

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, JUNE 24, 2019 AT 5:30 P.M.

PLEASE NOTE: THE WORK SESSION SCHEDULED
FOR 4:30 P.M. WAS CANCELLED.

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 asked that a moment of silence be observed for the late John Whitesell and Thomas Anderson. Both served on various boards and committees for the County.

Following the moment of silence, 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:

Supervisor Higgins asked for a discussion at the end of the meeting regarding the need of athletic fields and track repairs at the middle school and high school.

Recognitions and Presentations:

Resolution of Appreciation to Marilyn Earhart:

Supervisor Hinty read aloud the following resolution to Ms. Earhart:

* * *

**A RESOLUTION PRESENTED BY THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS
TO MARILYN L. EARHART FOR HER 19 YEARS OF
SERVICE TO ROCKBRIDGE COUNTY**

WHEREAS, Marilyn L. Earhart, Director of Elections and General Registrar, will retire on July 1, 2019; and,

WHEREAS, Ms. Earhart began her employment with Rockbridge County as Assistant Registrar on October 12, 2000; and, on September 1, 2005 was appointed as General Registrar; and for the duration of her nineteen-year career maintained a flawless working relationship with an ever-changing Electoral Board; and,

WHEREAS, Ms. Earhart, supervised four Presidential elections and numerous State and Local elections including: four Virginia state-wide elections for Governor, Lieutenant Governor and Attorney General; six United States House of Representatives; five United States Senate; eight Virginia House of Delegates, including a special election in December of 2018; three State Senate; twenty Rockbridge County Board of Supervisors; twenty Rockbridge County School Board; three Virginia Constitutional Office, including Commissioner of the Revenue, Treasurer, Sheriff, Commonwealth's Attorney, Clerk of the Court; and seven elections for town officials in Glasgow and Goshen; and,

WHEREAS, Ms. Earhart had the unique opportunity to correct applied election law when a write-in candidate won two elections simultaneously; Ms. Earhart offered the candidate his choice of positions and moved on to the next most cited write-in; and,

WHEREAS, Ms. Earhart trained scores of poll workers annually to perform in eighteen different precincts; and supervised the resettlement of several polling locations throughout the County; and,

WHEREAS, in 2016, Ms. Earhart successfully and seamlessly navigated a major change in the balloting system for Rockbridge County; and,

WHEREAS, Ms. Earhart prepared as many as seven different ballot styles for odd-year local elections; and,

WHEREAS, Ms. Earhart has provided outstanding service to the citizens of Rockbridge County by assisting with voter registration and absentee ballots; and,

WHEREAS, Ms. Earhart has shepherded many dozens of prospective candidates for office, helping them navigate the process of qualification and adherence to election laws; and,

WHEREAS, Ms. Earhart has verified thousands of signatures to ensure candidates meet requirements when running for local office; and,

WHEREAS, in all her dealings, Ms. Earhart has been imminently fair and impartial.

NOW, THEREFORE, BE IT RESOLVED, that the Rockbridge County Board of Supervisors wish to share their sincere appreciation to Ms. Marilyn L. Earhart for her nineteen years of dedicated service to Rockbridge County.

BE IT FURTHER RESOLVED, that the Rockbridge County Board of Supervisors do hereby congratulate Ms. Earhart on her well-earned retirement, and send best wishes to her and her family for continued joy, happiness, and good health in the years to come.

Adopted this 24th day of June, 2019 by the Rockbridge County Board of Supervisors.

Resolution of Appreciation to Ron Argenbright:

Chairman Lewis read aloud the following resolution to Mr.

Argenbright:

**RESOLUTION PRESENTED BY THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS
TO RON ARGENBRIGHT FOR HIS 31 YEARS OF
SERVICE TO ROCKBRIDGE COUNTY**

WHEREAS, after thirty-one years of service to Rockbridge County, Virginia, Ron Argenbright is retiring from his position as Rockbridge County Information Technology Manager on July 1, 2019; and,

WHEREAS, Mr. Argenbright grew up in the City of Buena Vista and started his career in public service after earning a Bachelor of Science degree in Computer Science from Christopher Newport University in 1987; and,

WHEREAS, Mr. Argenbright was hired on May 1st, 1988 to successfully lead the long-term project to “computerize” governmental operations of Rockbridge County, to include the procurement and implementation of the BAI municipal software program for which he is recognized by BAI management as a leading system expert in the Commonwealth of Virginia; and,

WHEREAS, Mr. Argenbright’s outstanding overall performance and contribution to the County’s preparation for the Y2K scenario earned him the Lexington Sunrise Rotary Club Public Employee of the Year Award in 1999; and,

WHEREAS, Mr. Argenbright served an essential role in the County achieving “clean” annual audits during the duration of his public service, he served as the County’s single point of contact for the solid waste billing of business and industry achieving a nearly 100 percent collection rate, and he successfully created an Affordable Care Act data set for testing and production processing to meet Internal Revenues Service standards resulting in the County and associated governmental units meeting this annual obligation; and,

WHEREAS, Mr. Argenbright, in the faithful execution of his duties, achieved a performance record reflecting zero incidents of cyber-attacks leading to the compromise of the County’s network system, while also maintaining up-to-date, anti-virus software on County equipment to mitigate potential vulnerabilities resulting from end-user mis-steps, and provided critical assistance in recovering files and data when staff computers malfunctioned; and,

WHEREAS, Mr. Argenbright managed significant technology upgrade projects for Rockbridge County, to include the migration to the Office 365 platform and obtaining the County’s Domain Name System record, the deployment of a new County website, the transition to a Rockbridge Area Network Authority fiber-optic internet service provider, the implementation of BAI .net Treasurer Office and Finance Department applications, initiating the set-up of an inventory application to account for all County-owned electronic-data-processing equipment, and installing back-up hardware and software systems at the Peterson Data Center in support of network users at the County Administration Building, resulting in operational efficiencies and effectiveness that continue through today.

NOW, THEREFORE, BE IT RESOLVED : That the Board of Supervisors of the County of Rockbridge, Virginia, does hereby express deep appreciation to Ron Argenbright for his thirty-one years of steadfast service to the citizens of Rockbridge County, and offers sincere congratulations and best wishes for a happy, healthy and rewarding retirement.

NOW, ALSO, BE IT RESOLVED: That the Board of Supervisors presents this resolution of appreciation to Mr. Argenbright to serve as a reminder that although he is retiring, he will always be remembered for the vital contributions he made to ensure the integrity of the Rockbridge County computing and financial networks as a result of his dedication to both his position and his fellow public servants.

Adopted this 24th day of June, 2019 by the Rockbridge County Board of Supervisors.

Supervisor Hinty moved to adopt the resolutions for Ms. Earhart and Mr. Argenbright. 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

The Board Members awarded Ms. Earhart and Mr. Argenbright with recognition plaques and framed resolutions. Members of the public took photos of each accepting their gifts.

Citizens Comments:

Chairman Lewis called for citizens comments. There were none.

Approval of the June 4, 2019 and June 10, 2019 Minutes:

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

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

County Closeout of FY 2018-2019 including appropriation resolution and payment of bills:

Fiscal Services Director Steven Bolster presented the Appropriation Resolution and recommended approval.

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

Ayes: Day, Higgins, Lyons, 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 MONDAY, JUNE 24, 2019 AT 5:30 P.M.

On motion by Supervisor Day, seconded by Supervisor Higgins, 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:

4-11-33010-3001 Operational Charges (Jail).....	<u>\$147,797.00</u>
Total General Fund Appropriations	\$147,797.00

Current County

11 - General Fund	\$548,521.27
94 - Central Stores	\$1,034.74
372 - Construction Project Fund	\$8,176.40
376 - Capital Purchases Fund	<u>\$34,841.90</u>
Total County Bills	\$592,574.31

Current Fiscal Agent

80 - Regional Jail	\$80,840.85
241 - E-Summons Fees	<u>\$1,874.41</u>
Total Fiscal Agent	\$82,715.26
 TOTAL ALL BILLS	 \$675,289.57

Approval of Payment of final FY 2018-2019 payroll:

Mr. Bolster presented the Memorandum for the last payroll for FY 2019 and recommended approval.

Supervisor Lyons moved to approve the final payroll for FY 2019. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call vote by the Board.

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

MEMORANDUM

TO: The Honorable Board of Supervisors
 FROM: Director of Fiscal Services
 DATE: June 17, 2019
 SUBJECT: Approval of payment of last payroll for FY 2019

A requirement of the audit is to garner Board consent for the final payroll that will take place prior to the end of the fiscal year. I'm seeking your approval on this action item.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
 VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE OFFICE,
 150 S. MAIN STREET, LEXINGTON, VIRGINIA,
 ON MONDAY, JUNE 24, 2019 AT 5:30 P.M.

On a motion of Supervisor Lyons, with a second by Supervisor Higgins, the Board approved payment of payroll for the end of the 2018-2019 fiscal year.

Appropriation of FY 2019-2020 County Budget:

Mr. Bolster presented the Appropriation Resolution for the FY 2019-2020 County Budget and recommended approval.

Supervisor Higgins moved to approve the Appropriation Resolution for the FY 2019-2020 County Budget. A second was provided by Supervisor Hinty, and the motion carried by unanimous roll call vote by the Board.

Ayes: Higgins, Hinty, Lyons, Day, 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
MONDAY, JUNE 24, 2019 AT 5:30 P. M.

On motion of Supervisor Higgins, with second by Supervisor Hinty, the following functions are allowed as appropriations in accordance with the Budget dated FY 2019-2020 that is filed with the records of the Board (to become effective July 1, 2019).

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations be, and the same hereby are made, for the period ending **June 30, 2020**, in the:

GENERAL FUND, FUND 11: (To be expended only on order of the Board of Supervisors with the exception of Social Services activities, which are to be expended only on order of the Rockbridge Area Social Services Board):

Board of Supervisors	\$ 113,243.00
General and Financial Administration	\$ 1,786,338.00
Registrar	\$ 181,228.00
Judicial Administration	\$ 1,754,724.00
Public Safety	\$ 9,651,860.00
Public Works	\$ 3,391,688.00
Health and Welfare	\$ 1,777,295.00
Education	\$ 83,384.00
Parks, Recreation, and Cultural	\$ 1,550,066.00
Community Development	\$ 2,814,482.00
Non-Departmental	<u>\$23,103,145.00</u>
Total General Fund	\$46,207,452.00

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations be, and the same hereby are made, for the period ending **June 30, 2020**, in the:

CONSTRUCTION PROJECT FUND, FUND 372: (To be expended only on order of the Board of Supervisors):

Fire-Rescue-911 Center Parking Lot	\$ 20,000.00
Staffed Collection Centers	<u>\$ 226,000.00</u>
Total Construction Project Fund	\$ 246,000.00

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations be, and the same hereby are made, for the period ending **June 30, 2020**, in the:

CAPITAL PURCHASES FUND, FUND 376: (To be expended only on order of the Board of Supervisors):

Imaging X-ray Equipment	\$ 29,116.00
Courtroom Sound Systems	\$ 26,000.00
Courthouse Alarm/Annunciator Panels	\$ 7,000.00
Sheriff Vehicles	\$ 180,200.00
Fire-Rescue Vehicle	\$ 16,000.00
Collection Center Compactors	\$ 70,000.00
Tractor with accessories	<u>\$ 32,875.00</u>
Total Capital Purchases Fund	\$ 361,191.00

FY 2018-2019 School Appropriation Resolution:

Mr. Bolster presented the FY 2018-2019 School Appropriation Resolution and recommended approval.

Supervisor Hinty moved to approve the FY 2018-2019 School 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 MONDAY, JUNE 24, 2019 AT 5:30 P.M.

On motion by Supervisor Hinty, seconded by Supervisor Day, 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

4-50-64400-8104-904-000-100 Capital.....	<u>\$92,134.00</u>
Subtotal	\$92,134.00
TOTAL FUND 50 APPROPRIATIONS	\$92,134.00

Appropriation of FY 2019-2020 School Division Budget:

Mr. Bolster presented the FY 2019-2020 School Division Budget Appropriation Resolution and recommended approval.

Supervisor Higgins moved to approve the FY 2019-2020 School Division Budget Appropriation 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 MONDAY JUNE 24, 2019, AT 5:30 P.M.

On motion by Supervisor Higgins, seconded by Supervisor Lyons, the Board, by record vote adopted the following resolution to appropriate the

FY 2019-2020 School Fund (Fund 50) and the School Cafeteria Fund (Fund 56) in accordance with the Rockbridge County School Division budget dated FY 2019-2020, which is filed with the records of the Board to become effective July 1, 2019. (The School Administration provided account line numbers for the appropriations):

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations be, and the same hereby are made, for the period ending **June 30, 2020**, in the **SCHOOL EDUCATION FUND (Fund 50)** and expended on the order of the School Board as follows:

4-050-61000	Instruction.....	\$22,442,974.00
4-050-62000	Administration & Health.....	\$1,740,072.00
4-050-63000	Pupil Transportation.....	\$2,574,398.00
4-050-64000	Operations and Maintenance.....	\$2,990,805.00
4-050-66000	Facilities.....	\$20,000.00
4-050-67000	Debt Service.....	\$4,000,121.00
4-050-68000	Technology.....	\$1,372,254.00
TOTAL APPROPRIATIONS SCHOOL FUND.....		\$35,140,624.00

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation be, and the same hereby is made, for the period ending **June 30, 2020** in the **SCHOOL CAFETERIA FUND (Fund 56)** and expended on the order of the School Board as follows:

4-056-65000	School Cafeteria.....	\$1,083,890.00
TOTAL APPROPRIATIONS CAFETERIA FUND.....		\$1,083,890.00

Consideration of Compensation Increase for Members of the Planning Commission:

County Administrator Spencer Suter briefly reviewed the Agenda Item which included the following information:

"Compensation for the BZA and Planning Commission of \$30.00 per meeting was established by the Board of Supervisors on April 26, 1995. During this past budget process, staff recommended increasing that compensation to

\$50.00 per monthly meeting. Mileage to meetings and other related travel is compensated per the current IRS rates.”

Supervisor Lyons asked how many boards and committees the County currently pays its members. He added his concern that the requests for increases keep coming in after the budget adoption.

Mr. Suter replied, about seven (7) boards and committee members are paid and added that both requests being considered had already been included in the adopted budget.

Supervisor Higgins advised that the PSA and MSA pay their members out of their own budget. He then stated that he would like the board to look into the EDA and Building Code Board of Appeals for potential increase compensation of their members to make pay even across the board.

Chairman Lewis agreed with Supervisor Higgins stating that the board should make membership of compensated board's equal playing field.

Supervisor Hinty moved to approve the resolution for a compensation increase for Planning Commissioners. A second was provided by Supervisor Day. Supervisor Lyons shared that he believed that these considerations be made during the budget deliberation process and not after. The motion carried by the following roll call vote by the Board:

Ayes: Hinty, Day, Higgins, 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 MONDAY,
JUNE 24, 2019

**Resolution to Authorize and Approve Compensation Rates for Appointed
Members of the Rockbridge County Planning Commission**

WHEREAS, pursuant to Section 15.2-2212 of the Code of Virginia (1950, as amended), the Board of Supervisors may provide for compensation to Rockbridge County Planning Commission members for their services and/or reimbursement for actual expenses incurred; and,

WHEREAS, on April 26, 1995, the Board of Supervisors established compensation for volunteer members of its Commissions, Committees and Authorities at \$30.00 per member; and,

WHEREAS, during the budget process, the Board determined to provide additional funding to increase compensation to members of the Planning Commission from \$30.00 to \$50.00; and,

WHEREAS, the Board of Supervisors desires to establish the rate of compensation for Planning Commission members.

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

1. Compensation rates for the Rockbridge County Planning Commission members are:
 - a. Meeting Compensation. Each member shall be compensated in the amount of \$50.00 per regular monthly Planning Commission meeting attended.
 - b. Mileage Compensation. Each member shall be reimbursed for mileage to and from Planning Commission meetings and site visits at the Internal Revenue Service rates in effect at the time the mileage was incurred.
2. That this Resolution shall be effective on and from July 1, 2019, and shall continue thereafter unless or until amended.

Adopted this 24th day of June, 2019.

Recorded Vote:

AYES: Hinty, Day, Higgins, Lewis

NAYES: Lyons

ABSENT: None

ABSTAIN: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
A.J. "Jay" Lewis, II

Attest: _____
Spencer H. Suter, Clerk

Consideration of Compensation Increase for Members of the Board of Zoning Appeals:

Supervisor Hinty moved to approve the resolution for a compensation increase for Board of Zoning Appeals Members. A second was provided by Supervisor Day. Supervisor Lyons again shared his feeling that increases for all boards and commissions should be considered at the same time and during the budget process. The motion carried by the following roll call vote by the Board:

Ayes: Hinty, Day, Higgins, 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 MONDAY, JUNE 24, 2019

Resolution to Authorize and Approve Compensation Rates for the Members of the Rockbridge County Board of Zoning Appeals

WHEREAS, pursuant to Section 15.2-2308 of the Code of Virginia (1950, as amended), the Board of Supervisors may provide for compensation to Rockbridge County Board of Zoning Appeals members for their services and/or reimbursement for actual expenses incurred; and,

WHEREAS, on April 26, 1995, the Board of Supervisors established compensation for volunteer members of its Commissions, Committees and Authorities at \$30.00 per member; and,

WHEREAS, during the budget process, the Board determined to provide additional funding to increase compensation to members of the Board of Zoning Appeals from \$30.00 to \$50.00; and,

WHEREAS, the Board of Supervisors desires to establish the rate of compensation for Board of Zoning Appeals members.

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

1. Compensation rates for the Rockbridge County Planning Commission members are:
 - a. Meeting Compensation. Each Board of Zoning Appeals member shall be compensated in the amount of \$50.00 per regular monthly meeting attended.
 - b. Mileage Compensation. Each member shall be reimbursed for mileage to and from Board of Zoning Appeals meetings and site visits at the Internal Revenue Service rates in effect at the time the mileage was incurred.
2. That this Resolution shall be effective on and from July 1, 2019, and shall continue thereafter unless or until amended.

Adopted this 24th day of June, 2019.

Recorded Vote:

AYES: Hinty, Day, Higgins, Lewis

NAYES: Lyons

ABSENT: None

ABSTAIN: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
A.J. "Jay" Lewis, II

Attest: _____
Spencer H. Suter, Clerk

Consideration of Amendments to the AMT (A. Morton Thomas & Associates, Inc.) Contract for E&S Services and Stormwater E&S Review Fee Schedule:

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

"As you may recall, the County maintains its own, state mandated Erosion and Sediment Control / Storm Water Management program, administered under the Building Department. While our ESC/Storm Water Administrator Jonathan Griffin handles minor plan reviews and inspections, major plan reviews are contracted out to a 3rd party, external firm. Costs for these reviews are paid by the County.

In June, 2016, after a competitive procurement process, the County retained A. Morton Thomas and Associates (AMT) for 3rd party plan review services. Again, these are for larger-project plan reviews that are commercial in nature. In June 2018, satisfied with AMT's performance, the Board approved a two year extension of the contract with AMT. Though our contract with AMT allows for negotiation of fees during each term of the contract, AMT chose not to request an increase last year. The reason for this is described in the attached letter from AMT dated June 4, 2019. In the letter, AMT references Department of Environmental Quality (DEQ) fees. The DEQ, which provides the ultimate oversight of the Commonwealth's Stormwater and E&S program, sets fees that must be paid to DEQ, based on the size and complexity of soil disturbance, in addition to any fees the locality may levy. Since the inception of the program in the County, we have striven to pass on to applicants only the direct costs we must bear (DEQ and consulting fees). Since the rates we charge applicants are in the County code, changing rates for any reason requires an ordinance, triggering a public hearing. Essentially, last June the County and AMT agreed that, rather than doing incremental rate increases, we and the development community would be better-served waiting for DEQ to finalize

its planned permit fees for FY 2020 and do a single rate increase which would cover both at the same time.

AMT is requesting an approximately 5% increase in its fees for the final year of the current, 2-year term, set to expire on June 30, 2020. The exception to this is for single family dwelling plan reviews, for which AMT is requesting an additional \$240 per review, based on its experience over the first 3 years of the contract. However, over those 3 years, there have only been a handful of these sent to AMT, since Jonathan completes all but the most complicated SFD reviews in-house. Copies of the AMT contract and extension are attached for your information. Also attached is a draft resolution which would amend the contact and rates."

Supervisor Lyons noted an error in the resolution: On page one (1) section one (1) of the resolution, the term should be from July 1, 2019 to June 30, 2020. (The draft resolution listed the term as July 1, 2019 to June 30, 2019 in error.)

Chairman Lewis asked if there were opportunity for the Board to use a "pass-through" method instead of specifying dollar amounts.

Mr. Suter replied, it would be wise for the Board to specify the dollar amounts.

Supervisor Hinty moved to approve the resolution as amended. 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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
JUNE 24, 2019

**RESOLUTION TO AUTHORIZE AND APPROVE A REVISED FEE SCHEDULE OF A
PROFESSIONAL SERVICES CONTRACT WITH A. MORTON THOMAS AND
ASSOCIATES, INC., FOR REVIEW OF EROSION AND SEDIMENT CONTRAL
PLANS AND STORMWATER MANAGEMENT PLANS**

WHEREAS, on June 27, 2016, the Board adopted a Resolution to approve a Professional Services Contract, dated July 1, 2016, between the County of Rockbridge and A. Morton Thomas and Associates, Inc. (AMT), with the contract price being in accordance with the AMT fee schedule incorporated therein, for review of Erosion & Sediment Control and Stormwater Management plans; and,

WHEREAS, on June 11, 2018, the Board approved a resolution extending the contract for another two year term in accordance with its terms; and,

WHEREAS, AMT chose not to exercise its right to request a rate increase during the 2018 negotiations for the term extension; and,

WHEREAS, in the 4th quarter of the first year of the current extension, AMT has requested that its fees be increased by the following amounts for the final year of the current term, and in any subsequent terms if not renegotiated; and,

WHEREAS, the Board finds the request reasonable.

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

1. That for the remaining 12 months of the current term, from July 1, 2019, to June 30, 2020, the rates for the Professional Services Contract, dated July 1, 2016, between the County and AMT, will be increased, in accordance with the revised consultant's fee schedule, attached hereto as Exhibit A, is hereby authorized and approved.
2. That the County Administrator is hereby authorized and approved to authorize payment in accordance with the revised consultant's fee schedule, and to take such further

actions, on behalf of the Board of Supervisors, as are necessary to accomplish this transaction, 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.

Adopted this 24th day of June, 2019.

Recorded Vote:

AYES: Hinty, Higgins, Lyons, Day, Lewis

NAYES: None

ABSENT: None

ABSTAIN: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
A.J. "Jay" Lewis, II

Attest: _____
Spencer H. Suter, Clerk

"Exhibit A"

AMT PLAN REVIEW PER ACREAGE	CURRENT PLAN REVIEW FEES	NEW PLAN REVIEW FEES
10,000 sq. ft. – 1 acre (ESC only)	\$760	\$1000
1 -5 Single Family	\$760	\$1000
1 - 5	\$2,088	\$2,200
5 -10 Single Family	\$760	\$1000
5 - 10	\$2,891	\$3,035
10 - 50	\$4,342	\$4,600

50 - 100	\$6,448	\$6,800
100 and over	\$8,755	\$9,200

Consideration to set a Public Hearing for Amendments to Chapter 27 of the County Code relating to Stormwater-E&S Fees:

After discussion, it was determined that fees in Chapter 12 of County code would also need to be amended. Supervisor Higgins moved to schedule a public hearing on the suggested code amendments, contingent on the County Attorney's review and acceptance. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Public Hearings at 6:00 p.m.

Oscar Plogger- Proffer Amendment in B-1:

Assistant Director of Community Development Chris Slaydon briefly reviewed the Agenda Item which included the following information:
 "Mr. Plogger has applied to amend proffers associated with an earlier conditional rezoning that limited the use of the property to several defined uses as listed in the attached information. He has been approached by Kelly Swink with a desire to sell used cars at this location and, thus, applied for this proffer amendment to allow for car sales per Section 605.02-15 of the Regulations. The Planning Commission has recommended approval of the amendment with the following limitations:
 - limited to ten (10) cars and light trucks

- No trailer sales
- No sales of class 7 and/or class 8 vehicles
- No onsite vehicle service/repair
- No inoperable vehicles on site

Mr. Swink then addressed the Board and suggested that the limitations be modified to allow for Class 7 and Class 8 trailer sales and a limit of 25 cars and light trucks.

Mr. Slaydon advised that, in order for the Board to consider Mr. Swink's amendments to the Proffer Conditions, the entire approval process would need to be repeated because the applicant (Mr. Plogger) had already signed the Proffer Conditions as presented.

Ms. Huffman explained that, if the applicant was in agreement with Mr. Swink's proposed amendments, he would need to withdraw his current applicant and resubmit to the Planning Commission.

Applicant Oscar Plogger withdrew his application.

Consideration of Code Amendment for Tractor Pull Provisions:

Ms. Huffman briefly reviewed the Agenda Item which included the following information:

"Rockbridge County Code has included provisions for permitting of Musical and Entertainment Festivals since October 14, 1970.

The County has recently received an inquiry regarding permits for truck and tractor pull events sponsored by local fire and rescue agencies.

Specifically, the South River Fire Department has expressed an interest in establishing a truck/tractor pull track and holding events.

Truck and tractor pull events are not addressed in the County's Land Development Regulations. Like music festivals, they are high impact events that typically occur infrequently. Staff is recommending allowance only for fire and rescue agencies and only upon compliance with the permitting process currently authorized for music festivals.

A draft of proposed Code amendments is attached for the Board review and consideration. Notice of the public hearing on June 24th has been published in accordance with the Board's directive at its meeting on June 10, 2019."

Member of the South River Volunteer Fire Department John Jennings advised that the 2019 tractor pull at the Virginia Horse Center had been cancelled.

Chairman Lewis opened the Public Hearing at 6:46 p.m.

Kelly Swink of the Walkers Creek Magisterial District advised that he attends these events and has yet to see any potential hazards such as fighting, etc. He asked the Board to support the community and Fire Department.

Chairman Lewis closed the Public Hearing at 6:48 p.m.

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

Ayes: Higgins, Hinty, Lyons, Day, 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 MONDAY,
JUNE 24, 2019

**Ordinance to Amend and Reenact Chapter 4 – Amusements and Entertainment in
Article II – Musical or Entertainment Festivals, of the Rockbridge County Code, to
Outdoor Entertainment Events, Including Musical or Entertainment Festivals and
Truck/Tractor Pull Events Held or Sponsored by a County Fire and/or Rescue
Agency**

BE IT ENACTED by the Rockbridge County Board of Supervisors that:

1. Chapter 4 – Amusements and Entertainment in Article II – Musical or Entertainment Festivals, of the Rockbridge County Code is hereby amended and re-enacted as follows:

ROCKBRIDGE COUNTY CODE

Chapter 4

AMUSEMENTS AND ENTERTAINMENT*

Art. I. In General, §§4-1--4-15
Art. II. Outdoor Entertainment Events, §§4-16--4-35
Art. III. Bingo Games and Raffles: DELETED, §§4-36--4-38
Art. IV. Regulation of Noise, §§4-39--4-49
Art. V. Farmers' Market, §§4-50--4-51

ARTICLE I. IN GENERAL

Secs. 4-1--4-15. Reserved.

ARTICLE II. OUTDOOR ENTERTAINMENT EVENTS

Sec. 4-16. Purpose of article.

This article is enacted pursuant to §15.2-1200 of the Code of Virginia for the purpose of providing necessary regulation for the conducting of outdoor entertainment events or any combination of outdoor entertainment events with any other event conducted in open spaces, not within an enclosed structure, and of any gathering or group of individuals for the purpose of listening to, observing or participating in outdoor entertainment events, as defined herein, in the interest of the public health, safety and welfare of the citizens and inhabitants of Rockbridge County.

* **Cross reference(s)**--Licenses and business regulations, Ch. 19; amusement and recreation services, §19-54(2), (5); carnival licenses, §19-58; licenses for coin-operated machine operators, §19-59.

Sec. 4-17. Definitions.

When used in this article, the following words shall mean:

Board shall mean the Board of Supervisors of Rockbridge County, Virginia.

Outdoor entertainment events shall mean any musical or entertainment festival, or any truck or tractor pull event.

Musical or entertainment festival shall mean any gathering of groups or individuals for the purpose of listening to or participating in entertainment that consists primarily of musical renditions conducted in open spaces not within an enclosed structure.

Truck or tractor pull event shall mean any gathering of groups or individuals for the purpose of observing or participating in a competition among trucks and/or tractors in pulling a heavy sled a measured distance on a track created for such purpose, to be held or sponsored by any County fire and/or rescue agency.
Cross reference(s)--Definitions and rules of construction, §1-2.

Sec. 4-18. Permits.

(a) *Permit required.* No person, firm, partnership, corporation, or other entity shall stage, promote, operate or conduct any outdoor entertainment events, as defined in Section 4-17, in the unincorporated areas of Rockbridge County unless there shall have been first obtained from the Board a special entertainment event permit for said outdoor entertainment event. Any permit issued pursuant to this section shall be valid only for the approved date of the event, and any rain date if approved with the application. Any applicant for a permit may include a request for a series of outdoor entertainment events in a calendar year, in the same location and under the same conditions, if the dates, times, and any rain dates are included in the permit application. (Amended by Ord. of 7-26-10; Amended by Ordinance of 7-25-11 to be effective on and from the date of its adoption)

(b) *Application.* Application for such outdoor entertainment event permits shall be in writing on forms provided for the purpose and filed in duplicate with the Clerk of the Board at least thirty (30) days before the date of such entertainment event and twenty-one (21) days prior to a meeting of the Board. Such applications shall have attached thereto, and made a part thereof, the plans, statements, approvals and other documents required by this article.

(c) *Exemptions for musical or entertainment festival.* Fire departments, rescue squads, agricultural fairs, private parties, entertainments sponsored by local high schools, sporting events sponsored by local high schools, or any event in which the participants are all high school students are exempt from this requirement for any musical or entertainment festival. Temporary non-electronic signage may be allowed for these exempt activities up to 24 hours prior to, and the days of, the event. Such signage may be placed off-premise and shall not exceed twelve (12) square feet in area and eight (8) feet in height for the purpose of directing participants to the event. If Virginia Department of Transportation electronic traffic control devices are used, the temporary signage may be up to seventy (70) square feet and eight (8) feet in height. This provision for temporary signage shall be an exception to Section 706.00, et seq., of the Rockbridge County Land Development Regulations.

(Amended by Ord. of 7-26-10; Amended by Ordinance of 7-25-11 to be effective on and from the date of its adoption)

(d) *Issuance; denial.* The Board shall act on such applications within thirty (30) days from the date on which the application is first presented on the agenda. If granted, the permit shall be issued in writing on a form for the purpose and mailed by the clerk to the applicant at the address indicated. If denied, the refusal

shall be in writing and the reasons for such denial stated therein, and mailed by the clerk to the applicant at the address indicated.

Cross reference(s)--Licenses and business regulations, Ch. 19.

Sec. 4-19. Requirements for approval of permits.

A permit shall not be issued unless the following conditions are met and the following plans, statements and approvals are submitted to the Board with the application:

- (1) An application for special entertainment event permit shall have attached to it a copy of the ticket or badge of admission to said event, containing the date or dates and time or times of said event, together with a statement by the applicant of the total number of tickets to be offered for sale and the best reasonable estimate by the applicant of the number of persons expected to be in attendance.
- (2) A statement of the name and address of the promoter of the event, the financial backing of the event, and the names of all persons or groups who will perform at said event, if applicable.
- (3) A statement of the location of the proposed event, the name and address of the owner of the property on which said event is to be held, and the nature and interest of the applicant therein.
- (4) A plan for adequate sanitation facilities and garbage, trash and sewage disposal for persons at the event. This plan shall meet the requirements of all state and local statutes, ordinances and regulations.
- (5) A plan for providing food, water, and lodging of the persons at the event. This plan shall meet the requirements of all state and local statutes, ordinances and regulations.
- (6) A plan for adequate medical facilities for persons at the event.
- (7) A plan for adequate parking facilities, crowd control and traffic control in and around the event area approved by the Sheriff of Rockbridge County.
- (8) A plan for adequate fire protection. This plan shall meet the requirements of all state and local statutes, ordinances and regulations, and shall be approved by the County fire chief.
- (9) A statement specifying whether any outdoor lights or lighting is to be utilized, and if so, a plan showing the location of such lights and shielding devices or other equipment to prevent unreasonable flow beyond the property on which the event is located.
- (10) A statement that no music shall be played, either by mechanical device or live performance, in such manner that the sound emanating therefrom shall be unreasonably audible beyond the property on which the festival is located.

Sec. 4-20. Time limitations.

Outdoor Entertainment Events shall not be held or provided for more than eight (8) hours in any twenty-four hour period, such twenty-four hour periods to be measured from the start time specified in the permit.

Sec. 4-21. Right of entry.

Permits, which are not assignable or transferable, shall not be issued under this article unless the applicant shall furnish to the board written permission for the board, its lawful agents, or duly constituted law enforcement officers, to go upon the property at any time for the purpose of determining compliance with the provisions of this article. The Board shall have the right to revoke any permit issued under this article upon noncompliance with any of its provisions or conditions.

Sec. 4-22. Penalty.

Any person, firm or corporation who violates any provision of this article shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding three hundred dollars (\$300.00) or by confinement in jail not exceeding thirty (30) days, or by both such fine and imprisonment. Each violation shall constitute a separate offense. The Board may bring suit in the Circuit Court of Rockbridge County to restrain, enjoin, or otherwise prevent a violation of this article.

Sec. 4-23. Reserved.

Sec. 4-24. Rule of construction.

The provisions of this article shall be liberally construed in order to carry out effectively the purposes of this article in the interest of the public health, welfare and safety of the citizens and residents of Rockbridge County.

Sec. 4-25. Effective date.

This article shall be in full force and effect upon adoption (October 14, 1970) by the Board of Supervisors of Rockbridge County.

Sec. 4-26--4-35. Reserved.

2. This Ordinance shall be effective on and from the date of its adoption.

Adopted this 24th day of June, 2019.

Recorded Vote:

AYES: Higgins, Hinty, Lyons, Day, Lewis

NAYES: None

ABSENT: None

ABSTAIN: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
A.J. "Jay" Lewis, II, Chairman

Attest: _____
Spencer H. Suter, Clerk

Consideration of MOY for the Pre-School Program to utilize space at the Glasgow Library:

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

"As you may recall the County provides a preschool education program at four locations - Effinger, Fairfield, Goshen and Glasgow. We have varying arrangements for facility usage. For many years, we used the Glasgow Community Center to house the Glasgow program. In May, we learned that the rent for the upcoming year would increase to \$1,200 monthly.

Preschool Program Manager Dwinne Shafer subsequently approached management at the Glasgow Library to inquire about the potential to use their facility, similar to the arrangement we have with the Goshen Library. Rockbridge Regional Library Director Julie Goyette was amenable to the idea, as it is conducive to learning to provide a program in such close proximity to library resources. We agreed that usage should be framed by a basic memorandum of understanding and have drafted the attached document for your review. The MOU would also need to be approved by the Library Board of Directors."

Supervisor Hinty moved to authorize the County Administrator to enter into the Agreement with the Library System. Supervisor Lyons provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Consideration of SVWDB Chief Elected Officials Consortium Agreement:

In the Community Development Director's absence, Mr. Suter briefly reviewed the Agenda Item which included the following information:

"This past November you approved the Consortium Agreement. Since that time some minor changes were made and we need to re-approve. Those changes include:

- Added an explanation of the statutory bases for SVWDB work to the Consortium Agreement. A local government attorney that will be reviewing this agreement on behalf of the localities will be very concerned with the statutory authority to adopt an agreement like this one.
- Removed most of the information about the governing procedures, etc., for the Board (as opposed to the consortium) - which does not need to be in this Agreement, because the Board is governed by its own bylaws and articles of incorporation.
- Clarified the nomination process by which local governments can nominate and appoint up to 3 private sector members and that required agency representation nominations come from the required state agency and are approved by the consortium.
- Updated the conflict of interest information (this was done in the original update and tweaked in the final agreement based on feedback from the state).

As a reminder, this agreement is very similar to the original approved a couple of years ago but reflects the changes required when the Workforce Investment Board was renamed the Workforce Development Board. As a reminder, the Chief Elected Officials (CEO) Consortium is comprised of a Chief Elected Official from each jurisdiction in the Shenandoah Valley Workforce Development Board (SVWDB) service area which stretches from Frederick County to Rockbridge County. The Chair of the SVWDB Board of Directors is also a voting member of the Consortium. The CEO Consortium serves as the policy Board for the Shenandoah Valley Workforce Development Area and makes appointments to the Shenandoah Valley Workforce Development Board. As Mr. Lewis is the current Chair of the Board of Supervisors, he is officially the Chief Elected Official and I have been appointed his alternate to act on your behalf. I am the Vice-Chair of the CEO. Morgan Phoenix, Supervisor, Page County is the Chair. Page County also serves as the fiscal agent for the Board."

Supervisor Higgins moved to schedule a Public Hearing on this matter for July 22, 2019. 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

Appointments:

RARO- Joey Jones- Term will expire June 30, 2019:

Supervisor Day moved to reappoint Mr. Jones to the RARO Board of Directors. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call vote by the Board.

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

RARO- Hunter McClung- Term will expire June 30, 2019:

Chairman Lewis moved this appointment over to the next meeting.

911 Board- P.J. Sibold- Term will expire June 30, 2019:

Supervisor Lyons moved to reappoint P.J. Sibold to the 911 Board. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call vote by the Board.

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

911 Board- Robert Hickman- Term will expire June 30, 2019:

Chairman Lewis moved this appointment over to the next meeting.

Blue Ridge Criminal Justice Board- Spencer Suter- Term will expire June 30, 2019:

Supervisor Hinty moved to reappoint Spencer Suter to the BRCJB. A second was provided by Supervisor Lyons, and the motion carried by unanimous roll call vote by the Board.

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

Blue Ridge Criminal Justice Board- John Higgins- Term will expire June 30, 2019:

Chairman Lewis moved this appointment over to the next meeting.

Board Comments:

Added Item by Supervisor Higgins:

Supervisor Higgins suggested that the Board appropriate \$60,000 to the schools for improvements of the field at Maury River Middle School to be used as a practice field. He also asked the Board to do what they could to help the schools with improvements of the track at the high school.

Supervisor Hinty agreed that practice fields have always been a need for the community and agreed that the improvements are necessary. He added that RARO could also use the County's support in providing some topsoil for the old Rockbridge Middle School baseball field.

Supervisor Lyons stated that it is not the Board of Supervisors responsibility to tell the School Board what they need to ask for. He suggested that the School Board solicit quotes for the proposed improvements. He further suggested that a more central location be used for practice fields and to make those fields available to the public.

Chairman Lewis stated that the Board of Supervisors had a moral agreement with the Schools to fund operational costs, not knowing if the State would come through with its portion of funding. He stated that, if the Board had the monies to assist with the Schools operational costs at that time, it would seem that those monies were specifically earmarked to the Schools and now could be used to help with the proposed improvement projects.

Supervisor Lyons stated that the Board never gave the Schools those monies and therefore it would not be wise to take money from the general fund for these two projects.

Mr. Suter shared that he had a meeting scheduled with School Superintendent Dr. Thompson, specifically to discuss fields, and suggested that he ask for a prioritized list that he could bring back to the Board.

Supervisor Higgins wanted to make it known that the School Board did not make these requests; rather they originated with a citizen.

Other:

Alexander Miller was recognized for his attendance at this meeting. Mr. Miller advised that it is a requirement of the Boy Scouts of America to attend a public meeting in order to obtain a merit badge.

Adjournment:

Supervisor Lyons moved to adjourn at 7:26 p.m. A second was provided by Supervisor Day, and the motion carried by unanimous roll call vote by the Board.

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