

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, MAY 28, 2019 AT 5:30 P.M.

BOARD MEMBERS PRESENT: A.J. "JAY" LEWIS, II.
DANIEL E. LYONS
JOHN M. HIGGINS
R. W. DAY
DAVID W. HINTY, JR.

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

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Chairman Lewis called the meeting to order at 5:34 p.m. He advised that Supervisor Higgins would deliver the invocation for anyone who wished to participate.

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

Changes to the Agenda:

County Administrator Spencer Suter noted that this meeting should be continued for a multi-jurisdictional meeting.

Recognitions and Presentations:

Chairman Lewis called for any recognitions or presentations. There were none.

Citizens Comments:

Chairman Lewis called for citizens comments.

Gail Bolka of the South River Magisterial District noted that the last time she was before the Board was during its organizational meeting in January. She congratulated Supervisor Lewis for being appointed Chairman at that meeting. Ms. Bolka spoke in regard to the proposed Verizon cell tower in Raphine. Her comments were related to the negative financial impact the tower could have on the County. She stated that there will be potential for deflation in property values, ultimately reducing real estate taxes collected by the County; and also the probability that those homeowners will request another reassessment at the County's cost. She asked the Board to seriously consider the financial impact of this tower project.

Ellis Tomlin of the Natural Bridge Magisterial District commented on the County's "Fence-Out" law. He advised that there are citizens who have neighboring property owners who do not contain their livestock on their own property, such as chickens and geese, resulting in Animal Control paying the neighbors a visit. Mr. Tomlin stated that he was not sure that changing the County's law to "fence-in" would fix the problem, but asked that the Board look into a resolution for its citizens.

Supervisor Hinty asked Chairman Lewis if the Board could contact the Sheriff's Department to see what options they have.

Chairman Lewis confirmed that he would be in touch with Mr. Tomlin.

Approval of the 4-22-19, 4-29-19, and 5-13-19 Minutes:

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

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

Consideration of the Schools Appropriation Resolution:

In the Fiscal Services Director's absence, Mr. Suter presented the School's Appropriation Resolution.

Supervisor Hinty moved to approve the Appropriation Resolution. A second was provided by Supervisor Day, and the motion carried by unanimous roll call vote by the Board.

Ayes: Hinty, Day, Lyons, Higgins, Lewis
Nays: 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 TUESDAY, MAY 28, 2019 AT 5:30 P.M.

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

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby are made, for the period ending **June 30, 2019** in **FUND 50, SCHOOL FUND** and expended as follows:

Additional Revenues Sources

4-50-61310-5540-901-100-103 Continuing Education..... \$3,885.00

Subtotal **\$3,885.00**

TOTAL FUND 50 APPROPRIATIONS **\$3,885.00**

Consideration of County Appropriation for Contribution to the CSA:

County Administrator Spencer Suter briefly reviewed his Board Report containing the following information:

"The local Children's Service Act (CSA) office has requested an additional appropriation of \$505,000 in the current fiscal year to cover the final two months' payment for invoices covered under the Children's Services Act. A memorandum explaining the request is attached. Here is a link to the CSA website for additional information. <https://www.csa.virginia.gov/>

Background:

The Children's Services Act (previously the Comprehensive Services Act) was enacted by the General Assembly in 1993 and established a single state pool of funds to support services for eligible youth and their families. State funds, combined with local community funds, are managed by local interagency teams who plan and oversee services to youth, most with special needs. Prior to 2013, our local CSA office was located at School Division offices, but did not have local oversight. In 2013, the CSA function was absorbed by our local DSS office, and the program's two employees became DSS staff. CSA staff coordinate services to and payment for, children and families, including private day placement in alternative schools, group home placement and assist with foster care. The CSA operates on a fiscal cycle which ends September 30. Bills for services

rendered by third parties are generally received 30 - 45 days after the services. Thus, there is a lag time in payment. Similarly, reimbursements received from the Commonwealth, which funds approximately 78% of the costs, are received 30 to 60 days after the costs are incurred by the County. Accordingly, month-to-month revenues received are generally higher or lower than the sum of bills that must be paid during a given billing cycle. Historically, the DSS and County have floated any additional funds needed when payments exceed revenues. Until recently, the County was also the fiscal agent for the Cities of Lexington and Buena Vista. In February, we worked it out so that the Cities could be billed and receive state reimbursements directly. Annually, the County budgets the amount recommended by the CSA for local costs, but the number is hard to predict, as we have no way of knowing what number and level of services will be needed in a given year.

The Issues:

There are two main issues that we are trying to correct:

- 1) Over the past several years, CSA costs have risen dramatically. In April, 110 County youth and their families received varying levels of services. Here is a link to the recently-released CSA dashboard, which provides detailed information for each served locality:

<https://app.powerbigov.us/view?r=eyJrIjoiaWNTdlMDkON2YtNjlkYy00ODdkLTg2NzctNjc4N2ZjMDFkNTliIiwidCI6IjYyMGFlNW5LTRlYzEtNGZhMC04NjQxLTVhOWYzOjZjNzNmOSJ9>

(To find Rockbridge, simply click on "Location", scroll down to Rockbridge and select).

2) Cash flow - With rising costs, DSS can no longer "float" payment for services from month to month.

The Request / Recommended solution:

I and the Finance Committee (Supervisors Higgins and Lyons) met with Director of Social Services Dinah Clark and CSA Coordinator Christa Loudermilk to discuss the issues and request for appropriation contained in the attached memorandum. Ultimately we jointly determined that we have little choice but to recommend the appropriation. The memorandum describes the costs incurred and funds owed to DSS. We feel that this action will finally bring the fund to the point where month-to-month cash flow issues are, for the most part, solved (understanding that toward the end of each fiscal year, we will always need to revisit and ensure solvency, based on the fluctuating usage of the program from year to year).

Mr. Suter noted that the Finance Committee supported the request.

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

Ayes: Higgins, Lyons, Day, Hinty, Lewis
Nays: 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 TUESDAY, MAY 28, 2019 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, 2019**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-53010-5604 CSA (Children's Services Act).....	\$505,000.00
Total General Fund Appropriations	\$505,000.00

Consideration of Request from the Electoral Board:

County Administrator Spencer Suter briefly reviewed his Board Report containing the following information:

"As you know, County Registrar Marilyn Earhart will be retiring at the end of June and the Board has hired Sheila Hall to become the new Registrar. Subsequently, during the FY2020 budget process, the Electoral Board requested that the existing part time position (which is currently unfilled) be converted to full time on July 1. However, the funding did not make it into the final, adopted budget. Board Chair Harry Stone recently approached me with the request that the Board reconsider the request, based on workload and to ensure continuity of operations with regard to elections. A letter from the Electoral Board is attached, outlining the request. We calculated the total funding which would be required:

Salary -	\$25,000
FICA	\$ 1,913
Retirement -	\$ 3,173
Health Insurance -	\$ 6,780
Group Life -	\$ 130

Workers Comp - \$ 20

Total \$37,015

Available to apply

(Approved P/T funds) \$20,900

Funding needed to

Convert to F/T \$16,115

Should the Board approve the request, it would need to appropriate \$16,115 for FY2020 and budget that additional amount in all succeeding years as long as the position continues." He then noted that Mr. Stone and the Electoral Board were in attendance to answer any questions the Board may have.

Supervisor Hinty moved to approve the request to direct staff to adjust the adopted budget and include the additional amount in the annual appropriation resolution the Board considers in July. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call vote by the Board.

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

Mr. Suter noted that the Appropriation Resolution would be brought before the Board for adoption at the first meeting of the new fiscal year.

Supervisor Hinty commended Ms. Earhart for her years of service to the County and welcomed recently-hired Sheila Hall.

Consideration of Information Technology Services Contract:

Mr. Suter briefly reviewed his Board Report containing the following information:

"As you are aware, IT Manager Ron Argenbright is retiring at the end of June. In that Ron is our only IT professional on staff, we are in need of short and long term plans to ensure that we are supported in short term without interruption, and that a long term solution is in the best interest of the County. Staff has worked with the Board Personnel Committee on a plan of action which includes the request for approval of a short term contract with a local IT support provider - Virginia Technology Services (VTS). VTS formed recently when The Computer Doctor and Rockbridge Global Village merged. The County has worked extensively with both entities in the past. The proposed short term solution would be to contract with VTS on a month to month basis for approximately four months. The first phase would involve VTS staff to shadow Ron for approximately 20 hours per week, learning and documenting all processes. This would commence immediately upon approval by the Board.

Phase 2 would begin July 1 and extend until approximately August 30. This phase would involve direct IT support for us, based on knowledge gleaned from Phase 1 (and their prior knowledge of our systems). In addition, VTS would evaluate current processes and develop long range recommendations.

VTS would also finalize process manuals and assist with any additions or amendments to a description for Ron's replacement.

Phase 3 would begin approximately September 1 and end approximately October 31. VTS would continue to provide services for us. During this time we would advertise and hopefully, fill Ron's position. Additionally, we would develop specifications for a long term external support services solution. Requirements would likely include the following:

- Assurance that a minimum of three individuals have detail knowledge of processes, such that any could provide support as needed.
Basically, provide intellectual knowledge redundancy.
- A minimum number of hours per month onsite, exercising processes to keep knowledge base fresh.
- Provide assistance with planning and implementing major projects on an as-needed basis.
- Provide general IT consulting.

This proposed long-term solution would bring us back to having someone on staff to manage IT services, but would provide backup via a knowledgeable third party, which/who could step in at any time to backfill should staff be unavailable for any reason. Of course, the final long term solution may well be informed by the results of study in earlier phases and could include such components as partnerships with other governmental entities (ie: School Division, 911 Center, Lexington, Buena Vista).

Phase 4 would begin approximately November 1 (or as soon as is practicable), and would simply involve competitively procuring long term, third party IT support services.

As described in phase 4, typically, services are competitively procured via either an Invitation to Bid or a Request for Proposals process. However, Ms. Huffman and I have discussed and agree that the short term solution described above qualifies as an emergency procurement, due to the time constraints for obtaining the necessary services and the critical nature of the services to County operations. I have determined, and recommend to the Board, that an emergency contract should be awarded, as in this case, competitive bidding or negotiation is contrary to the best interest of the public. Thus, we are recommending that the Board adopt the attached Resolution to approve the emergency procurement and the proposed contract with VTS for the short term services."

Supervisor Lyons asked Mr. Suter if the process manuals will belong to the County.

Mr. Suter replied, yes.

Supervisor Lyons asked Mr. Suter if the County has insurance that covers any hacking into the system if violated.

Mr. Suter replied, he believes the County's overall blanket policy covers just about anything related to cyber issues, but confirmed that he would check to be sure. Mr. Suter then mentioned that VTS had confirmed that any and all staff members who have access to the County's data will sign a non-disclosure agreement.

Chairman Lewis added that the company itself should also have insurance to cover any violations to the County's system.

Supervisor Day moved to approve the resolution. A second was provided by Supervisor Lyons, and the motion carried by unanimous roll call vote by the Board.

Ayes: Day, Lyons, Higgins, Hinty, Lewis
Nays: 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 TUESDAY, MAY 28, 2019

Resolution Authorizing Emergency Procurement of Information Technology System Services for Rockbridge County Operations and Maintenance From Virginia Technology Services, LLC

WHEREAS, Rockbridge County is dependent upon Information Technology (IT) equipment, software and services (collectively referred to as the IT System) for its daily operations; and,

WHEREAS, the County requires short-term assistance with operations, maintenance and support for the IT System, due to the planned retirement of the County's IT Manager effective June 30, 2019; and,

WHEREAS, IT System services are necessary beginning June 1, 2019, to ensure adequate time for a third party provider to learn and document the County's IT System and the various responsibilities and duties of the IT Manager prior to his retirement; and,

WHEREAS, staff has held discussions with Virginia Technology Services, LLC ("VTS"), which has prior experience with the County IT System, and has provided competitive rates for the necessary services for over approximately four (4) months; and,

WHEREAS, VTS is well-staffed, is located in Rockbridge County, and can respond to requests for service quickly and efficiently; and,

WHEREAS, given the time constraints for obtaining services and the short-term nature of the contract, staff recommends that the Board of Supervisors approve a Services Agreement, effective June 1, 2019, with Virginia Technology Services, LLC, on an emergency basis; and,

WHEREAS, the Board of Supervisors has determined that the above-referenced Agreement on an emergency basis is necessary and is in the best interests of the County without competitive bidding or negotiation, to avoid disruptions of County services internally, as well as to the public.

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

1. That an emergency Services Agreement, effective June 1, 2019, with Virginia Technology Services, LLC, for IT System operations, support and maintenance is deemed in the best interests of the County and necessary to the essential functions of the County, is hereby authorized and approved, with the cost of services to be charged at the rate of \$40.00 per hour, for a term of four (4) months and the option to extend on a month-to-month basis for an additional two (2) months, upon agreement of both parties.

2. That the County Administrator is hereby authorized to execute the Services Agreement dated June 1, 2019, on behalf of the Board of Supervisors, and to take such other and further actions, and execute such other documents, as may be necessary and appropriate to accomplish this transaction, which shall be approved as to form by the County Attorney.

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

Adopted this 28th day of May, 2019.

Break:

At 5:56 p.m., Chairman Lewis called for a short break until the Public Hearings could begin at 6:00 p.m.

Reconvene:

Chairman Lewis reconvened the meeting at 6:03 p.m.

Public Hearings:

Consideration of Adoption of VDOT's 6-Year Plan:

Mr. Suter briefly reviewed his Board Report containing the following information:

"On April 17th, the Board authorized advertisement of the annual VDOT 6-year plan. The plan was duly advertised for public hearing on May 28th. To date, my office has not received any public comment. Plan documents are attached for review. Residency Administrator Susan Hammond has noted that there will be several non-substantive edits in the final document which she will have available for the public hearing on Tuesday evening."

Ms. Hammond provided the Board hardcopies of the revised 6-Year Plan and then reviewed each project listed.

During Ms. Hammond's review of the plan, Chairman Lewis asked Ms. Hammond if the routine maintenance of a rural rustic road changes following its completion; for example, if there is a traffic increase as result of the surface change, as some roads could deteriorate faster than others.

Ms. Hammond replied that, rural rustic roads being transformed from gravel to asphalt should see no additional traffic and that the maintenance would be similar to any other paved road.

During her review of the projects, Ms. Hammond noted that she would look more closely at the Jacobs Ladder project, to see if there is potential to make an adjustment to the dollar value.

Supervisor Day asked why VDOT adopts 6-Year Plans instead of a five or ten.

Ms. Hammond replied that she was unsure but noted that traditionally, capital outlay, construction, and some maintenance are done over a 6 year time frame.

Chairman Lewis opened the Public Hearing at 6:16 p.m. With there being no comments, Chairman Lewis closed the Public Hearing.

Supervisor Hinty moved to approve the 6-Year Plan. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call vote by the Board.

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

Consideration of the Ponds Subdivision Proffer Amendment:

Community Development Director Sam Crickenberger briefly reviewed his Board Report containing the following information:

"Jay Landman, Developer of The Ponds and primary property owner, has applied to amend the proffer associated with their original conditional rezoning relative to the style of fence required to secure the quarry pond in the vicinity of the cliffs. The fence was required to be eight foot chain link with a strand of barbed wire on top. We have discussed with him for some time that this might be excessive and had suggested applying to amend this proffer. He is now asking for a six foot chain link fence to be installed as depicted on the enclosed plan. The Planning Commission recommended denial of this proposed amendment based on the comments made

at their public hearing and because that is what the developer had agreed to at the time of rezoning. We have since learned that the comments at the public hearing may not have fairly represented the consensus of the community."

Russ Orrison of Perkins and Orrison showed the proposed location of the fence line via an aerial photo of the pond and explained that the proposed fence placement would prevent someone from walking right up to "cliff" where it is the deepest and most dangerous part of the quarry. He added that there was consensus by the neighborhood for the proposed amendment to the Proffer Conditions.

Chairman Lewis opened the Public Hearing at 6:23 p.m.

Melissa Hennis of the Kerrs Creek Magisterial District advised the Board that, as a member of the Planning Commission, she was unable to participate in voting for the proposal when it came before the Planning Commission. She advised that she recused herself from voting because she owns lots at The Ponds subdivision. Ms. Hennis shared that she felt that the Planning Commission took a vote based on miscommunication and she wanted to clarify the information for the Board of Supervisors. She also noted that there is consensus by the neighbors in the subdivision to amend the Proffer Conditions as proposed. She advised that former Board Member Mack Smith, who initially requested consideration for the Proffer had stated at a Planning Commission meeting that he now agrees with the amendment.

Richard Criqui, Jr. of the South River Magisterial District shared his concern about the potential for drownings and falls at the quarry. He explained that the Home Owners Association (HOA) has a 2 million dollar

insurance liability, leaving the HOA members liable for anything over that amount. He insisted that 60% coverage of the quarry by fencing is not sufficient.

With no further comment, Chairman Lewis closed the Public Hearing at 6:36 p.m.

Mr. Crickenberger asked to clarify a couple of things following Mr. Criqui's comments. He stated that the original plans from 2004 did not secure the quarry in its entirety and that the new plan is consistent with the old plan as to the location of the fence.

Supervisor Hinty suggested that further study to potentially connect the fence with VDOT's fence for additional coverage near the buffer on the Eastern side of Interstate 81 may be advisable.

Mr. Crickenberger stated that the main objective is to prevent an accident from someone wandering out of their back yard and falling into the quarry.

Supervisor Higgins noted that the original plan in 2004 shows the fence covering a majority of the quarry as still proposed; however, the fence has still not been added.

Supervisor Lyons suggested that the fence run down to the berm preventing a child from walking around the other side of the fence closest to the water.

Mr. Orrison reviewed the plans for the fence showing where it would end due to a large buffer.

Mr. Criqui attempted to speak up with additional comments during the Board's comment period at which time Chairman Lewis advised him that the public comment period was closed.

Supervisor Higgins shared his confidence in Mr. Orrison and Mr. Crickenberger and agreed with their recommendation.

County Attorney Vickie Huffman clarified that there were two ordinances for the Boards consideration. One would deny the request, leaving the old Proffer Condition and plan in place, and the other would approve the request, amending the Proffer Condition and using the new plan.

Supervisor Day noted that, currently there is no fence and felt that the insurance company would be okay with a 6 foot fence. He then moved to adopt the Ordinance approving the amended Proffer Condition and plan. A second was provided by Supervisor Hinty, and the motion carried by the following roll call vote by the Board:

Ayes: Higgins, Hinty, Day, Lewis
Nays: Lyons
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 TUESDAY, MAY 28, 2019

Ordinance to Approve Amendment of the Proffered Conditions to a Prior Conditional Rezoning from Agricultural and General Uses District (A-2) to Residential General District (R-1), With Conditions, on August 23, 2004, for a 157-Acre Tract of Land Located Northeast of the Intersection of Old Buena Vista Road and Lincoln Road, Previously Identified as Tax Map #62-A-64, in the South River Magisterial District, and Now The Ponds Subdivision, on the Application of Quarry Development, LLC

WHEREAS, Quarry Development, LLC, is the developer, owner of the common areas, including the quarry, and the owner of the majority of lots in the Ponds Subdivision, originally rezoned from Agricultural and General Uses District (A-2) to Residential General District (R-1), With Conditions, on August 23, 2004; and,

WHEREAS, Quarry Development, LLC, has applied to amend Condition #10 of the proffered conditions from a minimum of an 8 foot chain link fence with strands of barb wire to a minimum of a 6 foot chain link fence without barb wire; and,

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this application on March 13, 2019, and has recommended to the Board of Supervisors that the proposed amendment to the proffered conditions be denied; and,

WHEREAS, the Board of Supervisors has held a public hearing on this matter on May 28, 2019; and,

WHEREAS, legal notice and advertisement has been provided in accordance with §15.2-2204 of the Code of Virginia (1950, as amended) and in accordance with the Rockbridge County Land Development Regulations; and,

WHEREAS, the Board of Supervisors has determined that the requested Proffer Amendment to Condition #10 of the original conditional rezoning of the property would generally promote the health, safety, convenience and general welfare of the public, and that it accomplishes one or more of the objectives set forth in §15.2-2200 of the Code of Virginia (1950, as amended), and serves one or more of the purposes set forth in §15.2-2283 of the Code of Virginia.

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

1. That the application of Quarry Development, LLC, for amendment to Condition #10 of the original proffered conditions related to securing the quarry, from a minimum of an 8 foot chain link fence with strands of barb wire to a minimum of a 6 foot chain link fence without barb wire, as shown on the fence plan entitled 'The Ponds Subdivision Proffer Amendment', issued August 22, 2018, in The Ponds Subdivision and now identified as Tax Map # 62-32-A, in the South River Magisterial District of Rockbridge County, Virginia, with and subject to the proffered condition(s) as set forth on Exhibit A attached hereto and incorporated herein, and which the Board hereby accepts, be and hereby is approved.

2. That this action is taken upon the application of Quarry Development, LLC, the developer, owner of the common areas, including the quarry, and owner of the majority of subdivision lots.

3. That this ordinance shall be effective on the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted this 28th day of May, 2019.

Annual Consideration of Board Members Compensation:

County Attorney Vickie Huffman briefly reviewed her Board Report containing the following information:

“At its meeting on May 13th, the Board of Supervisors authorized publication of notice for public hearing on May 28, 2019, for establishing Board member compensation. For the period of July 1, 2019, through December 31, 2019, the Board authorized advertising for establishing Board member salaries at \$5,500.00 per year, with the additional annual salary of \$1,800.00 for the Chairman and additional compensation to the Vice-Chairman in the amount of \$23.00 per week, up to a maximum of \$1,200.00 per year, for serving in the place and stead of the Chairman during any extended absence. The Board’s monthly travel reimbursement and/or vehicle allowance at \$250.00 per month would continue. The Board also authorized advertising for establishing Board member compensation, beginning January 1, 2020, at \$12,280.00 per year, with additional annual salaries of \$1,800.00 for the Chairman and \$600.00 for the Vice-Chairman. The travel reimbursement and/or vehicle allowance for Board members, at \$250.00 per month, would continue. The basis for the adjustment to annual compensation is the reallocation of potential funding for the cost of County health

insurance coverage for Board members, at \$6,780.00 per year, to Board compensation. If any Board member elects to obtain County health insurance, that Board member would then pay the premiums out of the member's compensation. The proposed Ordinance, in accordance with the Board's direction on May 13th, is attached for consideration."

Chairman Lewis opened the Public Hearing at 6:50 p.m. With there being no comments, Chairman Lewis closed the Public Hearing.

Supervisors Higgins and Hinty supported the proposed ordinance stating it will be level playing field for the future Board Members.

Supervisor Lyons shared his concern of the financial impact it would have on the County's future budgets when the Board strives to reduce the budget now.

Mr. Suter noted that there is currently only \$7,100 budgeted for Board Members insurance.

Supervisor Day asked if the Board could legally make this change when there are County staff in the same situation who cannot carry insurance through the County and could use the additional compensation to cover their cost with another carrier.

Ms. Huffman replied to Supervisor Days question stating that the Board can legally take advantage of the proposed offer because they are accepting additional salaries instead of addressing it as a benefit.

Supervisor Lyons asked if it could be required that anyone who accepts the increase in salary use that increase for their health insurance.

Ms. Huffman replied, yes, if the Board adopts a resolution.

Supervisor Higgins moved to adopt the ordinance. A second was provided by Supervisor Hinty, and the motion carried by the following roll call vote by the Board:

Ayes: Higgins, Hinty, Day, Lewis
Nays: Lyons
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 TUESDAY, MAY 28, 2019

Ordinance to Establish and Authorize the Annual Salary of the Members of the Board of Supervisors of Rockbridge County, from July 1, 2019 through December 31, 2019, at \$5,500 Per Year, and to Establish the Additional Annual Salary of the Chairman at \$1,800 Per Year, and Additional Compensation to the Vice-Chairman at \$23 Per Week to Serve as Substitute for the Chairman During Extended Absences, Up to a Maximum of \$1,200 Per Year, and to Continue the Monthly Travel Reimbursement/Vehicle Allowance of \$250; and Beginning January 1, 2020, to Establish the Annual Salary of Board Members at \$12,280 Per Year, and to Establish the Additional Annual Salary of the Chairman at \$1,800 and of the Vice-Chairman at \$600, to Continue the Monthly Travel Reimbursement/Vehicle Allowance of \$250, and Payment of Premiums for County Health Insurance Coverage by Individual Board Members Electing Such Coverage

WHEREAS, Virginia Code §15.2-1414.3 establishes the maximum annual salaries of members of boards of supervisors within certain population brackets, and allows for an annual adjustment by an inflation factor not to exceed 5%; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, has heretofore established the annual salaries of Board members at the maximum of \$5,500.00, with the additional annual salary of \$1,800.00 for the Chairman and additional compensation to the Vice-Chairman in the amount of \$23.00 per week, up to a maximum of \$1,200.00 per year, for serving in the place and stead of the Chairman during any extended absence; and,

WHEREAS, the Board of Supervisors has previously established a monthly travel reimbursement and/or vehicle allowance at \$250.00; and,

WHEREAS, pursuant to Va. Code §15.2-1414.2, the maximum compensation for board members may exceed the traditional maximums, if set prior to July 1st in any year in which at least two (40%) of the members of the Board are to be elected, and such decision shall be effective as of the following January 1st; and,

WHEREAS, 60% of the seats on the Board of Supervisors are to be elected in 2019, for terms beginning January 1, 2020; and,

WHEREAS, the Board has considered establishing the annual salary of Board members at \$12,280.00 per year, and establishing the additional annual salary of the Chairman at \$1,800.00 and of the Vice-Chairman at \$600.00, continuing the monthly travel reimbursement/vehicle allowance of \$250.00; and payment of insurance premiums by individual Board members electing to take County health insurance coverage; and,

WHEREAS, the establishment of Board member salaries requires the adoption of an ordinance, following notice and a public hearing, which was held on May 28, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, as follows:

1. For the period of July 1, 2019, through December 31, 2019, the Board hereby establishes compensation as follows:

a. The annual Board member salary shall be \$5,500.00.

b. The additional annual salary to be paid to the Chairman shall be \$1,800.00.

c. The additional compensation to be paid to the Vice-Chairman of the Board shall be \$23.00 per week, up to a maximum of \$1,200.00 per year, to serve in the place and stead of the Chairman during any extended absence of the Chairman.

d. The monthly travel reimbursement and/or vehicle allowance for Board members shall be \$250.00 per month.

2. Beginning January 1, 2020, and continuing thereafter until amended, the Board hereby establishes compensation as follows:

a. The annual Board member salary shall be \$12,280.00.

- b. The additional annual salary to be paid to the Chairman shall be \$1,800.00.
 - c. The additional annual salary to be paid to the Vice-Chairman shall be \$600.00.
 - d. The monthly travel reimbursement and/or vehicle allowance for Board members shall be \$250.00.
 - e. Individual Board members who elect to obtain County health insurance coverage shall be responsible for payment of the premiums for such coverage.
4. This ordinance shall be effective on and from July 1, 2019.

Adopted this 28th day of May, 2019.

Continued Meeting:

At 7:01 p.m., Chairman Lewis continued this meeting until Tuesday, June 4, 2019 at 5:30 p.m. for a Multi-Jurisdictional Meeting at the George C. Marshall Museum located at 340 VMI Parade, Lexington, Virginia.