) will provide the other one-half (1/2) of the local matching funds for the "GO VIRGINIA" Grant; and,

WHEREAS, the County, the City, Byers and WMF are willing to provide the matching Grant funds set forth herein (“the Grant Match”) to the Authority with the expectation that the Authority will provide the funds to or for the use of BTI, provided that BTI promises to meet certain objectives relating to Capital Investment, New Instructors, and a Student Graduation Threshold; and,

WHEREAS, DHCD and BTI have entered into a separate agreement dated April 18, 2018, setting forth provisions as to the payout of the "GO VIRGINIA" Grant, the use of matching funds, the use of the Grant proceeds, the obligations of the Company regarding Capital Investment and New Instructors, and the repayment by the Company of all or part of the "GO VIRGINIA" Grant and matching funds under certain circumstances (the “DHCD Grant Contract”); and,

WHEREAS, the County, the City, the Authority, BTI, Byers and WMF propose to enter into a Performance Agreement setting forth their understanding and agreement as to the payout of the "GO VIRGINIA" Grant, the use of matching funds, the use of the Grant proceeds, the obligations of BTI regarding Capital Investment, New Instructors and Student Graduation, and the repayment by BTI of all or part of the "GO VIRGINIA" Grant and the Grant Match under certain circumstances; and,

WHEREAS, the stimulation of the economic activity to be generated by the enhanced educational capacity constitutes a valid public purpose for the expenditure of public funds and is the animating purpose for the "GO VIRGINIA" Grant.

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

1. That the terms and provisions of the Performance Agreement dated May 21, , 2018, between the Rockbridge County Board of Supervisors, the City of Buena Vista, the Economic Development Authority of Rockbridge County, Byers Technical Institute, LLC, Byers, Inc., and Waynesboro Metal Fabricators, LLC, are hereby authorized and approved.
2. That the County’s portion of the Grant Match Incentive Funds, in the amount of \$38,500.00, is hereby appropriated to the Authority for the Project under the terms of the above-described Performance Agreement.
3. That the County Administrator is hereby authorized to execute the Performance Agreement approved in paragraph 1 above, in substantial conformity to the proposed agreement herewith, and to execute such other and further documents and to take such further actions as are necessary to accomplish this transaction on behalf of the Board of Supervisors of Rockbridge County.
4. That this resolution shall be effective on and from the date of its adoption.

Review of Greenhouse Village Contract Documents and Authorization to Proceed:

Supervisor Campbell abstained from all matters, discussions, or voting related to the Greenhouse Village Phase II Project.

Mr. Crickenberger briefly reviewed the Board Report shown below..

"The attached bid documents define the scope of work associated with Phase II of Greenhouse Village to include road construction, installation of water and sewer lines and landscaping. This phase of the construction will include the production of twelve single-family homes over a two year period, and allow for an additional eight homes to be built after that. Construction is slated to begin in June on the following project:

1. Production of twelve LMI single-family owner-occupied energy-efficient housing units to Department of Housing and Community Development (DHCD) Housing Quality Standards (HQS) using solely non-Community Development Block Grant (CDBG) funds;
2. Design and installation of approximately 1,170 LF of sanitary sewer lines, nine sanitary sewer manholes, eight lateral connections, two extended lateral tees, six lateral tees and all necessary appurtenances using CDBG and non-CDBG funds;
3. Design and installation of approximately 531 LF of water lines, two hydrant assemblies, twenty service connections and all necessary appurtenances using CDBG and non-CDBG funds; and
4. Design and installation of approximately 2,383 LY of street pavement, 35 street trees, 55 LF of ditch lining and twenty driveway entrances using CDBG and non-CDBG funds.

Staff held a community meeting on May 9, 2018 to review the project with the residents in the area."

He then recommended approval to advertise the Bid package for Phase II construction.

Supervisor Lyons moved to proceed with advertisement. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

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

Update on Virginia Horse Center Purchase and Escrow Agreement:

Mr. Suter briefly reviewed the Board Report shown below.

"As you are aware, the Board and the VHC have, for the past two years, been discussing a collaborative effort to build youth athletic fields off Alphin Lane, with the land secured via a long term, no cost lease. In January, the Board and the VHC executed a 50 year lease for the field space (attached). The land slated for fields spans two parcels - each pledged as collateral for loans - one for Cornerstone Bank and the other for the USDA. In order to protect any private or public investment in fields, we needed to take two additional steps:

1) A swap of collateralized property between the USDA and the VHC such that the entirety of the leased area would be subject to only one loan - with Cornerstone.

- County Attorney Vickie Huffman drafted a deed of trust security exchange document for the VHC and USDA. *Both have signed and we are in the process of getting it recorded.*

2) Execution of an Escrow and Purchase agreement between the County and the VHC. To recap, the parcel securing the Cornerstone loan was appraised last fall at \$209,000. In order to free the required area for development, the Board pledged 65% (\$135,850) of the appraised value, when it approved the lease agreement with the VHC. Placed in an escrow account, this money would be used to purchase the land, should the VHC ever default on the Cornerstone loan.

- Ms. Huffman drafted the agreement and *it was approved by the VHC Board on May 8th.*

The Escrow and Purchase agreement is attached for the Board's consideration. Should the Board approve, \$135,850 would need to be appropriated from the general fund, to place into an escrow account with Cornerstone Bank. Again, the funds would sit in that account until either:

- 1) The \$750,000 Cornerstone loan is retired, in which case the funds would be returned to the general fund, or;
- 2) The VHC defaults on the loan, in which case the property would be deeded to the County, in consideration of the \$135,850 escrow.

A resolution is attached which, if adopted, would approve both the agreement and appropriation of the escrow. I've also attached site plan of the property for your viewing. In a parallel track, the public hearing for the special exception permit application for athletic fields in an AT zone approved by the Board in April was held on May 9th. The Planning Commission has recommended approval, subject to the following conditions:

- (i) Substantial Compliance with the schematic plan presented.

- (ii) Fields are to be used for daytime use with not lighting.
- (iii) Entrance will gated when the Athletic Fields are not in use.

The Board's public hearing has been scheduled for its next regular meeting on May 29th."

Supervisor Higgins moved to adopt the resolution. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MAY 14, 2018

Resolution to Approve the Escrow and Purchase Agreement Between the Rockbridge County Board of Supervisors, Cornerstone Bank, N.A., and The Virginia Horse Center Foundation to Establish an Escrow Account in Exchange for a Release from Cornerstone's Deed of Trust of the Portion of the Proposed Athletic Fields, and to Appropriate the Escrow Funds in the Amount of \$135,850.00

WHEREAS, the Virginia Horse Center Foundation (the "VHC") borrowed the sum of up to \$750,000.00 from Cornerstone Bank ("Cornerstone"), evidenced by a credit line deed of trust dated November 17, 2017, and recorded in the Clerk's Office of the Circuit Court of Rockbridge County as Instrument #170003140 (herein referred to as the 'Cornerstone Credit Line Deed of Trust'); and,

WHEREAS, the Cornerstone Credit Line Deed of Trust is secured by a number of parcels of land owned by the VHC, including "10.437 acres" on the northerly side of Route 39, identified as Parcel #0610000A0000080C on a Plat dated November 16, 2006, made by Michael W. Dorsey, LS, and recorded in the aforesaid Clerk's Office in Plat Cabinet 4, Slide 41; and,

WHEREAS, by Lease Agreement dated as of December 15, 2017, the VHC leased to the County, for a term of fifty (50) years, a parcel of land containing 8.708 acres, more or less, lying on the north side of Alphin Lane (Route 750), in the Walkers Creek Magisterial District of Rockbridge County, Virginia, shown and described as "proposed parcel – 8.708 ac" on the 'Exhibit Showing Reconfiguration of Assignment Parcel #8 With Improvements – Virginia Horse Center' dated November 7, 2017, a copy of which is attached hereto as Exhibit 1-A and 1-B, and incorporated herein by reference, referred to as the "Athletic Field Parcel", together with an easement for drainage and stormwater management extending from the Athletic Field Parcel to and including the 'Proposed Stormwater Management Facility Easement', as shown on Exhibit 1-A and 1-B, and the right of ingress and egress thereto from a public road, referred to as the "Drainage and Stormwater Management Easement"; and,

WHEREAS, a significant portion of the Athletic Field Parcel and all of the Drainage and Stormwater Management Easement are within the 10.437-acre parcel (#0610000A0000080C), referenced above and subject

to the Cornerstone Credit Line Deed of Trust, shown on Exhibit 1-A and 1-B as “**existing assignment parcel #8 – 10.437 ac.**”, herein referred to as “Assignment Parcel #8”; and,

WHEREAS, the County proposes to develop the Athletic Field Parcel with athletic fields, associated parking and other facilities, including a concession stand and restrooms, as shown on Exhibit 1-A, and other reasonably related activities and incidental uses; and,

WHEREAS, the VHC and the County have requested release of Assignment Parcel #8 from the lien of the Cornerstone Credit Line Deed of Trust; and,

WHEREAS, Cornerstone has agreed to such release, contingent upon the County placing the sum of \$135,850.00 in an escrow fund as alternative security for the Cornerstone Loan; and,

WHEREAS, the County has agreed to such escrow, provided the VHC agrees to convey, in fee simple, the ‘Existing Assignment Parcel #8 – 10.437 ac.’ To the County in the event that default results in Cornerstone drawing all or any portion of the escrow funds in satisfaction of the Cornerstone Loan.

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

1. That the terms and provisions of the Escrow and Purchase Agreement between the Rockbridge County Board of Supervisors, Cornerstone Bank, N.A., and the Virginia Horse Center Foundation, are hereby authorized and approved.

2. That the Escrow Funds, in the amount of \$135,850.00, are hereby appropriated from the General Fund for the purposes set forth in the Escrow and Purchase Agreement.

3. That the County Administrator is hereby authorized to execute the Escrow and Purchase Agreement, in substantial conformity to the agreement herewith, and to execute such other and further documents and to take such further actions as are necessary to accomplish this transaction on behalf of the Board of Supervisors of Rockbridge County.

4. That this resolution shall be effective on and from the date of its adoption.

Authorization to discontinue the Lifecare Ambulance Services Contract:

Fire Chief Nathan Ramsey briefly reviewed the Board Report shown below.

Since 2014 the County has utilized the services of Lifecare Medical Transport Transports, Inc., to provide ambulance transport services, basing from the Glasgow and Fairfield Volunteer Rescue Squad buildings. From the beginning of the relationship, both parties knew that the arrangement had the potential to shift to a fully County-operated system. During the FY2019 budget process, the Board accepted a staff recommendation to transition to our own paid FF/EMT staffing from these locations, covering the same periods (12x7 daytime coverage).

Our contract with Lifecare (attached) requires a 120 contract cancellation notice from either party. When cancellation of a contract is contemplated, it is advisable for the Board be aware and make such directive. I’ve attached a draft letter for Board consideration.

Please be advised that Lifecare has done a very good job for us and our relationship remains strong. Based on the fact that we cannot guarantee the exact date that we will be prepared to take over services, Lifecare has agreed to a flexible end date, which would in any case be no earlier than September 30, 2018."

He then noted that the County has had a great working relationship with Lifecare and that he appreciated them serving the citizens so well for the past four (4) years. He concluded with the request for the Board to approve the resolution to terminate the agreement.

Supervisor Lyons moved to adopt the resolution. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, MAY
14, 2018

Resolution to Terminate the Operations and Management Agreement Dated December 12, 2014, Between Rockbridge County, Lifecare Medical Transports, Inc., Fairfield Volunteer Rescue Squad, Inc., and Glasgow Lifesaving & First Aid Crew, Inc.

WHEREAS, on August 11, 2014, the Board of Supervisors authorized staff to enter into negotiations with Lifecare Medical Transports, Inc., to provide emergency medical services within the County, to be initially based from the facilities of the Fairfield Rescue Squad, Inc., and the Glasgow Lifesaving & First Aid Crew, Inc.; and

WHEREAS, at the Board's regular meeting on November 24, 2014, staff presented to the Board for approval an Operations and Management Agreement for Emergency Medical Service to provide daytime emergency medical and ambulance services using the facilities, equipment, and supplies of the Fairfield Rescue Squad, Inc., and the Glasgow Lifesaving & First Aid Crew, Inc., for annual compensation in the amount of \$318,240.00, for an initial term of two (2) years, and provision for renewal on an annual basis for up to four (4) additional years; and

WHEREAS, by Resolution adopted on December 8, 2014, the Board of Supervisors approved the Operations and Management Agreement; and,

WHEREAS, the Board subsequently approved an amendment to said Agreement, effective November 1, 2016, to increase the times of service to coverage of seven (7) days per week; and,

WHEREAS, the County has determined to assume direct oversight of the service program and to provide the necessary services through County employment of response staff; and,

WHEREAS, the Agreement states that the County may terminate the Agreement at any time, without cause, provided that written notice is given to Lifecare within one hundred twenty (120) days; and,

WHEREAS, staff recommends termination of the Operations and Management Agreement with Lifecare, to be effective September 30, 2018.

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

1. That the Operations and Management Agreement for Emergency Medical Services dated December 12, 2014, and amended November 1, 2016, with LifeCare Medical Transports, Inc., to provide daytime emergency medical and ambulance services using the facilities, equipment, and supplies of the Fairfield Rescue Squad, Inc., and the Glasgow Lifesaving & First Aid Crew, Inc., is hereby terminated effective September 30, 2018.

2. That the County Administrator is hereby authorized to execute a Notice of Termination to LifeCare, and to take such further actions, on behalf of the Board of Supervisors, as are necessary to accomplish this termination, all of which shall be approved as to form by the County Attorney.

3. That this Resolution shall be effective upon the date of its adoption.

Review of proposed County Code revision on Precious Metals and Schedule Public Hearing:

County Attorney Vickie Huffman briefly reviewed the Board Report shown below.

"Commissioner of the Revenue Whitesell has recently had the owner of a local business, who deals in coins, complain about the County's Code provisions related to dealers in precious metals. Virginia Code §54.1-4100 provides that dealers covered by the provisions are those dealing in precious metals and gems. "Precious metals" is defined as excluding coins. These state code provisions have been in effect since sometime before 1988.

County Code §19-72, in which coins have not been excluded, has been in effect since sometime prior to the recodification in 2000. Correction is recommended.

This action requires adoption of an Ordinance to amend the County Code, following a public hearing. The proposed Ordinance is attached for the Board's review."

Supervisor Higgins moved to schedule a Public Hearing on May 29th. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

Consideration of Acceptance of Virginia Department of Fire Programs Burn Building Grant:

Chairman Hinty tabled this item until the next Agenda.

Consideration County Surplus Vehicles and Equipment Resolution:

Mr. Bolster briefly reviewed the Board Report shown below:

"The Rockbridge County Fleet Services Department is holding four vehicles at their facility for consideration as surplus vehicles. In addition, the County Extension Office is replacing their stove currently housed in their meeting room. This stove has been in place since the County Administration Building renovation in 1992. Anticipated revenues received from the sale of the stove will offset the purchase of a new one. These items are provided in the table below. There are no departmental needs for these assets.

Year	Make	Model	VIN	~Mileage
2011	Ford	Crown Victoria Police Interceptor	149286	140,000
2011	Ford	Crown Victoria Police Interceptor	185130	148,000
2001	Chevy	Astro Van AWD	144874	155,177
1999	Ford	Crown Victoria Police Interceptor	153585	167,966
Unknown	GE	Stove	N/A	N/A

In accordance with sound governmental policy, surplus property should be declared as such by the governing body and disposed of in a manner which is open and equitable. Our plan is to advertise these assets for sale via an online auction service (GovDeals)."

He then asked that the Board consider adopting the attached resolution declaring the assets as surplus and authorizing liquidation.

Supervisor Lewis moved to adopt the resolution. Supervisor Lyons provided the second, and the motion carried by the following roll call vote:

- AYES: Lewis, Lyons, Campbell, Higgins, Hinty
- NAYES: None
- ABSENT: None
- ABSTAIN: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, MAY
14, 2018

**RESOLUTION TO DECLARE VEHICLES AND EQUIPMENT HELD AT
ROCKBRIDGE COUNTY FACILITIES AS SURPLUS AND TO AUTHORIZE
DISPOSAL THROUGH PUBLIC SALE OR AUCTION, INCLUDING ONLINE PUBLIC
AUCTION**

WHEREAS, County Departments have turned in four vehicles and equipment formerly used in staff operations to the Fiscal Services Department and these assets are the property of the County of Rockbridge; and,

WHEREAS, staff has evaluated the need for use of the former staff vehicles and equipment by other County departments or agencies and recommends that the items be declared as surplus and sold through public sale or auction, including online public auction.

NOW, THEREFORE, be it RESOLVED by the Board of Supervisors of Rockbridge County, Virginia, as follows:

1. That the following Rockbridge County vehicles and equipment be, and hereby are, declared surplus property:

Year	Make	Model	VIN	~Mileage
2011	Ford	Crown Victoria Police Interceptor	149286	140,000
2011	Ford	Crown Victoria Police Interceptor	185130	148,000
2001	Chevy	Astro Van AWD	144874	155,177
1999	Ford	Crown Victoria Police Interceptor	153585	167,966
Unknown	GE	Stove	N/A	N/A

2. That the County Administrator or the Fiscal Services Director, as the County Purchasing Agent, is hereby authorized to dispose of said surplus property through public sale or auction, including online public auction, and to sell said property to the highest competitive bidder.

3. That the proceeds of the sale be paid into the General Fund of the County.

4. That the County Administrator or the County Purchasing Agent is hereby authorized to execute such documents and take such actions on behalf of the County as are necessary and appropriate to accomplish the sale of said property, all of which shall be on form approved by the County Attorney.

5. That this resolution shall be effective on and from the date of its adoption.

Annual Review of Board Member Salaries and Authorization to Schedule a Public Hearing:

Ms. Huffman briefly reviewed the Board Report shown below.

“Between May 1st and June 30th of each year, the Board of Supervisors is required to establish the annual salary of its members for the ensuing year, following notice and public hearing. For your reference, copies of the applicable statutes are attached - Va. Code § §15.2-1414.1, 15.2-1414.2, and 15.2-1414.3.

Section 15.2-1414.3 is now designated as an alternative procedure for establishing salaries, but was historically the only provision for

establishing board member salaries. This statute provides the maximum annual salaries for Board members based upon population brackets, but may be adjusted annually by an inflation factor not to exceed 5%. The maximum for Rockbridge County is \$5,500 per year; the Chairman may receive up to an additional \$1,800 per year, and the Vice-Chairman may receive up to an additional \$1,200 per year.

Section 15.2-1414.2 contains provisions for setting the maximum compensation for board members, which may exceed the traditional maximums if the specified procedure is followed, when at least two (40%) of the members of the Board are to be elected. This option is not available this year.

Board salaries are currently set at \$5,500 per year, the maximum permissible under Va. Code §15.2-1414.3. No inflation factor has previously been approved. In some jurisdictions, the increase for the Board is set at the same percentage as for employees. However, in Rockbridge County, the Board of Supervisors has not had a salary increase since January 1, 1996.

The Board must also establish the additional annual salary of the Chairman and the Vice-Chairman, currently set at \$1,800 for the Chairman and \$23 per week for the Vice-Chairman to serve during an extended absence of the Chairman, up to a maximum of \$1,200 per year.

A draft Ordinance is attached for the Board's consideration. This draft is the same as the 2017 Ordinance, but can be revised if the Board determines to add an inflation factor to the salaries, reinstate the Vice-Chairman's annual salary, or otherwise make adjustments."

She then requested Board guidance as to any changes required to the proposed Ordinance.

Supervisor Lewis indicated that he had questions on the available benefits for Board Members.

Chairman Hinty asked that a temporary committee be formed to further discuss and bring back information to the full Board in one month. The committee consisted of the following members: Supervisors Lewis and Lyons, the County Administrator and County Attorney.

Consideration of Boiler Contract Award:

Mr. Suter briefly reviewed the Board Report shown below.

"The HVAC system in the County Administration building was originally installed/refurbished in 1992 prior to moving County Offices into the structure. The HVAC controls and air conditioning chillers were replaced in CY 2017. The next step in completing the overall HVAC system project is replacement of the boiler. The current, FY2018 budget has funds dedicated to this project.

On March 26, the Board authorized advertisement of a Request for Proposals for this work. Multiple potential proposers contacted us for more information, but at time of closing on April 20, we received only one proposal, from Blauch Brothers, Inc., the same company that recently completed our HVAC/Chiller/Controls upgrade.

The proposal has been reviewed for technical compliance by Building Official Kenny Wilson, and we have found Blauch Brothers, Inc. to be both responsive and responsible in their submission. Attached is the full Services Agreement, including exhibits. At \$48,478, the price for the work is under our budget for the project, and includes a 1-year parts and labor warrantee.

Our schedule provides for installation of the cooling components over the summer, with completion by September 28, 2018. This would be a turnkey project in which Blauch Brothers, Inc. would be responsible for removal of all old components and installation/operation of new components."

He then asked for authorization to execute the contract and implement the project.

Supervisor Lyons moved to authorize the County Administrator to execute the contract and implement the project. Supervisor Campbell provided the second, and the motion carried by the following roll call vote:

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

Boards and Commissions Appointments:

Central Shenandoah Planning District Commission- Chris Slaydon's Term Expires 6/30/2018:

Supervisor Lewis moved to reappointment Chris Slaydon to Central Shenandoah Planning District Commission. Supervisor Campbell provided the second, and the nomination carried by the following roll call vote:

AYES: Lewis, Campbell, Lyons, Higgins, Hinty
NAYES: None

ABSENT: None

ABSTAIN: None

Rockbridge Regional Library Board of Directors- Paul Leonhard's Term Expires 6/30/2018:

This appointment was tabled until the next meeting.

Maury Service Authority- JD Goad's Term Expires 6/30/2018:

Supervisor Higgins moved to reappointment JD Goad to the MSA. Supervisor Lewis provided the second, and the nomination carried by the following roll call vote:

AYES: Higgins, Lewis, Lyons, Campbell, Hinty

NAYES: None

ABSENT: None

ABSTAIN: None

Monthly Staff Reports:

Supervisor Campbell moved to accept the reports. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

AYES: Campbell, Lewis, Lyons, Higgins, Hinty

NAYES: None

ABSENT: None

ABSTAIN: None

Added Items:

Supervisor Campbell announced the annual Employee Appreciation Luncheon, hosted by the Board Members, for June 6th at the County's Emergency Operations Center.

Continued Meeting:

At 6:33 p.m., Chairman Hinty continued the meeting until Thursday, May 17, 2018 at 5:00 p.m. for a Joint Meeting with the School Board at the School Board Office located at 2893 Collierstown Road, Lexington.