

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

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

BOARD MEMBERS ABSENT: DAVID W. HINTY, JR. (Participated via phone for
the 7:00 p.m. meeting held at the Rockbridge
County High School)

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 5:30 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 noted that citizens' comments would be heard at the
Rockbridge County High School at 7:00 p.m.

Recognitions and Presentations:

Resolution of Appreciation for RANA's Executive Director Scott
Robertson:

Chairman Lewis read aloud the following resolution:

**RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS
OF ROCKBRIDGE COUNTY TO SCOTT ROBERTSON FOR DEDICATED SERVICE
TO THE ROCKBRIDGE COUNTY REGION**

WHEREAS, The Rockbridge Area Network Authority (RANA) was formed in 2009, for the purpose of extending fiber broadband access into previously unserved areas of Rockbridge County, the City of Lexington and the City of Buena Vista; and,

WHEREAS, over the next several years, the RANA Board of Directors worked with County staff to plan and implement the project; and,

WHEREAS, the Board of Directors determined that RANA would require the leadership of an accomplished and experienced professional, in order to reach its full potential; and,

WHEREAS, Mr. Scott Robertson was recruited to serve as RANA's first Executive Director in March, 2013; and,

WHEREAS, employing his many years of experience, Mr. Robertson quickly identified short, mid and long-term challenges facing RANA, communicated these to the Board of Directors, and offered realistic and effective solutions to address each; and,

WHEREAS, Mr. Robertson immediately began operating RANA as a business, seeking and implementing innovative strategies for success, including: creation of a website, implementing professional book keeping and auditing procedures, managing cash flow, implementing both billing and infrastructure location services; and,

WHEREAS, Mr. Roberson developed business strategies which stabilized RANA's long-term position, including a significant expansion of network providers and recruitment of multiple major customers, including Lighttower, Comcast, Shentel and, most significantly BARCConnects; and,

WHEREAS, his negotiation with BARCConnects has resulted in a partnership which simultaneously leveraged the initial RANA infrastructure investment to exponentially expand the reach of fiber-to-the-door for many rural businesses and residences and place RANA on strong financial footing; and,

WHEREAS, Mr. Roberson steadfastly protected RANA's interests at all times by fairly but firmly holding contractors accountable for all work, and making well-reasoned business decisions; and,

WHEREAS, Mr. Robertson provided notice of his intention to retire from RANA more than one year ago, but reassured the Board of his intention to stay and guide RANA through a few more critical projects, which were subsequently accomplished; and

WHEREAS, in his final major undertaking, Mr. Robertson ensured that a critical design flaw in RANA's Peterson Data Center, which adversely impacted redundant power supply, and which he had identified early in his tenure, was fully and permanently corrected; and,

WHEREAS, this highly technical work was completed at a greatly-reduced cost to RANA, via Mr. Robertson's tenacious pursuit of funding from the original designer and installer of the flawed system; and,

WHEREAS, under his guidance and oversight, the work was completed without any downtime of the critical network; and,

WHEREAS, Mr. Robertson will always be fondly remembered for his intelligence and knowledge of a wide range of subjects, not the least of which involved history and philosophy, and for his keen wit in imparting that knowledge on others, whether requested or not.

WHEREAS, Mr. Robertson has truly left RANA better than he found it, by a wide margin.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Supervisors of the County of Rockbridge, Virginia, does hereby express deep appreciation to Scott Robertson, for his dedicated service to the citizens of Rockbridge County and the entire Rockbridge Region and offers sincere congratulations and best wishes for a happy, healthy and productive retirement.

Adopted this 9th day of December, 2019.

Photos were taken of Mr. Robertson accepting the resolution from the board.

On a motion by Supervisor Higgins, and seconded by Supervisor Lyons, the resolution was adopted by the following roll call vote:

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

Approval of the November 25, 2019 Minutes:

On a motion by Supervisor Lyons, and seconded by Supervisor Day, the November 25, 2019 minutes were adopted by the following roll call vote:

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

County Financial Package:

Fiscal Services Director Steven Bolster briefly reviewed the monthly memorandum which included the following information:

"Section I - Commissioner of the Revenue

Activities for Month:

1. Preparing to send out CY 2020 forms by December 31, 2019 (business licenses, business personal property forms, meals and lodging forms, tax relief, etc.).
2. Continuing audits of Federal Schedule C and business licenses.
3. Preparing 2019 Personal Property Supplement # 1.
4. Preparing 2019 Real Estate Supplement # 2.
5. Working monthly DMV report.
6. Continue work on 2020 Land Use revalidations.

Section II - Treasurer

Activities for Month:

1. Collecting delinquent personal property tax.
2. Collecting 2nd half 2019 real estate tax; due: December 5th.
3. Debt Set-off collections involving 474 individuals in the amount of \$44,247.20.
4. Preparing delinquent files to register for "new" Debt Set-off Claims at

year end.

Section III - Director of Fiscal Services

Information Items:

- 1. FY 2021-2025 CIP update
- 2. FY 2020 financial update."

Mr. Bolster then presented the County's appropriation resolution.

On a motion by Supervisor Higgins, and seconded by Supervisor Lyons, the County's appropriation resolution was adopted by the following roll call vote:

Ayes: Higgins, Lyons, Day, Lewis
 Nays: None
 Absent: 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, DECEMBER 9, 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, 2020**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-32020-3006 CERT.....	\$500.00
4-11-81090-5699 RANA Expense.....	<u>\$35,164.00</u>
Total General Fund Appropriations	\$35,664.00
 Total Appropriations	 \$35,664.00

Current County	
11 - General Fund	\$744,082.36
94 - Central Stores	\$8,320.50
372 - Construction Project Fund	<u>\$139,313.24</u>
Total County Bills	\$891,716.10
Current Fiscal Agent	
80 - Regional Jail	\$136,188.17
241 - E-Summons Fees	<u>\$2,240.99</u>
Total Fiscal Agent	\$138,429.16
TOTAL ALL BILLS	\$1,030,145.26

Resolution of Support for Virginia's Great Valley Lewis & Clark Eastern Legacy Trail:

Director of Community Development Sam Crickenberger briefly reviewed the agenda item which included the following information:

"Efforts have been underway for some time to designate the Eastern portion of the Lewis and Clark Legacy Trail. Spearheaded by Peggy Crosson, Botetourt County, in response to the National Park Service's decision to exclude the Great Valley Road route as an eastward extension, numerous meetings have been conducted around the region to garner support for this project. The hope is to replicate the positive tourism and economic impact here that has been seen as a result of the Western designation and to educate the public about this great expedition as well as highlight the many local stops they made along their way."

On a motion by Supervisor Higgins, and seconded by Supervisor Lyons, the "Virginia's Great Valley Lewis & Clark Eastern Legacy Trail Resolution of Support" was adopted by the following roll call vote:

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

Virginia's Great Valley Lewis & Clark Eastern Legacy Trail (VGV-LCELT) RESOLUTION OF SUPPORT

WHEREAS, in 1978, Congress established the Lewis & Clark National Historic Trail (LCNHT) from Wood River, Illinois to the mouth of the Columbia River in Oregon; and,

WHEREAS, in 2008, as a result of the positive tourism and economic impact of the LCNHT on trail communities, as well as a growing interest in knowing the Explorers' whole life stories, Congress authorized a feasibility study to be conducted by the National Park Service (NPS) to determine if the Lewis & Clark National Historic Trail should be extended eastward to include routes and sites associated with the preparation and return phases of the Lewis & Clark Corps of Discovery Expedition; and,

WHEREAS, on December 10, 2012, the Deputy Secretary of Natural Resources of the Commonwealth, on behalf of the Office of Governor, confirmed Virginia's continued commitment to developing national historic trails; and,

WHEREAS, the National Park Service has collected a substantial amount of historical data concerning the travels of Captain Meriwether Lewis & Second Lieutenant William Clark in Virginia before and after the Expedition, either together or independently and for personal or business reasons, and for which the Great Valley Road was a frequent pathway when arriving in or returning from the state; and,

WHEREAS, in approximately 2013 and 2014, the National Park Service published maps of the Explorers' route along the Great Valley Road that noted: the years they traveled in 1803, 1806 -1810, and 1812-1814; their route(s) through the counties of Washington, Smyth, Wythe, Pulaski, Montgomery, Roanoke, Botetourt, Rockbridge, Augusta, and Albemarle, as well as through cities and towns such as, but not limited to, Bristol, Abingdon, Marion, Wytheville, Pulaski, Christiansburg, Salem, Roanoke, Fincastle, Lexington, Greenville, Staunton, and Charlottesville; and, noted forty-four or more historic sites, including extant structures, locations of non-existing structures, river crossings, ferries utilized, of which many were visited by one or both Explorers; and,

WHEREAS, in late 2014, the National Park Service hinted and later decided to exclude the Virginia Great Valley Road route as an eastward extension of the Lewis & Clark National Historic Trail, recommending instead the water trail to and from Pittsburgh via the Mississippi/Ohio Rivers; and,

WHEREAS, in response to the National Park Service decision, the Committee for the Virginia Great Valley Lewis & Clark Eastern Legacy Trail sought assistance from Virginia Delegate Terry Austin who, having obtained fifty signatures of legislators as signatories, obtained passage of HJ # 566 in February 2015; that resolution having "... designate[d] the portion of the Lewis & Clark National Historic Trail that runs through the Commonwealth as the Lewis & Clark Eastern Legacy Trail in Virginia," and further resolved "That the Clerk of the House of Delegates post the designation of the Lewis & Clark Eastern Legacy Trail in Virginia on the General Assembly's website;" and,

WHEREAS, a multi-disciplinary effort undertaken at the grassroots level by dedicated volunteers with guidance and assistance from the Virginia Departments of Conservation & Recreation, Historic Resources, Transportation, and the Virginia Tourism Corporation, along with other stakeholders at the local, state, and national level, has given almost nine years' work to develop and implement a Virginia Great Valley Lewis & Clark Eastern Legacy Trail; and,

WHEREAS, in the past year, an additional seventeen Virginia counties have been identified as also being traveled by the Explorers, including fourteen that are east and north of Charlottesville and Richmond, two in far Southwest Virginia, and one in Western Virginia; and

WHEREAS, the Town of Urbanna of Middlesex County has begun to organize like the Virginia communities along the Virginia Great Valley Road route by selecting a Lewis & Clark project Chair and establishing a working committee; and

WHEREAS, the Mission of the Virginia Great Valley Lewis & Clark Eastern Legacy Trail, as established by the Committee for Virginia’s Great Valley Lewis & Clark Eastern legacy Trail, in collaboration with Virginia’s Lewis & Clark Trail Partners, is relevant to an expanded trail of an additional seventeen Lewis & Clark traveled counties as follows:

To expand heritage tourism & economic development in the Commonwealth by:

Identifying and preserving the routes the Explorers traveled before and after the Expedition;

Honoring and celebrating the connections of Meriwether Lewis & William Clark to Virginia, and to the people & places they visited during their travels;

Recognizing the Virginia members of the Corps of Discovery who were from or returned to Virginia localities along the Great Valley Road; and,

Encouraging citizen awareness and trail exploration in Virginia & beyond; and

THEREFORE, BE IT RESOLVED that the undersigned support the Mission of the Virginia Great Valley Lewis & Clark Eastern Legacy Trail; and, in partnership with communities along Virginia’s Great Valley Lewis & Clark Eastern Legacy Trail, and other trail partners at the local, state, and national levels, endorse the request for funding from the 2020 General Assembly to staff and support operations for the continued development, implementation, and promotion of not only Virginia’s Great Valley Lewis & Clark Eastern Legacy Trail, its related historic sites, locations and people visited along the trail route, but to also continue the development and implementation of the additional seventeen Lewis & Clark-traveled counties to achieve a future “Virginia Lewis & Clark Eastern Legacy Trail.”

Signatures of 2020 State Legislators:	District #	Date

Signature(s) of Local Government Official(s):	Title	Locality	Date

at the confluence of the Cowpasture and Calfpasture Rivers to Beans Bottom at the Rt. 631/Furrs Mill Road bridge as a Virginia Scenic River.

Included with the request were letters of support from VMI, W&L and the Virginia Horse Center. The Board subsequently approved the request and directed the County Administrator to pursue this objective with the Virginia Department of Conservation and Recreation (DCR), similar to the process followed when the James River was declared a Virginia Scenic River in 2016.

To recap the process, Section 10.1-400 of the Code of Virginia provides for the designation of scenic rivers in Virginia. Listed below is an overview of the program, as taken directly from DCR literature: "Virginia Scenic Rivers Program's intent is to identify, designate and help protect rivers and streams that possess outstanding scenic, recreational, historic and natural characteristics of statewide significance for future generations. This program is managed by the state and should not be confused with the federal Department of the Interior's Wild and Scenic Rivers Program. One of the program's strengths is the partnership forged between citizens, local governments and the state. This partnership begins in the evaluation phase and continues through and after the designation process.

In keeping with the process, DCR held a public informational meeting at the Rockbridge Baths Firehouse and then conducted an onsite study of the river segment to determine if it would qualify for Virginia Scenic River status. On November 25th, the County received communication from DCR (letter attached), confirming eligibility.

The next step in the process is for the Board to consider a

resolution supporting such designation and officially requesting that our General Assembly Representatives, Senator Creigh Deeds and Delegate Ronnie Campbell, sponsor designation legislation in the upcoming legislative session. A copy of the suggested resolution is attached for your consideration.”

On a motion by Supervisor Higgins, and seconded by Supervisor Lyons, the “Resolution to Request a Portion of the Maury River be designated as a Virginia Scenic River” was adopted by the following roll call vote:

Ayes: Higgins, Lyons, Day, Lewis
Nays: None
Absent: 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,
DECEMBER 9, 2019

**Resolution to Request a Portion of the
Maury River be Designated as a Virginia Scenic River**

WHEREAS, the Virginia Scenic Rivers Program was enacted by the Virginia General Assembly in 1970 for the purpose of identification and preservation of certain rivers, or sections of rivers, which possess high quality natural beauty; and,

WHEREAS, the Virginia Department of Conservation and Recreation has been charged with administering the Scenic Rivers Program and developing an objective evaluation process to judge the suitability of river segments; and,

WHEREAS, staff from the Virginia Department of Conservation and Recreation visited the Maury River and evaluate its eligibility for Scenic River designation; and,

WHEREAS, the Virginia Department of Conservation and Recreation completed its evaluation of the portion of the Maury River from the confluence of the Calfpasture and Little Calfpature Rivers to the Rt. 631 – Furrs Mill Road bridge in Beans Bottom, and determines that it qualifies as a Virginia Scenic River; and,

WHEREAS, the Virginia Board of Conservation and Recreation supports the endorsement for designation of this section of the Maury River as a Scenic River.

THEREFORE, BE IT RESOLVED that the Rockbridge County Board of Supervisors does hereby support the designation of the Maury River from the confluence of the Calfpasture and Little Calfpature Rivers to the Rt. 631 – Furr's Mill Road bridge in Beans Bottom as Virginia Scenic River; and,

BE IT FURTHER RESOLVED that the Rockbridge County Board of Supervisors hereby requests that the Honorable Senator Creigh Deeds and the Honorable Delegate Ronnie Campbell serve as patrons for the legislation that will codify the Scenic River designation.

Adopted that 9th day of December, 2019.

Consideration of Pilot Program for Bicycles and E-Scooters:

County Attorney Vickie Huffman briefly reviewed the agenda item which included the following information:

“Dockless electric scooters and bicycles are new forms of urban transportation, similar to bike sharing, gaining momentum nationally in large urban areas. The leading bike and scooter share companies are now moving into smaller population markets, particularly areas with colleges and universities.

The distinguishing feature of these vehicles is that they do not require docking in a fixed station. Usage is enabled by a smartphone app. When not in use, they are disabled and can be left anywhere the user ends the trip. When initiating a ride, users are directed to the nearest scooter by a smartphone app. The operator hires local contractors to collect, charge, and redeploy them overnight.

Many urban localities view these vehicles as an expansion of their public transportation network, if properly regulated. Implementation of

regulations is a proactive means of welcoming new models of transportation within the marketplace, while creating policies to limit their potentially negative impacts.

During the 2019 General Assembly session, legislation was passed to allow localities to regulate, by Ordinance or by establishing a demonstration project or pilot program, the use of motorized skateboards or scooters, bicycles, or electric power-assisted bicycles (collectively "Shared Mobility Devices") for hire. Va. Code §46.2-1315 provides that licensing may be required, "provided that on or after January 1, 2020, in the absence of any licensing ordinance, regulation or other action, a person may offer motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire." In other words, such devices may be regulated, but may not be prohibited.

Given that deployment of these Shared Mobility Devices can happen overnight, staff is recommending that the County implement a Pilot Program to regulate such operations in the County should one or more of these businesses locate in this area. The data gathered under the Pilot Program would be used to evaluate the use and operation of the Shared Mobility Devices, and later establish more permanent regulations to help mitigate possible or known negative impacts.

One complicating factor for counties is that the public rights-of-way are controlled by the Virginia Department of Transportation (VDOT). Under Title 46.2 - Motor Vehicles of the Code of Virginia, the Shared Mobility Devices are authorized on public roads and rules apply to operation in much the same manner as motor vehicles. However, to date, VDOT has not issued any policies for Dockless Mobility Sharing Systems, i.e. the

handling of an e-scooter left on the side of Route 11 upon completion of a user's trip.

It is anticipated that the Pilot Program may require amendment from time to time, based upon experience. The County Administrator is given authority under the Policy to make adjustments as needed. The Pilot Program is initially scheduled to extend through December 31, 2020, with the option to the Board of extending for successive years if needed."

On a motion by Supervisor Higgins, and seconded by Supervisor Day, the "Resolution to Adopt a Pilot Permit Program for Regulating the Operation of Motorized Skateboard or Scooter, Bicycle, and Electric Power-Assisted Bicycle Sharing Systems for Hire in the County of Rockbridge" was adopted by the following roll call vote:

Ayes: Higgins, Day, Lyons, Lewis
Nays: None
Absent: 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, DECEMBER 9, 2019

**RESOLUTION TO ADOPT A PILOT PERMIT PROGRAM FOR REGULATING THE
OPERATION OF MOTORIZED SKATEBOARD OR SCOOTER, BICYCLE, AND
ELECTRIC POWER-ASSISTED BICYCLE SHARING SYSTEMS FOR HIRE (aka
"DOCKLESS MOBILITY SHARING SYSTEMS") IN THE COUNTY OF ROCKBRIDGE**

WHEREAS, the purpose of this pilot program is to establish fees and regulations to facilitate bicycle and e-scooter sharing companies to operate in the County; and

WHEREAS, the streets and roads in the County are under the purview of the Virginia Department of Transportation and operation of bicycles, electric power-assisted bicycles, and motorized skateboards and scooters are regulated under Title 46.2 – Motor Vehicles of the Code of Virginia; and,

WHEREAS, pursuant to Va. Code §46.2-1315, any locality may regulate, by ordinance or by action to establish a demonstration project or pilot program, the operation of motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire, provided that such regulation is consistent with the provisions of Title 46.2 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Rockbridge County hereby adopts the following Pilot Permit Program to assess the viability of dockless mobility device operations within the County and to understand the parameters that will allow the devices to operate safely, effectively, and avoiding public nuisance:

**PILOT PERMIT PROGRAM FOR REGULATING THE OPERATION OF
MOTORIZED SKATEBOARD OR SCOOTER, BICYCLE, AND ELECTRIC
POWER-ASSISTED BICYCLE SHARING SYSTEM FOR HIRE
(aka “DOCKLESS MOBILITY SHARING SYSTEM”)**

I. Policy Statement and Purpose

The purpose of this policy is to establish rules and regulations governing the operation of a dockless motorized skateboard or scooter, bicycle and electric power-assisted bicycle sharing system within the County of Rockbridge (hereinafter referred to as “County” or “County of Rockbridge”) and to ensure that such dockless mobility sharing systems are consistent with the safety and well-being of bicyclists, pedestrians, people with disabilities, and other users for the duration of the pilot program.

The terms used herein shall be as defined in Title 46.2 of the Code of Virginia (1950, as amended), unless otherwise specifically provided herein.

II. Scope

This policy applies to any proposed deployment of motorized skateboard or scooter (herein sometimes referred to as “e-scooter”) , bicycle, or electric power-assisted bicycle (herein sometimes referred to as “electric bicycle”)sharing systems (to include direct rental or similar programs) within the County’s jurisdictional boundaries.

III. Zoning Permit Application Procedures

1. Any person seeking to operate a Dockless Mobility Sharing System within the County shall first obtain a permit from the Office of Community Development conditioned on compliance with the Operating Regulations contained in this policy and any other conditions (including insurance and indemnity) established by the issuing official. No person shall operate a Dockless Mobility Sharing System within the County except pursuant to such permit. The application for such Permit shall be submitted in conjunction with the operator’s application for a County business license.
2. All Permittees shall be required to comply with these regulations, including any changes or amendments authorized by the County Administrator from time to time during the course of the pilot program. The Director of Community Development or designee may revoke any permit without prior notice for failure to comply with the regulations.
3. Any person whose permit application has been denied or whose permit has been revoked or terminated may file an appeal with the County Administrator by submitting a written statement to the County Administrator within 10 business days of the denial or revocation. The written statement shall describe the basis of the appellant’s objection. The County Administrator shall issue a final decision on the appeal within 10 business days of receipt of appellant’s written statement.

4. The Permittee will be required to obtain a business license and will be responsible for all applicable business license fees and taxes.
5. The Permittee shall submit, in its Permit application, a detailed delineation of its proposed service areas in the County, with specific proposed device deployment and usage boundaries. Except as may be permitted by the Virginia Department of Transportation within public rights-of-way, deployment shall be limited to properties within the following zoning districts under the Rockbridge County Land Development Regulations: (i) General Business District (B-1); and (ii) Planned Business District.
6. The following payments must be made in order for a Dockless Mobility Sharing System Permit application to be accepted and a permit issued:
 - a. A non-refundable permit application fee of \$500, due at the time of application to cover the cost of staff time to review applications. No application will be considered complete before this payment is remitted.
 - b. A non-refundable fee equivalent to \$1/day/device for the length of the pilot program is due at the time of permit issuance, and payable monthly in advance, to support bicycle and pedestrian infrastructure countywide.

IV. Operating Regulations

A. Equipment Requirements

1. Any bicycles, electric power-assisted bicycles, and motorized skateboards and scooters shall meet all applicable federal and state safety standards, and shall meet all applicable standards as provided in Title 46.2 of the Code of Virginia (1950, as amended).
2. Each Electric Scooter or Skateboard, Bicycle, or Electric Power-assisted Bicycle shall be equipped with an on-board GPS device capable of providing real-time location data in accordance with the specifications described in the “Data Sharing Requirements” section of this policy.
3. All Electric Scooters/Bicycles must be equipped with devices that allow the Permittee by remote means to render an Electric Scooter and/or Bicycle inoperable if it has been reported to Permittee as being damaged or defective.
4. Additionally, the County reserves the right to terminate any permit issued under this pilot program if the battery or motor on a device is determined by the County to be unsafe for public-use or for lack of compliance with other provisions of this policy.

B. Operations

1. Permittees shall have an initial maximum fleet of 50 bicycles, electric bicycles, or e-scooters, or any combination thereof. However, if the Permittee can demonstrate an average of at least four (4) trips per operational device per day over a full month, and compliance with this program’s requirements, the Permittee may request in writing to expand its fleet size by 25%, provided that Permittee shall remit payment of the fee of \$1/day/device for any increase in fleet size.

2. The Office of Community Development reserves the right to revoke a permit at any time during the pilot program for non-compliance and can require that a Permittee's fleet of bicycles or e-scooters be removed from the County within five (5) business days.
3. County may require Permittee to reduce its fleet size on a monthly basis in the event Permittee's fleet provides on average less than one rider per device per day. County may request data from Permittee on a monthly basis to determine and demonstrate the utilization rate of devices in the Permittee fleet.
4. The total number of Permittees permitted to operate Dockless Mobility Sharing Systems within the County shall not exceed five (5) under this pilot program.

C. Safe Riding and Parking

1. Devices shall be parked upright on hard surfaces in a manner that does not obstruct or impede the public right of way.
2. Permittee shall arrange for designated parking areas in the County, either with the Virginia Department of Transportation or with property owners in business zoning districts of the County, which shall be submitted with the application for a permit and approved under this program. Permittee shall apply geofencing specifications in accordance with the Permit to direct users to specified designated parking areas. Users shall not be allowed to sign out of their ride unless parked in an approved designated area. Any changes made subsequent to issuance of a Permit under this program shall be submitted to the County for supplemental approval.
3. Bicycles, electric bicycles, and e-scooters shall be parked in such a manner as to provide a 4-foot pedestrian clear zone area in any sidewalk.
4. Bicycles, electric bicycles, and e-scooters shall not be parked in such a manner as to impede or interfere with any fire hydrant, call box, or other emergency facility; bus bench or other public transportation stop; or utility pole or box; or the reasonable use of any commercial window display or access to or from any building.
5. Bicycles, electric bicycles and e-scooters shall not be parked in such a manner as to impede or interfere with the reasonable use of any bicycle rack or news rack, or in a manner as to block or impede view of signage, including road signs or business signage.
6. The County Administrator reserves the right to determine certain areas where bicycle, electric bicycle, or e-scooter parking is prohibited.
7. Bicycles, electric bicycles and e-scooters shall not be parked in the landscape/furniture zone adjacent to or within:
 - a. Public transportation zones;
 - b. Loading zones;
 - c. Disabled parking zone;

- d. Street furniture that requires pedestrian access, such as benches or public transportation shelters;
 - e. Curb ramps;
 - f. Entryways; and
 - g. Driveways.
8. To the extent a Permittee desires to park bicycles, electric bicycles, or e-scooters in areas other than the public right-of-way with VDOT approval, the Permittee must first obtain the right to do so from the County Administrator and shall communicate this right to users through signage approved by the Office of Community Development or through a mobile or web application. To park bicycles, electric bicycles, or e-scooters on private property, the Permittee must also obtain consent from the owner of the property or his agent. The County is not responsible for any fees or conditions imposed by private property owners on Permittees' use of such spaces.
 9. Permittee shall stop placing scooters or allowing contractors to place scooters and/or bicycles in front of any address provided by the County within 48 hours of notice.
 10. During deployment and rebalancing, employees and contractors of the Permittee shall obey all County Permit Program Regulations and shall not block traffic lanes, parking lanes, and public transportation lanes without receiving prior permit approval. Permittee shall abide by all County Street and Sidewalk Closure requirements and standards.
 11. Permittees shall work with local businesses or other organizations to promote the use of bicycle helmets by system users through partnerships, promotional credits, and other incentives.
 12. Permittees shall provide notice to all users by means of signage and through a mobile or web application that:
 - a. Bicyclists and e-scooters must not ride on sidewalks or trails and must yield to pedestrians at crosswalks; and
 - b. Helmets are strongly encouraged for all users and required for minors 14 and under. If Permittees prohibit use of bicycles, electric bicycles or e-scooters by certain minors, Permittees shall provide conspicuous notice of this policy to users;
 - c. Bicycles, electric bicycles, and e-scooters shall ride on streets and roads, and where available, in bike lanes;
 - d. Stand-up electric scooters are to stay to the right of street lanes and to offer the right of way to bicycles on bike lanes and bike paths;
 - e. Parking must be done in designated areas;
 - f. Wearing headphones on or in both ears while riding a bicycle, electric bicycle or e-scooter is prohibited;
 - g. Texting while riding a bicycle, electric bicycle, or e-scooter is prohibited; and
 - h. Riding a bicycle, electric bicycle, or e-scooter under the influence of alcohol is prohibited.

15. Permittee shall require riders to submit a photo whenever they park their bicycle, electric bicycle, or e-scooter at the end of a ride.
16. Permittee shall provide education on the County's existing rules and regulations, safe and courteous riding, and proper parking.

D. Customer Service

1. Permittee shall provide easily visible contact information, including a toll-free phone number and e-mail address on each bicycle or electric scooter for County employees and/or members of the public to make relocation requests or to report other issues with devices.
2. Permittees shall maintain a local Permittee representative and provide a direct point of contact to the County and its residents.
3. Permittees shall maintain a 24-hour customer service phone number for customers to report safety concerns, complaints, or to ask questions. This phone number and its website shall be provided on every device that is in service in the County.
4. Upon notification by the County or a member of the public, any scooter and/or bike belonging to a Dockless Mobility Sharing System Operator that is improperly parked, left standing, or unattended under the jurisdiction of the County, the Dockless Mobility Sharing System Operator shall remove the scooter and/or bicycle within two hours.
5. In the event a bicycle or e-scooter is not relocated, re-parked, or removed within the timeframes specified herein, such devices may be removed by the County or its designee and taken to a facility for storage at the expense of the Permittee. Permittee shall be required to pay a fine for each device that is removed by the County, in addition to any storage expenses. The amount of the fine shall be set by the Director of Community Development and shall be contained in the permit.
6. Customers using devices that are permitted under this program must be provided with a mechanism to notify the Permittee that there is a safety or maintenance issue with the device.
7. In the event a safety or maintenance issue is reported for a specific device, that device shall immediately be made unavailable to users and shall be removed within the timeframes provided herein. Any inoperable or unsafe device shall be repaired before it is put back into service.

E. User Protections

1. Permittee must employ an electronic payment system that is compliant with the Payment Card Industry Data Security Standards (PCI DSS).
2. Permittee must provide a Privacy Policy that safeguards customers' personal, financial, and travel information and usage including, but not limited to, trip

origination and destination data. Permittee agrees to make its policies, procedures and practices regarding data security available to the County, upon request, and further agrees that the County reserves the right to hire a third party to perform a security audit mid-way through the permit term, or at any time the County determines that an audit is warranted.

F. Data Sharing

1. Without prejudice to the Permittee's rights and interest to its commercially privileged and sensitive information, Permittee shall provide the County the following data in a Monthly Report by the 15th of each month for the previous month's activity:
 - a. Total active customers who reside in the County with a breakdown of customers by gender and age
 - b. Total active customers
 - c. Trips starting and trips ending, separately, in the County during the month, and trips starting and trips ending in the County since launch (raw trip data)
 - d. Average trip duration in minutes
 - e. Average and total distance of trips (if this is calculable from provided raw trip data, no need to provide separately)
 - f. Total number of devices in service in the County (daily)
 - g. GPS tracking data for every trip route starting, ending, or passing through the County (especially to understand the equity implications of coverage of these services.)
 - h. Crashes – giving time, date, precise location, and number of parties impacted (if known) within the County
 - i. Injuries – giving time, date, precise location, and cause (if known) within the County
 - j. Number and precise location of device that had to be towed after seven (7) consecutive days in one location within the County
 - k. Complaints received within the County – giving the reason with date and location, if available/appropriate
 - i. Incorrectly parked reports – giving time, date, and precise location
 - ii. Speeding reports
 - iii. Maintenance related issues
 - iv. Other complaints
 - v. Other feedback received – by date, time, and precise location, if applicable
2. The County may, at its option, require Permittees to distribute a customer survey at the end of the pilot period.

V. Insurance

By signing and submitting a permit application, the Permittee certifies that it will purchase and maintain, at its sole expense, from a company or companies authorized to do business within the Commonwealth of Virginia, insurance policies containing the following types of coverages and minimum limits, protecting from claims which may arise out of or result from the Permittee's performance or non-performance of services under the permit, or the performance or non-performance of services under the permit by anyone directly or indirectly employed by the Permittee or for whose acts it may be liable:

1. Workers' Compensation - Statutory requirements and benefits, specifically listing Virginia as a covered state.
2. Employer's Liability - \$100,000. This policy shall specifically list Virginia as a covered state.
3. Commercial General Liability - \$1,000,000 per occurrence; \$2,000,000 aggregate, if any. Commercial General Liability is to include bodily injury and property damage, personal injury, advertising injury, contractual liability, and products and completed operations coverage.
4. Automobile Liability - \$1,000,000 per occurrence; \$2,000,000 aggregate, if any.
5. Cyber Liability/ Information Technology - \$1,000,000 per claim, including coverage for costs of 3rd party notification, credit monitoring, and fraud protection.
6. All insurance coverage:
 - a. shall be issued by an insurance carrier authorized to do business within the Commonwealth of Virginia and rated A – VIII or better, by A. M. Best Company or equivalent rating from an alternate recognized ratings agency, and otherwise acceptable to the County;
 - b. shall be kept in force throughout performance of services;
 - c. shall be an occurrence based policy;
 - d. shall include completed operations coverage;
 - e. shall contain a cross liability or severability of interest clause or endorsement. Insurance covering the specified additional insured shall be primary and non-contributory, and all other insurance carried by the additional insureds shall be excess insurance;

Proof Of Insurance: Prior to performance of any services, the Permittee shall (i) have all required insurance coverage in effect; (ii) the Permittee shall deliver to the County certificates of insurance for all lines of coverage, or other evidence satisfactory to the County in its sole discretion. The Permittee shall be responsible that such coverage evidenced thereby shall not be substantially modified or canceled without 30 days prior written notice to the County; and (iv) upon the request of the County, provide any other documentation satisfactory to the County in its sole discretion, evidencing the required insurance coverage, including but not limited to a copy of the insurance policy and evidence of payment of policy premiums. The Permittee shall require each of its subcontractors and suppliers to have coverage per the requirements herein in effect, prior to the performance of any services by such subcontractors and suppliers. Further, the Permittee shall ensure that all Required Insurance coverages of its subcontractors and suppliers is and remains in effect during performance of their services and certifies by commencement of operations that this insurance and that of subcontractors is in effect and meets the requirements set forth herein. The County shall have no responsibility to verify compliance by the Permittee or its subcontractors and suppliers.

Effect Of Insurance: Compliance with insurance requirements shall not relieve the Permittee of any responsibility to indemnify the County for any liability to the County, as specified in any other provision of this policy, and the County shall be entitled to pursue any remedy in law or equity if the Permittee fails to comply with the provisions of this policy. Indemnity obligations shall not be negated or reduced by virtue of any insurance carrier's denial of insurance

coverage for the occurrence or event which is the subject matter of the claim, or by any insurance carrier's refusal to defend any named insured. Permittee explicitly acknowledges and understands that it assumes the risk of deploying its dockless mobility devices in the County and that the County will not, under any circumstances, be responsible for any damages to such devices.

Waiver Of Subrogation: The Permittee agrees to release and discharge the County of and from all liability to the Permittee, and to anyone claiming by, through or under the Permittee, by subrogation or otherwise, on account of any loss or damage to tools, machinery, equipment or other property, however caused.

Sovereign Immunity: Nothing contained within this policy shall effect, or shall be deemed to effect, a waiver of the County's sovereign immunity.

Right to Revise or Reject: The County reserves the right, but not the obligation, to revise any insurance requirement not limited to limits, coverages and endorsements, or reject any insurance policies which fail to meet the criteria stated herein. Additionally, the County reserves the right, but not the obligation, to review and reject any insurer providing coverage due to its poor financial condition or failure to operate legally.

VI. Effective Dates

This policy shall be effective on and from January 1, 2020, and shall terminate on December 31, 2020. During the time the pilot program is in effect, the County Administrator, upon recommendation of the Office of Community Development, may amend the program regulations from time to time to ensure that participants are meeting program goals. Any changes or amendments to program regulations shall go into effect immediately. The County shall notify Permittees of any such changes or amendments as soon as practicable.

The County reserves the right to terminate the pilot program prior to December 31, 2020, or to extend the pilot program for successive years. The County may adopt an Ordinance to provide for local code regulation of Dockless Mobility Sharing Systems, at such time as the County deems appropriate.

This Resolution shall be effective upon the date of its adoption.

Adopted this 9th day of December, 2019.

Monthly Staff Reports:

On a motion by Supervisor Lyons, and seconded by Supervisor Higgins, the monthly staff reports were approved by the following roll call vote:

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

Board Comments:

Supervisor Higgins shared a message to the current Board, prior Board, and members of the public for allowing him to serve on the Board of Supervisors for 8 years. He commended residents in the Buffalo District who supported him and allowed him to represent them as well as his daughter who was present. Supervisor Higgins shared that he had only physically missed one (1) meeting during his 8 years of service in which he participated electronically via phone. He shared his appreciation to the Cities of Lexington and Buena Vista for the opportunity to work with them on major projects, such as the radio system upgrade and landfill upgrade; the recycling centers modifications; and hiring Fire and Rescue employees. Supervisor Higgins commended the community's support of the Natural Bridge State Park, the Virginia Horse Center, utilizing two (2) abandoned schools, upgrades to water and sewer lines, and Mohawk's success. He again thanked members of the Board as this would be his last Board meeting.

At approximately 6:09 p.m., Chairman Lewis called for a break to allow time for the Board to move to the Rockbridge County High School by 7:00 p.m. for citizens comments and Board consideration on the Second Amendment.

Consideration of Citizen Concerns regarding the Second Amendment at 7:00 P.M. in the Rockbridge County High School Auditorium located at 143

Greenhouse Road, Lexington:

Chairman Lewis reconvened the meeting at 7:02 p.m. and advised that Natural Bridge Supervisor David Hinty is on a preplanned business trip through his employer, Dominion Energy, and will be participating remotely from 7939 Enogote Drive, Cape Canaveral Florida, as is allowed by state code. He then advised that the signup sheet would be cut off at 7:10 p.m. and prioritized County citizens to speak first. Chairman Lewis read aloud the standard rules for citizen comments as follows: comments are limited to three-minutes per person; direct all comments to the Board; and attendees are to be respectful to all citizens, with no clapping, no stomping, and no speaking out loud if agreeing with the speaker.

Chairman Lewis then read aloud the proposed resolution as follows:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF
ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES, AND RELOCATED TO THE ROCKBRIDGE COUNTY HIGH SCHOOL AUDITORIUM ON
MONDAY, DECEMBER 9, 2019

**A RESOLUTION TO PRESERVE AND PROTECT THE CONSTITUTIONAL RIGHTS
OF THE CITIZENS OF ROCKBRIDGE COUNTY**

WHEREAS, the members of the Board of Supervisors of Rockbridge County have taken an oath to defend and uphold the constitutions of the United States and Virginia; and,

WHEREAS, the Board wishes to ensure that members of Virginia's General Assembly and Governor clearly understand that the Board fully supports the Second Amendment rights of the Citizens of Rockbridge County, as granted by the United States and Virginia Constitutions; and,

WHEREAS, the Second Amendment to the United States Constitution reads: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed"; and,

WHEREAS, Article I, § 13 of the Virginia Constitution reads: "That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed..."; and,

WHEREAS, the Board is concerned that legislation introduced for the 2020 Virginia General Assembly, if passed, could infringe upon rights guaranteed by the Second Amendment to the United States Constitution and Article I, § 13 of the Virginia Constitution; and,

WHEREAS, the Board of Supervisors has no legislative, regulatory, or enforcement authority related to “the purchase, possession, transfer, ownership, carrying, storage or transporting of firearms, ammunition, or components or combination thereof,” as provided by Section 15.2-915 of the Code of Virginia (1950, as amended), except as may be specifically authorized by statute; and,

WHEREAS, although the Board acknowledges that it has no legal authority to adopt local legislation which supersedes any law enacted by the United States Congress or Virginia General Assembly, has no authority over the independent execution of the responsibilities of constitutional officers involved in law enforcement with a sworn duty to uphold and enforce the laws adopted by the legislative bodies, and that any determination regarding the constitutionality of legislation lies with the judicial branch of government, the Board wishes to clearly and unequivocally express its support of the right of its citizens to keep and bear arms.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Rockbridge County declares Rockbridge County a Second Amendment Sanctuary County and fully affirms its support of the rights ensured and protected by the Constitutions of the United States and Virginia, including the rights of law-abiding citizens to keep and bear arms; and,

BE IT FURTHER RESOLVED, that the Board urges the Virginia General Assembly, the United States Congress, and other agencies of State and Federal government to vigilantly preserve and protect those rights by rejecting any provision, law, or regulation that may infringe, have the tendency to infringe, or place any additional burdens on the right of law-abiding citizens to keep and bear arms; and,

BE IT FURTHER RESOLVED, that the Board directs its staff to forward a copy of this Resolution to the County’s elected representatives in the Virginia General Assembly and the United States Congress, and to the Governor of Virginia.

This Resolution shall be effective upon the date of its adoption.

Adopted this 9th day of December, 2019.

Recorded Vote:

AYES: Hinty, Higgins, Day, Lewis

NAYES: Lyons

ABSTAIN: None

ABSENT: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____

A.J. "Jay" Lewis, II, Chairman

Attest: _____

Spencer H. Suter, Clerk

Supervisor Higgins advised that, prior to citizens' comments, Delegate Ronnie Campbell would be providing a comment followed by a representative for Delegate Ben Cline.

Delegate Campbell advised that he would be going to Richmond and representing them in protecting their second amendment rights. He asked the citizens to stick with him and reelect President Donald Trump next year, and then in 2021, elect a Republican Governor, a Republican House, and replace some people in the Senate so that we can repeal any laws that get passed this year that are not constitutional. He then encouraged the members of the Board of Supervisors to support their citizens that they represent and vote yes, tonight, on this resolution.

Jennifer Brown, Chair of the 6th District Republican Committee, advised that she had been asked to share Congressman Ben Cline's responses to this matter. She shared Congressman Cline's support of the resolution to keep and bear arms, a right given to people from their creator; and, it will be his top priority to stand strong and defend second amendment rights.

Mayor of Goshen Tom McCraw of the Walkers Creek Magisterial District stated that the second amendment right does not allow for the government to know what weapons people have in their homes. He added that the second amendment right is not to protect the government from its people, but its people from the government. Mayor McCraw added that he has not been able to receive an answer from Richmond or anywhere else on how they plan to

get criminals and those with ill intents to register their guns. He asked the Board to support the resolution.

Tinni Senn of the Buffalo Magisterial District shared that she is originally from India but has lived in Rockbridge County for 20 years. When visiting India, she noted, her family has a plan for if/when separated from each other in a crowded area. She added that the plan includes not going to a policeman because young women and girls are not safe with law enforcement. Ms. Senn stated that the resolution is not needed, and should not even be wanted, as the citizens of the United States are already protected by the Constitution.

Joe Watkins of the Kerrs Creek Magisterial District advised that he took an oath when becoming an attorney in Virginia to support the Constitution of the United States. He shared that the proposed resolution basically does nothing, other than make a statement, but cannot be enforced. Mr. Watkins added that it appeared that nothing being proposed would result in guns being taken away from citizens. He stated that the County would be at risk for civil lawsuits if it passes the resolution. He advised that he is not opposed to guns, but is opposed to the resolution, along with 600 other individuals who could not be present but signed a petition.

Monte Jessee of the Buffalo Magisterial District asked the Board to support the resolution. He stated that criminals are not going to comply with firearm regulations nor are they going to get rid of their firearms if legislation is passed. He added that the proposed laws will have no effect on crime but will put citizens of Rockbridge County at greater risk.

Brandon Zollman of the Buffalo Magisterial District shared his support of the military and thanked the veterans who were present. He then shared that those in the military take the same oath as the government's leaders to protect the United States Constitution. He asked that the Board, when considering the resolution, remember local veterans Chase Prasnicki and Andrew Ross who lost their lives in the army.

Jimmy Poole of the Walkers Creek Magisterial District shared his support of keeping guns out of the hands of young children and for criminals to be punished, not law-abiding citizens. He shared his support of the resolution.

Ann Olson of the Kerrs Creek Magisterial District shared her support of the United States Constitution, but not the resolution.

Annette Green of the Buffalo Magisterial District shared her support of the State representatives making decisions that keep their citizens safe.

John Pancake of the Kerrs Creek Magisterial District shared his doubts about the measure of passing the resolution, and if passed, will send a message that Rockbridge County will pick and choose what laws they obey.

Scott Guise of the Kerrs Creek Magisterial District expressed his support of the resolution and asked the citizens of Rockbridge County to register to vote.

Kalie Zollman of the Buffalo Magisterial District advised that there are statistics that prove Rockbridge County is a very safe place to live and raise a family, and does not fear for her children's safety. She then shared that the proposed legislation would prevent her husband from

teaching their children proper gun safety or shoot targets or hunt on their own property. Ms. Zollman stated that she feels the proposed legislation will only punish those the laws are meant to protect. She then shared her support of the resolution.

Torben Pedersen of the Natural Bridge Magisterial District shared that he moved to the United States 50 years ago because it was the land of opportunity. He added his support of the resolution.

Danny Walker of the South River Magisterial District stated that those who are proposing the illegal and inflammatory laws have violated their oath of office. He added that this is purely a civil rights issue and Governor Northam and any others who violate their oath of office should be replaced due to malfeasance.

Christian Larlee of the South River Magisterial District advised that he had served in the United States Army for nearly 29 years before moving back to Rockbridge County. He stated his belief that gun control is not about guns, it is about control, and should be referred to as citizen disarmament. He added that federalism ends where the Bill of Rights begins and the only right the government has is to provide even greater protection than the Bill of Rights require. Mr. Larlee added that the Second Amendment does not limit what arms the people bear and neither should the Commonwealth. He then urged the Board to send this message and to adopt the proposed resolution.

Todd Pegg of the Walkers Creek Magisterial District stated that this issue of private ownership of firearms is not just about hunting, sports, or defense from criminals, but is and always has been about the balance of power between government and governed. He added that, if we yield

foundational rights to a too-powerful government, then we are dooming our descendants to their liberties and rights that our forefathers gave us.

Perry Cornwell of the Kerrs Creek Magisterial District stated that, when the government begins to take away its citizens' right to bear arms, it becomes the citizen's duty to take away the government's right to govern. He added that the only thing that will come from the proposed legislation will be to turn citizens in to felons overnight and to take away their right to vote, ultimately taking away their voice. Mr. Cornwell implored the Board to adopt the resolution.

Andrew Hart of the Walkers Creek Magisterial District shared his support of the resolution.

Vince O'Mahony of the Buffalo Magisterial District stated that concern about the growing criminal class that seems to be able to take peoples' belongings, traffic children, poison drugs, and shoot people just to make a statement. He added that the police cannot protect everyone, but protect ones rights to be able to protect themselves.

Liam Hart of the Kerrs Creek Magisterial District shared his support of the resolution.

Jared Lanham of the Kerrs Creek Magisterial District shared his support of the resolution stating that taking guns away will only put the citizens in greater danger.

Duncan Hart of the Kerrs Creek Magisterial District shared his support of the resolution.

Steve Hart of the Kerrs Creek Magisterial District shared his support of the resolution.

Robert Lucas of the South River Magisterial District shared his

support of the resolution.

Jesse Graham of the Walkers Creek Magisterial District stated like many others that the Bill of Rights were given a very long time ago and shall not be infringed upon.

C.J. Hall of the Kerrs Creek Magisterial District shared his support of the resolution.

Ethan Williams of the Kerrs Creek Magisterial District expressed his disagreement in regards to Governor Northam's proposed legislation and asked how he is not in prison for not upholding his oath of office.

Randy Tomlin of the Natural Bridge Magisterial District shared his support of the resolution asking that the opinions of the majority be taken to Richmond.

Joseph Dorey of the Buffalo Magisterial District shared his support of defending the Constitution and his support of the resolution.

Morgan McCown of the Walkers Creek Magisterial District shared her support of the resolution, adding that taking ones' guns will not decrease crimes. She added that drugs are illegal and kill more people than guns.

Robert Deacon of the Natural Bridge Magisterial District stated that gun laws make good people vulnerable to bad people. For instance, the late Jerry Hines was shot and killed during duty.

John Metzger of the South River Magisterial District stated that the Second Amendment is a God-given right and cannot be taken away. He asked the Board to do the right thing.

Sebby Volpe of the Kerrs Creek Magisterial District shared that he is a pastor in the County, who has always had a close relationship with the Sheriff where he could ask their opinions of issues such as this. Mr.

Volpe stated that his dad was a veteran who would share his stories of what it is like when people are disarmed by the government.

Charles Kraut of the Buffalo Magisterial District shared that he was stationed in Germany during the Cold War and has seen first-hand what it was like when people are disarmed, and shared his support of the Second Amendment. Mr. Kraut asked, if Governor Northam took the oath of office to protect the Constitution, then why is there so much anti-Constitutional laws being passed and why have those not upholding their oath of office not being seen unfit and removed from office.

Jan Lowry of the Kerrs Creek Magisterial District shared her dislike of the word "sanctuary" but supports the resolution only if it sends a message to the General Assembly that we need to protect our Second Amendment rights. She then shared her support of the resolution.

Galen Lemmon of the Natural Bridge Magisterial District stated that we have lawless leaders in Richmond and asked what criminal is really worried about how to get a gun. He added that there is concern about the liability the County could have if guns are taken and shootings occur. He added that the schools are already gun-free zones, so should there be a shooting right now in schools, isn't the County already held liable. Mr. Lemmon stated that a large amount of mass shooters are taken down by a citizen who carried a gun. He implores, more guns equal less crimes.

Gabriella Murdock of the Natural Bridge Magisterial District shared her support of the Second Amendment resolution sharing that criminals like gun-free zones and that disarming people will enslave them.

Hunter McCoy of the Kerrs Creek Magisterial District thanked the police for being present because they are armed and he was not able to be

given the school is a gun-free zone. He suggested that funding be used to help mental health people such as veterans and others

Jeff Scott of the Walkers Creek Magisterial District shared his belief that the current Board should not be making a decision on the resolution because it is a lame-duck Board of which two (2) new members will begin serving on and should have a say. Also, he added, the resolution was not made available until days before, which is too soon to be considered.

Brandon Dorsey of the Walkers Creek Magisterial District shared his disapproval of other localities dictating what laws are passed using a progressive agenda to remove God and responsibility right out of the Government. He shared his support of the resolution.

David Camden of the South River Magisterial District shared his son's excitement when attending the local Jake's event and then urged the Board to adopt the resolution.

George Sullivan of the South River Magisterial District urged people to go out and vote.

Linwood Chittum of the Kerrs Creek Magisterial District shared his support of the resolution to uphold the Constitution, because if it does not, the rest of the laws will go down with it in due time.

Robert Coleman of the Walkers Creek Magisterial District commented on the individual who spoke about not being able to trust cops in India, stating that this is the reason you would want to be able to bear arms, and that the County is not picking and choosing what laws it obeys by passing the resolution because the Second Amendment is already our right. He added that the threat of being sued should be the least of anyone's

worries right now because if the laws are passed, this County will no longer be what it is now.

Mitch Fridley of the Kerrs Creek Magisterial District shared his support of the speakers in favor of the resolution stating that there is a serious, immediate, threat. However, he added, the resolution is not a legal and binding document that will prevent your guns from being confiscated, but will send a message to Richmond that the majority of Virginia is not in favor of gun-control.

Ryan Bland of the Kerrs Creek Magisterial District stated that the proposed bill seems to be designed to run people out. He stated that he is not leaving.

George Persinger of the Kerrs Creek Magisterial District shared his support of the resolution stating that it will send a message to Richmond to protect what is already ours.

Donald Wells, Jr. of the Buffalo Magisterial District shared his support of the resolution and his concern about criminals who will not pay any attention to gun-free zones.

Dale Meyer of the Kerrs Creek Magisterial District shared his support of the resolution, adding that children are to be taught to handle a weapon when of age.

Tom Panko of the Kerrs Creek Magisterial District shared his support of the resolution.

Tim Goodbar of the Walkers Creek Magisterial District thanked the past and present Veterans and stated that he does not think too kindly of the liberal lawmakers in Richmond trying to take away what he has worked so hard for.

Jay Strong of the Kerrs Creek Magisterial District, a 28 year Veteran, asked the Board to stand up for the Constitution.

Robert Beard of the Walkers Creek Magisterial District shared his support of the resolution as he is a father whose daughter followed the rules for a concealed weapons permit.

Justin Peery of the South River Magisterial District shared his experience of being held at gunpoint in New York City in a gun-free zone over a box of chicken and tennis shoes, because he could not have a gun to protect himself. He stated that the proposed laws are unconstitutional and do not have to be followed.

John Tucker of the Kerrs Creek Magisterial District, a U.S. Airforce Veteran, shared his support of the resolution. He noted that, if the proposed laws are passed, many will find out next year when trying to vote that they have been declared a felon and hopes this is not the intent of the proposed legislation.

Bridget Kelley-Dearing of the Kerrs Creek Magisterial District opposed the resolution because there is nothing wrong with increasing gun safety laws or background checks.

Nancy Cuzzimano of the Natural Bridge Magisterial District shared that her husband was a marine, then shared her support of the Second Amendment resolution, and asked that we get active and do something about mental health issues and illegal immigrants in this Country.

Tim Lubin of the Kerrs Creek Magisterial District shared his support of the Constitution and the Second Amendment; however, regulations are not the same as infringement and the government is not the enemy of the people but its representative. He asked that local government adhere to the laws

of government.

Patrick Bradley of Lexington stated that he came before the Board in 2018 after the shooting in Florida on behalf of dozens of teachers who wanted to see the Board to better protect the students which seemed to be ignored. He advised that he was threatened twice following the meeting in 2018 when he shared his concerns to the Board and was thankful the individuals who tried pushing him around were not armed. Mr. Bradley stated that the County is already a sanctuary for all of the Constitution's amendments.

Michael Barry-Rec of Lexington stated that we are witnessing a political party gone rogue in the Nation's Capital and the State's Capital. He stated that criminals are attracted to gun-free zones, so why is there not a sign placed outside of the schools warning criminals of the many staff who are concealed within the building to turn them away. He added that, if saving lives is the goal, then what about the illegal drugs crossing the border daily that are taking so much as 50 thousand deaths a year. Mr. Barry-Rec stated that the Board has a decision to make whether or not it will pass the resolution showing Richmond that the County Board will uphold its oath to defend the Constitution.

Colette Barry-Rec of Lexington asked the Board to adopt the resolution.

Jamie Childress of Lexington advised that managing who can and cannot obtain a firearm is part of his job every day. He stated that the government cannot take away citizens' rights as stated in the Bill of Rights and implored the Board to pass the resolution.

At 9:47 p.m., citizen's comments concluded.

Supervisor Hinty moved to adopt the proposed resolution to preserve and protect the Constitutional Rights of the citizens of Rockbridge County. Supervisor Higgins provided the second.

Supervisor Lyons stated that he did not have a problem with the resolution; however, he does have a problem with the word "sanctuary" that will give some a false sense of security. He added that, although he supports the Second Amendment, he also supports the rule of law and how the government is run. Supervisor Lyons explained that the bills are not automatically passed, that 30% of all bills never even make it to a vote. He added that the resolution is not sending a strong message as it is not well written, that it is only telling you what we do not have the ability to do. He stated that Virginia is a Dillon-Rule state that basically prohibits local government from passing any law without permission by the State government. Supervisor Lyons stated that he would support the resolution if some amendments were made but not written as it is.

Supervisor Hinty stated that, through the Commonwealth's Attorney and Sheriff, the Board will do what they can to protect its citizens following adoption of the resolution.

The motion on the floor was made by Supervisor Hinty to adopt the resolution to preserve and protect the Constitutional Rights of the citizens of Rockbridge County. Supervisor Higgins had provided the second. The resolution was adopted by the following roll call vote by the Board:

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

Adjournment:

On a motion by Supervisor Higgins and seconded by Supervisor Day, the meeting was adjourned by the following roll call vote:

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