

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, SEPTEMBER 9, 2019 AT 5:30 P.M.

BOARD MEMBERS PRESENT: A.J. "JAY" LEWIS, II.
DANIEL E. LYONS
JOHN M. HIGGINS

ABSENT: 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 5:31 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:

Chairman Lewis called for changes to the agenda.

Supervisor Higgins asked to postpone consideration of an appointment to the Social Services Board until the next meeting so that all Board Members could be present.

Chairman Lewis agreed to remove the appointment from this agenda.

Recognitions and Presentations:

Constitution Week Recognition Resolution:

County Administrator Spencer Suter introduced the resolution, noting that the Daughters of the American Revolution are very active in annual recognition of Constitution Week.

Chairman Lewis read aloud the following resolution:

**A RESOLUTION RECOGNIZING SEPTEMBER 17, 2019 THROUGH 23, 2019
AS CONSTITUTION WEEK**

WHEREAS: The Constitution of the United States of America embodies the principles of limited government in a democratic Republic dedicated to justice, equality, and the rule of law; and,

WHEREAS: Constitution Day, September 17, 2019, marks the two hundred and thirty-second anniversary of the signing of the Constitution of the United States of America at Independence Hall in Philadelphia by the Constitutional Convention; and,

WHEREAS: It is fitting and proper to accord official recognition to this Great Charter of Liberty, its memorable anniversary, and to the patriotic celebrations which will commemorate it; and,

WHEREAS: U. S. Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as Constitution Week.

NOW, THEREFORE, the Rockbridge County Board of Supervisors do hereby proclaim the days of September 17, 2019 through September 23, 2019 as "CONSTITUTION WEEK" and ask our citizens to remember and reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly upholding and protecting the natural rights and freedoms guaranteed to us through its Articles and Amendments, and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the responsibilities which that privilege involves.

Adopted this 9th day of September, 2019.

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

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

Citizens Comments:

Chairman Lewis called for citizens comments. There were none.

Approval of the August 26, 2019 Minutes:

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

Ayes: Lyons, Higgins, Lewis
Nays: None
Absent: Day, Hinty
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. Continue reconciliation of delinquent business tax report.
2. Working audit of Schedule Cs, meals, lodging and business license taxes to ensure compliance.
3. Working DMV report for August 2019.
4. Presented Personal Property tax book to Treasurer on August 22nd.
5. Assisting taxpayers with 2019 personal property bills.
6. Land use re-validations packaged and will be mailed on September 13th.
7. Training new employee Charity Smith who started September 3rd.

Section II - Treasurer

Activities for Month:

1. Sent letters out on June 25, 2019 on severely delinquent real estate with due date of September 16, 2019.
2. Third quarter estimated income due September 16, 2019.
3. The 2019 Personal Property tax bills were sent out on August 29th - due date October 7, 2019.
4. Debt Set-off collections continue \$1,936.30 associated with 11 filings."

Mr. Bolster then provided an update on the recent sales of the County's surplus items, via Govdeals, followed by review of the Revenues Verses Expenditures Chart. He advised that there were no appropriations being requested but asked the Board to approve the resolution authorizing the payment of bills.

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

Ayes: Higgins, Lyons, Lewis
Nays: None
Absent: Day, Hinty
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, SEPTEMBER 9, 2019 AT 5:30 P.M.

On motion by Supervisor _____, seconded by Supervisor _____, the Board, by record vote, approved the payment of bills for the month as follows:

Current County

11 - General Fund	\$795,778.17
94 - Central Stores	\$8,513.08
372 - Construction Project Fund	\$77,496.25
Total County Bills	\$881,787.50
Current Fiscal Agent	
80 - Regional Jail	\$199,740.30
241 - E-Summons Fees	\$1,913.22
Total Fiscal Agent	\$201,653.52
TOTAL ALL BILLS	\$1,083,441.02

Update on Refunding of 2013 Courthouse Loan Opportunity:

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

"On August 27th, Virginia Resource Authority's (VRA) Program Management Director Peter D'Alema contacted me concerning the possible refunding opportunity related to the County's Series 2013A Virginia Pooled Financing Program (VPFP) loan (2005 Courthouse Refunding). The 2013A financing was a tax-exempt issuance. Due to IRS regulations, we cannot complete a refunding under the tax-exempt status. However, because there's been a significant decline in recent taxable rates, this loan is showing an estimated net present value savings even when advance refunded on a taxable basis. VRA provided the following refunding analysis for the Rockbridge 2013A loan, for all callable maturities (2024-2035), based on estimated taxable market rates as of August 27, 2019:

- Estimated net present value savings = \$584,318
- Percentage savings of refunded bonds = 6.82%
- Projected annual debt-service savings on a 5-year snapshot includes:
 - 2020 = \$82,933

- 2021 = \$37,068
- 2022 = \$33,621
- 2023 = \$35,053
- 2024 = \$36,347

As general rule, the percentage of net present value savings threshold to move forward on refunding opportunities is ~4%, which is achieved using the August 27th rates.

Staff contacted the County's Bond Counsel, Daniel Lauro with BotkinRose, to coordinate their legal assistance on this potential refunding. A conference call between County staff, Bond Counsel, and VRA to briefly go over the VFPF Fall 2019 schedule/action items is slated for Friday afternoon (9/6/19). This topic is on the agenda for the Finance Committee meeting set for September 12th. County personnel will team with VRA representatives to monitor the 2013 loan for savings. In addition, VRA will provide us with periodic updates as the Fall pool schedule moves ahead. Staff anticipates bringing the Board an authorizing resolution for their consideration at either the September 23rd or October 15th meeting dates."

Mr. Bolster advised that he would bring this back at the next Board of Supervisors meeting on September 23rd.

Supervisor Higgins inquired the costs that will be associated with the refinancing, such as lawyers' fees, etc.

Mr. Bolster replied that he did not have that answer but would certainly try to find out. He noted that the interest savings calculated

include estimated fees.

Update on Broadband Grant with BARC Connects:

Director of Community Development Sam Crickenberger briefly reviewed the Agenda Item which included the following information:

"Recently, County staff have been working collaboratively with BARC Connects, Bath County and the Central Shenandoah Planning District Commission (CSPDC) to apply for a \$17M competitive broadband through the Virginia Telecommunications Initiative (VATI) administered by the Department of Housing and Community Development (DHCD). The CSPDC is the primary applicant on behalf of the Counties, with BARC Connects as the private service and grant match provider. In line with the Governor's universal broadband initiative in the Commonwealth of Virginia, BARC proposes to deploy 314 miles of gigabit last mile fiber infrastructure within the counties of Rockbridge and Bath. This project will provide Fiber-To-The-Premise (FTT_p) service to 928 residents and 157 businesses currently considered unserved by the Virginia Center for Innovative Technologies (CIT) in these localities in rural Virginia.

Grant funding for this project will help reduce the cost to construct FTT_p service in the unserved areas of the project. Additionally, with the 88% match from BARC, an additional 1,165 addresses will also be eligible for broadband service through this project. This project will leverage BARC's existing network operations center (NOC) to expand broadband service in Rockbridge County and Bath County that are part of a growing fiber network that serves over 1,000 subscribers to date, including all 12 public

schools in the Rockbridge County region. If awarded, the CSPDC will administer the grant with administrative costs shared by the localities.”

Mr. Crickenberger presented detailed maps of unserved areas in the County via PowerPoint.

Mr. Suter called to the Boards attention that BARC will be providing the 80% of the 80/20.

Supervisor Higgins requested that the County's tower consultant be included in this project for a chance to add cell services to the towers.

Mr. Suter shared that he had talked to constituents in the Buffalo district who are willing to lend their land for potential towers.

Chessie Trail and South River Bridge Project Update:

Mr. Chrickenberger shared his excitement of this project coming to fruition and briefly reviewed the Agenda Item which included the following information:

“As you may recall, in 2016 the Board and the Regional IDA agreed to support matching a \$200,000 Eastern Federal Lands Access Program (EFLAP) grant VMI was applying for to plan and design a new pedestrian bridge across the South River to re-connect the Chessie Trail. The previous rail road trestle bridge had washed out during Hurricane Isabel in 2003. The 20% match requirement for this grant would come from the County's share of a CD the IDA had been holding for a number of years which they agreed to distribute to the three localities on a pre-defined percentage basis for Chessie Trail related projects as trail improvements were seen as a regional benefit that promoted the regional economy. The percent breakdown was 55% County, 30% Buena Vista and 15% Lexington. In August of last year,

the CD was cashed in and \$77,417.81 was distributed on this percentage basis. VMI received \$42,579.80.

When VMI submitted the planning and design grant for the pedestrian bridge, the grant administrators had concerns as they had seen many such grants awarded that were never built, so they asked VMI to submit for the full project valued at approximately \$1.3 M. To VMI's credit, they found the extra 20% match requirement in their own funds and made that application.

The team of Wiley Wilson and Draper Aden Associates were hired and I am happy to report that final plans for the bridge are expected to be submitted to the State building official and the Corps of Engineers this month for approval. If all goes as planned, bridge construction should commence by the end of the year to be completed by next summer."

Supervisor Higgins inquired about the height of the bridge.

Mr. Crickenberger replied he was uncertain but would try to find out the approximate height.

Consideration of Citizen Request to Abandon Dogtown Loop:

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

"At its regular, July 22nd meeting, the Board heard a citizen request to support removal of State Route 737 - Dog Town Loop from the State secondary road system. The request was from the Siler family, who collectively own all properties adjacent to or accessed from Dog Town

Loop.

Code requires that the County advertise the proposed abandonment and solicit public comment through petition. After discussion on July 22nd, the Board approved a resolution authorizing such publication and notice. Subsequently, Notice of the intent to abandon was published in the New-Gazette on July 24, 2019 and on July 31, 2019. Notice was mailed to each of the adjacent property owners. Notice was posted along the roadway for at least 30 days. No public objection or comment was received during the 30-day solicitation period. Therefore, a public hearing is not required.

Supervisor Higgins shared Supervisor Hinty's support and moved to approve the resolution. A second was provided by Supervisor Lyons, and the motion carried by the following roll call vote by the Board:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, SEPTEMBER 9, 2019

RESOLUTION TO ABANDON SECONDARY HIGHWAY ROUTE 737 (DOG TOWN LOOP) IN THE NATURAL BRIDGE MAGISTERIAL DISTRICT OF ROCKBRIDGE COUNTY

WHEREAS, public notice was published and posted as prescribed under §33.2-909, *Code of Virginia*, announcing this Board's intention to abandon Route 737 (Dog Town Loop) as described below from the Secondary System of State Highways; and,

WHEREAS, no petition for a public hearing was filed; and,

WHEREAS, after considering all evidence available, the Board is satisfied that no public necessity exists for the continuance of Secondary Highway Route 737 (Dog Town Loop) from Route 11 to Route 11, for a distance of approximately .36 miles; and,

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject segment of road; and,

WHEREAS, Route 737 identified on the attached Form AM 4.3, is no longer needed as part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, this Board hereby abandons the above described segment of road and removes it from the Secondary System of State Highways, pursuant to §33.2-909, *Code of Virginia*.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Adopted this 9th day of September, 2019.

2020 Regional Complete Count Committee Recommendation:

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

"At a regular meeting on April 8th, the Board received an introductory presentation on the 2020 US Census from Daryn Warner, a US Census Bureau Regional Partnership Specialist representing our area. He provided us with information about preparation for the 2020 census, which will kick off in March 2020. To recap, it is estimated that each person missed by the census can cost the citizen's locality up to \$2,000 in missed federal funding annually, which is why it is so critically important that we get every person counted next year. Subsequently, I and the Lexington and Buena Vista City Managers have coordinated to suggest to our respective Board and Councils that we form a regional Complete Count Committee, to maximize citizen engagement leading up to the census.

We propose that the managers be authorized to form the regional committee and recruit membership. Organizations which may be represented may include our local school systems, universities, faith-based groups, health and human services, medical organizations, libraries, civic organizations, etc. - basically any group which can reach large numbers of residents to

help spread the word about the importance of participating in the census.”

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

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

A RESOLUTION SUPPORTING THE 2020 CENSUS AND CREATING A COMPLETE COUNT COMMITTEE.

WHEREAS, the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and the census provides an historic opportunity to help shape the foundation of our society and play an active role in American democracy; and,

WHEREAS, the Rockbridge County Board of Supervisors understands the importance of ensuring that every resident is counted; and,

WHEREAS, federal and state funding is allocated to communities, and decisions are made on matters of local importance based in part on census data; and,

WHEREAS, information from the 2020 Census is vital for economic development planning and increased employment; and,

WHEREAS, a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our citizens.

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

1. Rockbridge County supports the goals of the 2020 Census and will disseminate 2020 Census information.
2. Rockbridge County will encourage all of its residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census.
3. A regional 2020 Census Complete County Committee (“Committee”) will be established for the purpose of mobilizing and leveraging personnel and resources, both internal and external to County administration, to assure an accurate census count resulting in an equitable share of financial assistance and representation for the citizens of the Region.
4. The Rockbridge County Administrator is authorized and directed to work with the Managers of the Cities of Lexington and Buena Vista to appoint members of the Committee to represent local school systems, universities, faith-based groups, health and human services, medical organizations, libraries, civic organizations, media outlets elected officials, and others.

5. That this resolution shall be in effect from and after its adoption through the end of the 2020 Census period.

Adopted this 9th day of September, 2019.

Appointments:

RARO Board: Hunter McClung's Term Expired 6/30/2019:

Chairman Lewis advised that the RARO Board has appointed members by district as tradition. However, a well-qualified citizen has shared interest in serving in this capacity. He noted that the applicant is from the South River District.

Supervisor Higgins moved to appoint Shan Watkins to the RARO Board in place of Mr. McClung. A second was provided by Supervisor Lyons, and the motion carried by the following roll call vote by the Board:

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

Chairman Lewis commended Hunter McClung for his many years of dedicated service serving the public as a member of the RARO Board, noting that he would be provided with a certificate of appreciation.

Social Services Board:

Moved to the next Agenda.

Monthly Staff Reports:

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

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

Board Comments:

Chairman Lewis asked Mr. Suter for a recycling update.

Mr. Suter advised that RDS had been accepting the County's recycling through the County's contract with C&S Disposal. However, due to the continued decline of recycling, RDS must begin charging the County (as reported to the Board in August). He advised that, per procurement policy, staff tested the market by receiving quotes for the service and found that RDS was in fact the cheapest. He stated that the County is working on a contract with RDS, and that since the County's co-mingled recyclables are further co-mingled with the City of Lexington's, staff will be working on a memorandum of understanding with the City also.

Chairman Lewis advised that there would be a joint meeting of the Rockbridge County School Board and the Rockbridge County Board of Supervisors on Tuesday, September 17, 2019 at 5:00 p.m. for the purpose of discussion. The meeting will be held at the Rockbridge County School Board Office, 2893 Collierstown Road, Lexington, Virginia.

Adjournment:

Supervisor Lyons moved to adjourn at 6:09 p.m. A second was provided by Supervisor Higgins, and the motion carried by the following roll call vote by the Board:

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