

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 TUESDAY, OCTOBER 9, 2018 AT 5:30 P.M.

BOARD MEMBERS PRESENT: DAVID W. HINTY, JR. (CHAIRMAN)
 JOHN M. HIGGINS (VICE-CHAIRMAN)
 DANIEL E. LYONS

BOARD MEMBERS ABSENT: RONNIE R. CAMPBELL
 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.

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

Recognitions and Presentations:

Chairman Hinty called for recognitions or presentations. There were none.

Citizens Comments:

Chairman Hinty called for citizens comments. There were none.

Items to be added to the Agenda:

Chairman Hinty added a discussion on an Electronic Participation in Meetings Policy.

Approval of the September 24, 2018 and October 3, 2018 Minutes:

Supervisor Higgins moved to approve the Minutes. A second was provided by Supervisor Lyons, and the motion carried by the following roll call vote by the Board:

Ayes: Higgins, Lyons, Hinty
Nays: None
Absent: Campbell, Lewis
Abstain: None

County Financial Package:

Fiscal Services Director Steven Bolster reviewed his Monthly Memorandum which included the following information:

"Section I - Commissioner of the Revenue

Activities for Month:

1. Working on adjustments to personal property (PP) accounts for 2018 PP tax.
2. Preparing 2018 supplemental tax book for personal property.
3. Working on land-use revalidations for 2019.
4. Starting to prepare CY 2019 tax forms.
5. Continuing audits of Schedule C.
6. Prepared 2018 Public Service Corporation Tax book and presented to treasurer for billing.

Section II - Treasurer

Activities for Month:

1. State Auditors on site to conduct audit of State files and Sheriff fees October 2nd.
2. Collections of the Personal Property tax continue, due October 5, 2018.
3. External auditors on site to complete final fieldwork FY 2018 October 15th through October 17th.
4. Delinquent Tax Sale - auction to be held in the Circuit Court room at 11:00 AM on Friday, October 19th.

5. Beginning work at month-end on delinquent notices for Personal Property tax.

6. Preparing list of outstanding Delinquent Real Estate (2015 and earlier) files advancing to Taxing Authority Consulting Services attorney for collection.

7. End-of-month preparation of Real Estate billings due December 5, 2018."

Mr. Bolster briefly reviewed the Revenues verses Expenditures Chart. He then requested approval for funding the Cellular/Mobile Data Study with Atlantic Technologies indicating that the Office of Community Development's budget would provide the funding. The Board agreed to proceed.

Mr. Bolster presented the County's Appropriation Resolution recommending approval as presented.

Supervisor Higgins moved to approve the Appropriation Resolution. Supervisor Lyons provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Higgins, Lyons, Hinty
Nays: None
Absent: Campbell, Lewis
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 TUESDAY, OCTOBER 9, 2018 AT 5:30 P.M.

On motion by Supervisor Higgins, seconded by Supervisor Lyons, 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, 2019**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-11010-1005 Compensation-Vehicle Allowance.....	<u>\$8,250.00</u>
Total General Fund Appropriations	\$8,250.00
Current County	
11 - General Fund	\$869,105.10
94 - Central Stores	\$7,991.79
372 - Construction Project Fund	\$16,197.17
376 - Capital Purchases Fund	<u>\$3,299.93</u>
Total County Bills	\$896,593.99
Current Fiscal Agent	
80 - Regional Jail	\$118,414.70
241 - E-Summons Fees	\$1,262.05
721 - Commm Atty Forfeiture Fund	\$2,497.00
736 - Sheriff Office Forfeiture Fund	<u>\$1,764.73</u>
Total Fiscal Agent	\$123,938.48
TOTAL ALL BILLS	\$1,020,532.47

Mr. Bolster then presented a draft Budget Schedule and Funding Priorities for FYE 2020. He recommended approval.

Supervisor Lyons suggested meeting later than 5:00 p.m.

Mr. Suter advised that the only meetings held at 5:00 were joint meetings with the School Board; all others are at 5:30 or 6:00.

Supervisor Lyons moved to approve the Budget Schedule and Funding Priorities. Supervisor Higgins provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Lyons, Higgins, Hinty
Nays: None
Absent: Campbell, Lewis
Abstain: None

Natural Bridge State Park Discussion by Park Manager Jim Jones:

Park Manager Jim Jones explained that it has been about two years now since the Natural Bridge became a State Park and that he liked giving the Board an update on what has been going on each year. He introduced his Business Manager Veronica Naughton.

Ms. Naughton advised that year-to-date revenues were about the same as last year's even though the number of visitors decreased. She explained that programs and sale of merchandise were the key factors in keeping revenues about the same. She noted that around 138,000 people have visited the Park year-to-date, and statistically speaking, around 68% of those visitors bought merchandise, whereas the year before it was about 53%.

Mr. Jones asked to speak as a Virginia resident instead of the Park Manager. He advised that Ms. Naughton would be providing the Board with handouts pertaining to State Parks and their needs in upcoming legislation. He noted one section in the first handout that showed the overall economic impact of State Parks is \$13.08 for every \$1.00 spent. Mr. Jones then referenced the second handout, a brochure detailing current and future needs at State Parks. He stated that the Natural Bridge State Park (NBSP) is one of most in need of additional staff. He advised that \$120,000 is allocated to the NBSP and they have four (4) salaried employees. He added that they hope to gain four (4) additional staff members and have included those salaries in their upcoming budget package.

Chairman Hinty asked how the Board could help.

Mr. Jones replied, by advocating the Park's needs to the next level for the additional funds.

Mr. Suter confirmed that he would draft a letter from the Board of Supervisors to our legislators supporting the request.

Supervisor Higgins shared his gratefulness that Mr. Jones was in his position at the State Park and shared his appreciation for what he has accomplished.

Mr. Jones thanked the Board and added his gratefulness to his staff.

Update on County Decal Discussions:

County Administrator Spencer Suter briefly reviewed the Agenda Item that contained the following information:

"As you know, past Boards have considered eliminating County decals and replacing the revenue in other ways. However, action has never been taken in this matter. Last spring, staff was directed to again look at options and provide options to the Board to consider. Over the past several months, staff, County Treasurer Betty Trovato and Commissioner of Revenue David Whitesell have met on multiple occasions to develop options and the pros and cons associated with each. Though it would seem fairly simple to find a solution, there are many impacts to consider with each option, including implementation period, impact on the budget across fiscal years, varying impacts on taxpayers, and issues which could be created with our two towns. The group has determined to request that an ad hoc committee of the Board be appointed to work with us to finalize options to present."

Supervisor Lyons suggested Supervisors' Lewis and Campbell serve on the committee.

Given that there is a financial impact associated with decals, Chairman Hinty recommended that a Finance Committee member serve on the Decal Committee.

Chairman Hinty appointed Supervisors Lewis and Higgins to the Decal Ad-Hoc Committee.

Consideration of Volunteer Fire-Rescue Agency Audit Service Proposals:

Finance Director Steven Bolster briefly reviewed the Agenda Item that contained the following information:

"The County of Rockbridge, Virginia requested sealed proposals from qualified firms of certified public accountants (CPA) to perform audit services for various volunteer fire and EMS agencies receiving County funding, with an option for same or similar services to be procured by the Buena Vista Fire Department and Buena Vista Rescue Squad. Three CPA firms submitted proposals in accordance with RFPS # 2018-08-002: no later than 2:00 PM EST on Thursday, September 13, 2018. A 5-person evaluation team consisting of County staff (Bolster, Milliner, & Ramsey) and fire-rescue leadership (Steve Reese & Ben Wilmer) completed independent and collective ranking of each proposal. Based on their proposals, the top two firms were selected for interviews by staff: 1) Robinson, Farmer, Cox Associates; 2) Davidson, Doyle, & Hilton. A second interview was completed by staff with the top-ranked firm. Staff has confirmed the qualifications, experience, and ability of Robinson, Farmer, Cox Associates to execute audit services at price deemed fair and reasonable and within the County's planned budget cost while meeting the targeted completion schedule."

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

Ayes: Lyons, Higgins, Hinty
Nays: None
Absent: Campbell, Lewis
Abstain: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON TUESDAY, OCTOBER 9, 2018

RESOLUTION TO APPROVE CONTRACT BETWEEN THE COUNTY OF ROCKBRIDGE AND ROBINSON, FARMER, COX ASSOCIATES, P.L.L.C., FOR FIRE AND EMS AGENCY AUDITS OR AGREED UPON PROCEDURES

WHEREAS, on August 29, 2018, the County of Rockbridge issued a Request for Professional Services from qualified firms of certified public accountants (CPA) to perform audits for various volunteer fire and emergency medical service (EMS) agencies that receive County funding, and including the option for the same or similar services to be procured by the Buena Vista Fire Department and the Buena Vista Rescue Squad; and,

WHEREAS, three CPA firms submitted proposals in accordance with RFPS # 2018-08-002 by the September 13th response date and time; and,

WHEREAS, the members of an evaluation committee independently and collectively ranked each proposal and Robinson, Farmer, Cox Associates (RFC) received the highest score; and,

WHEREAS, staff has negotiated an agreement dated as of October 10, 2018 with Robinson, Farmer, Cox Associates, presented herewith to the Board for approval.

NOW THEREFORE, BE IT RESOLVED as follows:

1. That the Professional Services Agreement, dated as of October 10, 2018, with Robinson, Farmer, Cox Associates, P.L.L.C., to perform annual audits for Fire and EMS agencies receiving County

funding, for the fiscal years ended June 30, 2018 through June 30, 2020, with reservation of the right to renew for up to two (2) one-year periods, is hereby authorized and approved with the following terms:

a. The Work is to be commenced on or before October 31st of each year and to be substantially completed by each succeeding January 31st for the previous fiscal year.

b. The fee payable to the RFC for each cash-basis audit of an Agency shall not exceed Three Thousand Twenty-Five Dollars (\$3,025.00).

c. The fees will be increased Two Percent (2%) annually.

2. That the County Administrator is hereby authorized to execute the Agreement and such other documents and take such further actions, on behalf of the Board of Supervisors, as are necessary to accomplish this transaction, all of which shall be upon form and subject to the conditions approved by the County Attorney.

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

Adopted this 9th day of October, 2018.

Chairman Hinty asked when Fire/Rescue Audits are typically due.

Mr. Bolster replied, October 31st of each year.

Supervisor Higgins asked if all agencies had submitted their materials.

Chief Nathan Ramsey replied that they are still working with one agency for additional documentation but understood the checklists are very long. He noted that the years ahead, he plans to move the due date to September 15th to ensure that audit submissions are completed before tax season. He added that the 990 forms are due in November and have historically been submitted late with an extension.

Chairman Hinty asked what happens if an agency does not meet the deadline to submit its audit materials.

Chief Ramsey replied that it has not come to that, yet, but essentially allotments could be suspended until they comply.

Chairman Hinty commended Chief Ramsey for being proactive and keeping up with the policy in place.

Update on School Resource Officers Grant:

Mr. Suter briefly reviewed the Agenda Item which contained the following information:

"At its regular, August 13 meeting, the Board approved application for a School Resource Officer grant. The minutes excerpt from that meeting, and the subsequent grant application and award documents are attached for reference. The Board approved application for two positions, one each for Fairfield and Natural Bridge Elementary Schools. The resultant award of \$38,513 was for one position, and requires a 45% local match (\$31,485). In the August 13 meeting, the Board agreed to support use of the School Division's capital reserve fund to match the grant in the current fiscal year, with the understanding that if the program continues in the future, grant funds are not guaranteed and that another source would need to be identified. Currently, and since funding for one position is secured, the Sheriff is advertising internally to see if he can fill the position with a current member of his staff via transfer. This would allow for a quicker transition. If successful, he would then advertise to backfill that position. Since the award was for just one of the two positions, the Board of Supervisors and School Board will need to determine if the second position can be locally funded in the current fiscal year, and if so, identify the source of funds. The estimated amount of additional funding

for the second position is approximately \$70,000 per year. With the understanding that the position would not be filled until at least January, the additional amount needed would be approximately \$35,000, for a total of \$66,485. Please be aware that no grant funding is secured for FY2020, and the position(s) were to continue, local funding would be required in the amount of \$70,000 for one position, or \$140,000 for two positions."

Mr. Suter then read the recommendation, to "approve acceptance of the grant and appropriation of \$31,485 from the School Division's capital reserve fund as the match. Determine if there is support for full local funding of the second position and if so, identify the fund source. Adopt a motion to accept the grant, and appropriate funding in the amount of \$66,485 for both positions." Mr. Suter then introduced Tony McFaddin, Chief Deputy of the Rockbridge Regional Sheriff's Department, who was present to answer any questions the Board may have.

Supervisor Lyons asked what would happen to the officer while school is out.

Deputy McFaddin replied, they would be given other tasks to cover their hours.

Supervisor Higgins advised that a seasoned officer would be placed in the school until the new hire graduates from the police academy. He noted the seasoned officer would be making much more than a new hire. He asked which salary the schools would be paying for.

Deputy McFaddin advised that the grant allowed them to apply for the officer they planned to place in the school, so it was written for a higher salary than a new officer would get.

Mr. Suter noted that, as of right now, the School Resource Officers are paid from the Sheriff's Department budget so there would be no backfill from the schools.

Supervisor Higgins asked if the grant is through the Sheriff's Department.

Mr. Suter replied, the grant is through the County and only for this year. He added that, typically, these types of grants are just to get localities started and do not last forever. However, we would look for it again next year.

Supervisor Lyons asked if the Sheriff's Department and schools had a Memorandum of Understanding in place.

Deputy McFaddin confirmed that an MOU is already in place.

Chairman Hinty asked Mr. Bolster if using the schools carry over funds to offset the grant match would negatively impact the amount available for the schools planned CIP projects.

Mr. Bolster replied that future CIP's would need to be adjusted to cover the planned projects.

Supervisor Lyons moved to accept the grant and allow the school division to find the grant match in its operational budget, not capital reserves, contingent on the schools agreement to use their operational funds. Supervisor Higgins provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Lyons, Higgins, Hinty
Nays: None
Absent: Campbell, Lewis
Abstain: None

Update on Jordans Point Dam:

Mr. Suter reviewed the following: "As you know, Lexington City Council voted to move ahead with the DGIF plan to remove the dam this fall. The earliest this could occur would likely be sometime in November. The Historic resources study and resultant MOU, as well as the Environmental Impact study will have to be completed, and logistically, the water flows will need to be low enough to complete the work. Ironically, the low flows are what American Dams was waiting for to dry out the upstream portion of the dam to do a dry inspection."

Chairman Hinty reviewed the following: "The City of Lexington has made their decision. We had hoped that this would turn out differently. However, staff has spent a lot of time on this. I think that we need to respect the City's decision and step back from the process. If an opportunity arises where we might be able to assist in a different solution that would benefit all, we will step back in. In the meantime, I've directed the County Administrator to pull back from this for the time being."

Supervisors Lyons and Higgins concurred with Chairman Hinty.

Boards and Commissions Appointments:

Planning Commission- Mike Stolarz- Term Expires 11/13/2018:

Supervisor Higgins nominated Mike Stolarz for reappointment to the Planning Commission. Supervisor Lyons provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Higgins, Lyons, Hinty
Nays: None
Absent: Campbell, Lewis
Abstain: None

Added Item:

Electronic Participation in Meetings Policy Discussion:

County Attorney Vickie Huffman advised that she had distributed the policy to Board Members via email. She advised that a Board Member would be able to participate in a Board Meeting electronically for two (2) reasons: (1) a temporary medical conditions preventing them from attending a meeting; and, (2) a personal matter preventing them from attending the meeting. She noted that missing a meeting due to personal reasons would be limited to two (2) annually, would require a notice to the Chairman, a quorum be present at the meeting location, arrangements must be made for voice transfer equipment, and Minutes must reflect the location and reason the member is able to be present at the meeting.

Supervisor Higgins asked how many times a member can participate electronically for medical reasons.

Ms. Huffman stated that there are no limits for medical reasons.

Chairman Hinty advised that he had suggested looking into this about a year ago as sometimes his job takes him away from the County.

Ms. Huffman confirmed adding that she had sent the Board a draft policy about a year ago; however the technology to implement such policy was not in place. She added that the current policy is consistent with the States requirements.

Chairman Hinty set this item over to the next Agenda.

Adjourn:

Supervisor Lyons moved to adjourn the meeting. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call vote by the Board:

Ayes: Lyons, Higgins, Hinty
Nays: None
Absent: Campbell, Lewis
Abstain: None