

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, JANUARY 13, 2020 AT 5:30 P.M.

BOARD MEMBERS PRESENT: DANIEL E. LYONS
R. W. DAY
A.J. "JAY" LEWIS, II.
L.E. AYERS
D.B. MCDANIEL

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 an invocation would be offered for anyone who wished to participate.

The Board then led in the Pledge of Allegiance.

Changes to the Agenda:

Chairman Lewis called for changes to the Agenda. There were none.

Election of Chair and Vice Chair:

Supervisor Ayers nominated Supervisor Lyons as Chair and Supervisor Day as Vice Chair. A second was provided by Supervisor McDaniel, and the motion carried by unanimous roll call vote by the Board.

Ayes: Ayers, McDaniel, Lewis, Day, Lyons
Nays: None
Absent: None
Abstain: None

Supervisor Lyons presented the gavel to Supervisor Lyons who presided as Chairman.

Standing Committee Assignments:

Finance Committee:

Chairman Lyons appointed himself and Supervisor Lewis to the Finance Committee. He then asked Supervisor McDaniel to begin serving in his place beginning July 1. Supervisor McDaniel concurred.

Buildings and Grounds Committee:

Chairman Lyons appointed himself and Supervisor McDaniel to the Buildings and Grounds Committee.

Solid Waste Committee:

Chairman Lyons appointed Supervisors Day and Ayers to the Solid Waste Committee.

Personnel Committee:

Chairman Lyons appointed Supervisors Day and Lewis to the Personnel Committee.

Fire and Rescue Committee:

Chairman Lyons appointed Supervisors Ayers and Day to the Fire and Rescue Committee.

General Appointments:

Blue Ridge Resource Authority (BRRRA) Annual Appointments:

Supervisor Lewis moved to appoint the five (5) Board of Supervisors to serve on the BRRRA. A second was provided by Supervisor McDaniel, and the motion carried by unanimous roll call vote by the Board.

Ayes: Lewis, McDaniel, Day, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

Chamber of Commerce Board Liaison:

Chairman Lyons appointed Supervisor Ayers to serve as the Board's liaison to the Chamber of Commerce.

Economic Development Authority (EDA) Board Liaison:

Chairman Lyons appointed Supervisor McDaniel to serve as the Board's liaison to the EDA.

Staff Economic Development Board Liaison:

Chairman Lyons appointed Supervisor Lewis to serve as the Board's liaison to Economic Development staff.

Virginia Horse Center Board Liaison:

Chairman Lyons appointed Supervisor Lewis to serve as the Board's liaison to the Virginia Horse Center.

Ag/Forestral Committee- Replacement of a Board Member:

Supervisor Lewis asked for additional time to receive more information on this particular committee. It was suspended for consideration on a future agenda.

Regional Fair Board:

Chairman Lyons appointed himself to the Regional Fair Board.

Jail Commission:

Supervisor Lewis advised that the Town of Goshen would soon meet to bring forth a nomination for the Board to consider. He then moved to reappoint current members Spencer Suter and Ed Hosken to the Regional Jail Commission. A second was provided by Supervisor Day, and the motion carried by unanimous roll call vote by the Board.

Ayes: Lewis, Day, Ayers, McDaniel, Lyons
Nays: None
Absent: None
Abstain: None

Regional Tourism Board:

Supervisor Lewis moved to appoint Supervisor Ayers to the Regional Tourism Board. A second was provided by Supervisor Day, and the motion carried by unanimous roll call vote by the Board.

Ayes: Lewis, Day, Ayers, McDaniel, Lyons
Nays: None
Absent: None
Abstain: None

RANA Board- Unexpired Term of David Hinty, Jr.-Term Expires 9/3/2022:

Supervisor Lewis moved to appoint Bob Day to the RANA Board of Directors. A second was provided by Supervisor McDaniel, and the motion carried by unanimous roll call vote by the Board.

Ayes: Lewis, McDaniel, Day, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

VASAP Board Appointments- Finance Director and Sheriff:

Supervisor Lewis moved to appoint the County's Finance Director Steven Bolster and Sheriff Steve Funkhouser to the VASAP Board. A second was provided by Supervisor Ayers, and the motion carried by unanimous roll call vote by the Board.

Ayes: Lewis, Ayers, Day, McDaniel, Lyons
Nays: None
Absent: None
Abstain: None

Recognitions and Presentations:

Resolution of Appreciation to Kathy Berry:

Chairman Lyons read aloud the following resolution:

RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO KATHRYN L. BERRY AFTER HER MANY YEARS OF SERVICE AS A DEPUTY COMMISSIONER OF THE REVENUE

WHEREAS, Kathryn L. Berry was appointed by Commissioner of the Revenue David C. Whitesell on October 1, 2004; and,

WHEREAS, Mrs. Berry has served the citizens of Rockbridge County with honor and distinction as deputy commissioner of the revenue for fifteen years; and,

WHEREAS, during those years, Mrs. Berry excelled in the assessment of personal property and business personal property for Rockbridge County; and,

WHEREAS, during those years, Mrs. Berry has assisted the citizens of Rockbridge County with the preparation of their state income tax and on many occasions, she has been the point of contact and liaison for Rockbridge County citizens with the Virginia Department of Taxation.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Supervisors of the County of Rockbridge, Virginia, does hereby express deep appreciation to Kathryn L. Berry, for her fifteen years of service to the citizens of Rockbridge County as a Deputy Commissioner of the Revenue.

Adopted this 13th day of January, 2020.

The Board then presented Ms. Berry with a framed resolution and photos were taken of her acceptance.

Resolution of Appreciation for David Hinty:

Supervisor McDaniel read aloud the following resolution:

RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO NATURAL BRIDGE DISTRICT REPRESENTATIVE DAVID W. HINTY, JR., FOR DEDICATED SERVICE TO ROCKBRIDGE COUNTY

WHEREAS, David W. Hinty, Jr. was elected to public office in 2004, serving on the Rockbridge County School Board for two terms, the Board of Equalization, the Planning Commission and, the Board of Zoning Appeals; and,

WHEREAS, Mr. Hinty was subsequently elected to represent the Natural Bridge District on the Board of Supervisors in 2011 and reelected to a second term in 2015, serving a total of eight years on the Board; and,

WHEREAS, Mr. Hinty served as Vice Chairman in 2014, 2015, and 2016; and served as Chairman in 2017 and 2018; and,

WHEREAS, during his tenure of elected service, Mr. Hinty was involved in many important and lasting initiatives, including but not limited to: developing a long-term solid waste management solution and the Blue Ridge Resource Authority; assisting in the success of the Rockbridge Area Network Authority (RANA); implementing greatly needed improvements to regional emergency communications to include both a regional radio system and 911 Center; developing affordable housing at Greenhouse Village, and the transformation of multiple shuttered school buildings into productive community assets, and implementation of a career Fire and EMS program; and,

WHEREAS, in his elected capacity, Mr. Hinty has served on many Boards, Committees, Commissions, and Authorities,, including the Rockbridge Regional Solid Waste Authority, the Blue Ridge Resource Authority, the Rockbridge County Public Service Authority, the Rockbridge Area Recreation Association, the Buildings and Grounds Committee, the Finance Committee, the Agricultural and Forestal Districts Advisory Committee, and the Regional Jail Commission; and,

WHEREAS, Mr. Hinty, though his employment with Dominion Energy, brought specialized knowledge which assisted in successful completion of many projects.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Supervisors of the County of Rockbridge, Virginia, does hereby express deep appreciation to David W. Hinty, Jr. for his many years of dedicated service to the citizens of Rockbridge County, and offers sincere congratulations and best wishes for a happy and productive retirement from public service.

Adopted this 13th day of January, 2020.

The Board then presented Mr. Hinty with a framed resolution and took photos of his acceptance.

Resolution of Appreciation for John Higgins:

Supervisor Ayers read aloud the following resolution:

RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO BUFFALO DISTRICT REPRESENTATIVE JOHN M. HIGGINS FOR DEDICATED SERVICE TO ROCKBRIDGE COUNTY

WHEREAS, John M. Higgins was elected as the Buffalo District Representative on the Rockbridge County Board of Supervisors in 2011; and,

WHEREAS, Mr. Higgins was reelected to a second term in 2015, serving a total of eight years on the Board; and,

WHEREAS, Mr. Higgins served as Chairman in 2014, 2015, and 2016; and Vice Chairman in 2017 and 2018; and,

WHEREAS, during his service, Mr. Higgins was involved in many important and lasting initiatives, including but not limited to: developing a long-term solid waste management solution and the Blue Ridge Resource Authority; assisting in the success of the Rockbridge Area Network Authority

(RANA); implementing greatly needed improvements to regional emergency communications to include both a regional radio system and 911 Center; developing affordable housing at Greenhouse Village, the transformation of multiple shuttered school buildings into productive community assets and implementation of a career Fire and EMS program; and,

WHEREAS, in his elected capacity, Mr. Higgins has served on many Boards, Commissions, Authorities and Committees, including the Rockbridge Regional Solid Waste Authority, the Blue Ridge Resource Authority, the Maury Service Authority, the Rockbridge Comprehensive Services Board, the Blue Ridge Court Community Corrections Board, the Rockbridge Area Community Services Board, the Finance Committee, the Personnel Committee, the Solid Waste Committee, and Fire and Rescue Committee; and,

WHEREAS, Mr. Higgins has also served as the Board of Supervisors representative on the Rockbridge Regional Fair and Expo Board; and,

WHEREAS, Mr. Higgins, through his Board, Commission, Authority and Committee service, provided significant input on many important decisions; and,

WHEREAS, over the course of two terms on the Board, Mr. Higgins never missed a meeting, participating remotely on one occasion - the day his mother passed away.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Supervisors of the County of Rockbridge, Virginia, does hereby express deep appreciation to John M. Higgins, for his many years of dedicated service to the citizens of Rockbridge County, and offers sincere congratulations and best wishes for a happy and productive retirement from public service.

Adopted this 13th day of January, 2020.

The Board presented Mr. Higgins with a framed resolution and photos of his acceptance were taken.

Supervisor McDaniel moved to adopt each of the three (3) resolutions of appreciation. A second was provided by Supervisor Day, and the motion carried by unanimous roll call vote by the Board.

Ayes: McDaniel, Day, Lewis, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

Consideration of the 2020 Board of Supervisors Annual Meeting Schedule:

Supervisor McDaniel moved to approve the 2020 schedule. A second was provided by Supervisor Day, and the motion carried by unanimous roll call vote by the Board.

Ayes: McDaniel, Day, Lewis, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

Citizens Comments:

Susan Wood of the Natural Bridge Magisterial District read the following statement and provided copies for the Board:

"I am here to ask this Board to do two things tonight: first, to amend an ordinance enacted by the last Board; [note: Mr. Lyons did not support that action then, [thank you, Mr. Lyons]; and second, to make supervisors ineligible for any County employee benefit plan. This Board can act on these tonight; it should not take much discussion.

The first action I'm requesting is to revise the "pay raise" the prior Board enacted by ordinance and which went into effect on January 1 of this year, totaling \$6,780 per member. In other words, the *annual* salary for a supervisor was increased (for the first time since 1996, I believe) from \$5,500 to \$12,280. The additional \$6,780 amounts to a 123% increase. For comparison, \$100 in 1995 would be equal to \$168 in 2020 based on inflation. If the Board had altered its pay by inflation since 1995, your annual salary would today be \$9,240, not \$12,280. Based on my research, you are now paid more than any of our eight neighboring counties' boards, including the largest—Bedford County, pop.

78,747 - over three times as many residents and pays its supervisors \$6,600/yr.

Please note that I am not against any pay increase. But it should be a reasonable increase. Local "private" wage data change should be a major factor in your decision.

Secondly, I ask this Board to reconsider the rationale behind this Jan. 1 pay increase. The rationale was to enable Board members to enroll in the County's employee health care plan, and use this increased salary to pay the cost for that benefit. If a Supervisor did not enroll in the health care plan (perhaps because he or she is already covered by a spouse's plan), the Supervisor would pocket the money. A win-win for each supervisor - not a bad deal at all!

If you look at the eight counties that border Rockbridge County, there are only three that allow supervisors to enroll in their Employee Health Care Plans: Bath County (pop. 4,292), Augusta County (75,457) and Highland County (2,210). Once again, the largest county - Bedford - does not extend any employee benefits to their supervisors, nor do Alleghany, Botetourt, Nelson and Amherst. Looking forward, consider how inflation rates will compare to health insurance premium costs—which do you think will be lower?

Supervisors are not "employees." You are elected representatives. Even in the private sector, you rarely see a company offer its Board of Directors the opportunity to enroll in its employee benefits plans. And what's next? Disability coverage? Dental, vision, pension?"

Chairman Lyons thanked her for her comments.

Steve Hart of the Kerrs Creek Magisterial District read the following statement and provided a copy to the Board:

"I would like to speak to you tonight about the regulation and taxation of micro-enterprises. If I understand our ordinances correctly, all businesses are regulated the same. Our current structure of business licensing, taxing, and personal property taxing greatly disadvantages part-time and small enterprises and does not serve our county or our people well. For example, my engineering company grossed \$1075 last year paid \$30.00 for a business license and \$8.12 in personal property tax last year. Between keeping the records, mailing out the bill, making the copies, and processing the check, I'm pretty sure it costs the county more than \$8.12 to collect that tax.

Consider also the case of a part time lawn mowing business or a young person trying to start a new lawn mowing business compared to a full-time lawn mowing business. Whether the equipment is used to cut one lawn, 10 lawns, or 100 lawns, the business owner pays the same personal property tax on the equipment. This structure greatly disadvantages the part time business which must manage the same property tax overhead as the full-time business. We need to support and encourage these part time businesses which provide families with additional income, retirees with a supplement to social security, and new businesses owners an opportunity to grow slowly and without debt. Our current business personal property tax structure takes the Earl Butts agricultural approach of "Get big or get out" to all business."

Chairman Lyons thanked him for his comments.

Toinette Culp of the Kerrs Creek Magisterial District shared her concern about the County's Noise Ordinance and how it pertains to W&L student housing in the County. She stated that the ordinance does not cover a 24/7 period, leaving many hours of availability for students to make noise that neighbors have no choice but to endure. Ms. Culp added that, in addition to violating the noise ordinance, W&L students are also urinating in public and not using trash cans during parties. She advised that law enforcement has been called in the past between one and two times a week for violating the noise ordinance - to which the officers have stated that there is nothing they can do other than potentially issuing an illegal parking ticket. She asked the Board to consider an ordinance that would cover 24/7.

Lee Culp of the Kerrs Creek Magisterial District shared similar concerns adding that it is important his children learn how to respect others. However, he shared, W&L students at the pole houses are not being good examples of this because they are making noise when his children are trying to sleep, urinating into the river in an open area, and using profanity while children are around. He asked the Board to consider an ordinance that will cover a longer period of time than the current ordinance does.

Terry Hamilton also spoke about the noise ordinance. He stated that the ordinance is too vague and seemed to be aimed at shooting ranges. Mr. Hamilton advised that he is a member of the Blue Ridge Shooters Club whose members respect its neighbors. He shared his concern about those who are complaining about hearing noise from their houses, stating that he hears the interstate from his house but does not turn in complain about that.

Mr. Hamilton again stated that the ordinance is too vague and also too limiting.

Scott Guise of the Kerrs Creek Magisterial District agreed with the previous statement - that the current noise ordinance is vague, leaving a lot of room for overreach. He shared his concern about the County changing its ordinance to help those having issues with W&L students making excessive noise, because in doing so, those changes will apply throughout the entire County. Mr. Guise advised that his business is exempt from the noise ordinance but asked the Board to be very careful with the wording it uses so that it will not impact other people's lives. He noted that, if worded incorrectly, a barking dog in one's yard could make another upset leading to a dispute in accordance with the ordinance.

Karyl Bennett of the Kerrs Creek Magisterial District shared her concern about partying W&L students who are disrespecting the peace and beauty of the community. She added that there is a campus coalition that was created to mediate situations, such as excessive noise complaints, where the community can call members of the coalition. However, she stated, no one will pick up the call. Ms. Bennett added that they have been begging people to help resolve this noise issue, but to no avail. She shared her concern that W&L will not police the situation and it will have to be left to the County for some sort of resolution.

Tom Bennett of the Kerrs Creek Magisterial District stated that the County's noise ordinance is a serious problem because the current ordinance is being used as a sword by the students, as justification to play loud music. He advised that he went to the President's office and he would not see him and that he tried to talk to the Dean of Students who

offered no help. Mr. Bennett stated that the gatherings students are having are alcohol-fueled parties and the prior Sheriff did not enforce laws against underage drinking, supplying alcohol to minors, or outdoor consumption of alcohol in a public area. He added that property values in the area have decreased because of this and asked the Board to review the current ordinance and compare it with the City of Lexington's. He added that student housing is in residential zones and should be held to residential requirements.

Torben Pedersen of the Natural Bridge Magisterial District made a statement regarding the Board of Supervisors salary, citing a previous comment that Board Members are overpaid. He disagreed, stating that Board Members are not paid enough given the amount of committees they are on and time spent.

Collette Barry-Rec of Lexington asked the Board to look at a better sound system for the Board room. She then shared her concern about W&L students partying too loud. She shared that she had lived in the County for 30 years and has heard the same complaints the entire time. Ms. Barry-Rec stated that it should be the school's problem, not the County's, and that W&L is embarrassing themselves.

Chris Simkins of Buena Vista asked the Board to strongly consider the wording it uses if changing the County's noise ordinance. He advised that ordinances similar to this have been contested many times even at the Supreme Court level based on vagueness, and have been overthrown.

Approval of the December 9, 2019 Minutes:

Supervisor Lewis moved to approve the December 9, 2019 Minutes. A second was provided by Supervisor Day, and the motion carried by unanimous roll call vote by the Board.

Ayes: Lewis, Day, Ayers, McDaniel, Lyons
Nays: None
Absent: None
Abstain: None

County Financial Package:

Fiscal Service Director Steven Bolster reviewed the Monthly Memorandum that included the following information:

"Section I - Commissioner of the Revenue

Activities for Month:

1. Prepared & mailed 2020 meals and lodging forms (due NLT last business day of each month).
2. Prepared & mailed 2020 business license applications (due NLT March 2, 2020).
3. Prepared & mailed 2020 business personal property forms (due NLT March 2, 2020).
4. Prepared & mailed 2020 tax relief applications for elderly and disabled (due NLT April 1, 2020).
5. Processing business licenses.
6. Preparing FYE 2021 County (Commissioner of Revenue, Land Use) and Compensation Board budgets.
7. Completing 2019 real estate transfers.
8. Completing 2019 new construction assessments.
9. Completing 2019 Schedule C audits.

10. Preparing to train two new staff members.

Section II - Treasurer

Activities for Month:

1. Sent Debt Set-off claims to Dept. of Taxation for unpaid Personal Property on January 3, 2020; involves 5,341 persons w/estimated tax collection of \$1,044,575.
2. Estimated 4th quarter state income due January 15, 2020.
3. Dog tag license fees are due before January 31, 2020.
4. Preparing FY 2021 budgets which are due for the County and the Compensation Board."

Mr. Bolster presented the County's Appropriation Resolution and recommended approval.

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

Ayes: Lewis, Day, Ayers, McDaniel, Lyons
Nays: None
Absent: None
Abstain: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING,
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,
ON MONDAY, JANUARY 13, 2020 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:

4-11-21010-5402 Technology Trust Fund.....	\$5,256.00
4-11-32020-5624 Cont-Fire Program Fund.....	<u>\$3,686.00</u>
Total General Fund Appropriations	\$8,942.00
Total Appropriations	\$8,942.00
Current County	
11 - General Fund	\$1,217,050.73
94 - Central Stores	\$8,218.31
372 - Construction Project Fund	<u>\$12,192.51</u>
Total County Bills	\$1,237,461.55
Current Fiscal Agent	
80 - Regional Jail	\$226,709.19
241 - E-Summons Fees	<u>\$3,537.92</u>
Total Fiscal Agent	\$230,247.11
TOTAL ALL BILLS	\$1,467,708.66

Consideration of School's Appropriation Resolution:

Mr. Bolster presented the School's Appropriation Resolution and recommended approval.

Supervisor McDaniel moved to approve the School's Appropriation Resolution. A second was provided by Supervisor Ayers, and the motion carried by unanimous roll call vote by the Board.

Ayes: McDaniel, Ayers, Lewis, Day, Lyons
 Nays: None
 Absent: None
 Abstain: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, JANUARY 13, 2020 AT 5:30 P.M.

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

APPROPRIATION RESOLUTION

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

New Grants

Title I Pt A 2018

4-50-61100-1120-260-100-902	Teacher Salaries.....	\$2,153.00
4-50-61100-2100-220-100-902	FICA.....	\$94.00
4-50-61100-2100-260-100-902	FICA.....	\$165.00
4-50-61100-2210-220-100-902	VRS.....	\$2,575.00
4-50-61100-2210-260-100-902	VRS.....	\$414.00
4-50-61100-2300-260-100-902	Medical.....	\$303.00
4-50-61100-2400-260-100-902	GLI.....	\$35.00
4-50-61100-2750-260-100-902	Retiree HCC.....	\$32.00
4-50-61100-3160-260-100-902	Purchased Services.....	\$5,601.00
4-50-61100-6030-220-100-902	Materials & Supplies.....	<u>\$5,784.00</u>
Sub-total		\$17,156.00

TOTAL FUND 50 APPROPRIATIONS **\$17,156.00**

Presentation of FY2019 CAFR by Robinson, Farmer, Cox and Associates:

Mr. Bolster briefly reviewed the agenda item which included the following information:

"The Comprehensive Annual Financial Report (CAFR) of Rockbridge County, Virginia for the fiscal year ended June 30, 2019 is submitted. Responsibility for both the accuracy of the data, and the completeness and fairness of the presentation, including all disclosures, rests with the government. To the best of our knowledge, the CAFR data is accurate in all material respects and has been reported in a manner designed to present fairly the financial position of the County.

The County currently contracts with Robinson, Farmer, Cox Associates (RFC) to complete the CAFR. Ms. Saidee Gibson from RFC will present the

highlights of the CAFR for the County and associated governmental activities.”

Ms. Saidee Gibson commended Mr. Bolster and staff for receiving the Certification of Achievement for Excellence in Financial Reporting award for the fifth year. She then reviewed the following presentation:

Audit Objectives:

The expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with Generally Accepted Accounting Principles
Report on internal control and compliance in accordance with Government Auditing Standards
Report on internal control related to major programs and compliance with the Uniform Guidance

Unmodified Audit Opinion (Highest Level of Assurance Available)

- In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component units, each major fund and the aggregate remaining fund information of the County of Rockbridge, Virginia, as of June 30, 2019, and the respective changes in financial position, and, where applicable cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Internal Control Over Financial Reporting

No significant deficiencies or material weaknesses identified

State Compliance

Budget Compliance

Procurement Compliance

VRS Reporting Compliance

Single Audit Compliance

Federal Programs Audited:

Child Nutrition Cluster

Government-wide Financial Highlights:

Ending net position of \$39.3 million

Unrestricted net position of \$23.4 million

Change in net position:

Governmental Activities decreased by (\$636,676);

Business-type Activities decreased by (\$563,522);

Total Decrease of (\$1,200,198)

Net investment in capital assets of \$14.9 million

Governmental Funds - Financial Highlights:

Combined ending fund balances for governmental funds of \$28.2 million

Decrease of \$527,695 compared to FY2018 fund balances

General fund unassigned fund balance of \$23 million or 36.02% of 2019 general fund + school operating fund expenditures

Unrestricted cash and cash equivalents of \$21.7 million

Chairman Lyons commended Mr. Bolster and Mr. Suter for receiving the Certification of Achievement for Excellence in Financial Reporting award for the fifth year.

Mr. Bolster commended staff and the Treasurer's Office for their assistance.

Consideration of Provisional Adoption of the FY2021-2025 Capital

Improvement Plan:

Mr. Bolster briefly reviewed the agenda item which included the following information:

"At the November 25, 2019, the Board received a presentation on the draft FYE 2021-2025 CIP during a regularly scheduled work session. On December 9th, staff communicated to the Board that no changes were made to the CIP presented at the 25th meeting. Staff will provide follow-up information during Monday's meeting. Attached is the Rockbridge County draft of the FYE 2021-2025 CIP for provisional adoption consideration.

The provisional adoption will serve as a guide for departments as they plan for the procurement and/or financing (sourcing) efforts associated with the capital budget development. Updates to the CIP will be provided during the FYE 2021 budget cycle, if necessary. Staff will request formal adoption of the CIP in conjunction with the operational and capital budget approvals currently scheduled for April 27, 2020."

Supervisor McDaniel asked Mr. Bolster if the School's CIP was included in what was being presented.

Mr. Bolster replied, no, that it would be included in the materials presented by the school division during a joint meeting.

Supervisor Lewis moved to provisionally adopt the County's CIP. A second was provided by Supervisor McDaniel, and the motion carried by unanimous roll call vote by the Board.

Ayes: Lewis, McDaniel, Day, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

Consideration of County/RANA Administrative Agreement for Payroll Support:

Mr. Bolster briefly reviewed the agenda item which included the following information:

"In October 2019, Rockbridge Area Network Authority's (RANA) former Executive Director Scott Robertson met with County staff to discuss the RANA request to provide payroll and benefits support for the anticipated hire of their first employee (in addition to the Executive Director), a Locator/Outside Plant Supervisor. Over the past 60 days, staff subsequently worked with RANA's new Executive Director Valerie Jacoutot on internal processes to provide the requested support and to develop an administrative agreement to memorialize the arrangement between the County and RANA.

The County processes payroll and benefits for three Natural Bridge Soil and Water Conservation District (NBSWCD) employees, a support effort in place since 1990. County and RANA staff edited the 1990 County-NBSWCD agreement into the format presented with this agenda report. The RANA Board met January 6th and approved the administrative agreement. It is anticipated RANA will hire their Locator/Outside Plant Supervisor this month with a start date of February 3rd. Also attached is an authorizing

resolution for the Board's consideration. If approved, staff will move forward with final coordination to bring the RANA request online."

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

Ayes: Lewis, Day, Ayers, McDaniel, Lyons
Nays: None
Absent: None
Abstain: None

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF
ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON MONDAY, JANUARY 13, 2020

Resolution Authorizing an Administrative Agreement for Processing Payroll and Benefits Support to the Rockbridge Area Network Authority by the County of Rockbridge

WHEREAS, on September 3, 2009, the County of Rockbridge and the Cities of Lexington and Buena Vista, passed a concurrent resolution to create the Rockbridge Area Network Authority (RANA), a public body politic, to provide qualifying communication services as authorized by Article 5.1 (§ 56-484.7:1, et seq.) of Chapter 15 of Title 56 of the *Code of Virginia* (1950, as amended) and to provide such other services as provided by law and Chapter 54.1 (§§ 15.2-5431.1, et seq.) of Title 15.2 of the *Code of Virginia* (1950, as amended); and,

WHEREAS, the RANA plans to hire an Outside Plant Supervisor and Executive Director as full-time equivalent employees in calendar year 2020; and,

WHEREAS, the RANA has requested that Rockbridge County process payroll and benefits for the two RANA positions described above upon their date of employment; and,

WHEREAS, the County and RANA staff collaborated to foster procedures which support the RANA request to manage payroll and benefit services on their behalf, and to create an administrative agreement which memorializes the arrangement between the two Parties; and,

WHEREAS, the Board of Supervisors has determined that the above-referenced agreement serves to support the RANA by providing payroll and benefit services in an efficient and cost-effective manner.

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

1. That an Administrative Agreement, effective January 13, 2020, with the RANA for the processing of payroll and benefits by the County of Rockbridge is hereby authorized and approved.
2. That the County Administrator is hereby authorized to execute the Administrative Agreement dated January 13, 2020, on behalf of the Board of Supervisors of the County of Rockbridge and to execute such other documents and take such further actions as are necessary to accomplish this arrangement, all of which shall be approved as to form by the County Attorney.
3. That this resolution shall be effective on and from the date of its adoption.

Adopted this ____ day of January, 2020.

Consideration of Resolution Supporting Funding for Natural Bridge State Park:

County Administrator Spencer Suter briefly reviewed the agenda item which included the following information:

"Over the past several years, the Board has supported the Natural Bridge State Park in seeking assistance from the General Assembly for additional, budgeted funding. While the current 2021-2022 biennium budget proffered by the Governor's office includes some additional funding for the Department of Natural Resources (DCR), it does not include much needed funding for additional ranger positions at the Natural Bridge State Park. Park Manager Jim Jones has requested that the Board again express its support via adoption of the attached resolution. I've also attached an

economic impact study detailing the positive effects of Virginia State Parks.”

Jim Jones was present to answer questions by the Board.

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

Ayes: McDaniel, Lewis, Day, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

Resolution Supporting Natural Bridge State Park

WHEREAS, Virginia State Parks are a critical element of rural Virginia’s travel and tourism infrastructure, contributing over \$267.1 million dollars to state and local economic impact infused into the state’s economy for 2018, and,

WHEREAS, the Natural Bridge State Park in Rockbridge County attracted over 187,000 visitors in 2019; and,

WHEREAS, tourists travel through and frequently stay overnight in Rockbridge County and the cities of Lexington and Buena Vista to visit Natural Bridge State Park; and,

WHEREAS, patrons to Natural Bridge State Park have spent in excess of \$9.7 million through the state in 2018 and approximately 76% of this spending was by out-of-state visitors; and,

WHEREAS, economic activity and impact by Natural Bridge State Park generated approximately \$11.2 in state and local revenues for 2018; and,

WHEREAS, by the measures described above, the Virginia Department of Conservation and Recreation and the leadership of Virginia State Parks have proven to be excellent stewards of limited funding by returning \$13.08 for every \$1.00 invested; and,

WHEREAS, Natural Bridge State Park is requesting much-needed additional funding in the FY2021 budget, which would support five new full-time positions; and,

WHEREAS, these five positions include: (1) Chief Ranger for Visitor Experience, (2) Park Ranger for Maintenance, (1) Park Ranger for Retail, and (1) Park Ranger for Interpretation; and,

WHEREAS, funding support of these positions would help Natural Bridge State Park expand its ability to serve the public, with significant returns to the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, that the Rockbridge County Board of Supervisors, by this resolution, formally requests members of the Virginia General Assembly to support full funding of Virginia State Parks 2020 budget request and to support what is needed to adequately maintain and operate what currently exists in terms of facilities, infrastructure and authorized construction, as detailed in the Virginia State Parks 2019 Legislative Budget Decision Package.

Adopted this 13th day of January, 2020.

At this time, Chairman Lyons rearranged an item on the agenda bringing forth discussion on the Noise Ordinance.

Discussion of the Noise Ordinance:

Chairman Lyons advised that, based on comments received during citizens comments, the Board should carefully consider the wording it uses if changing the noise ordinance. He directed staff to come up with as many options as possible for the Board to consider, ensuring the language is not too vague so that members of the public do not start receiving citations for their dog barking. Chairman Lyons also asked that staff reach out to W&L and let them know the Board is not happy right now.

Supervisor Lewis stated that the ordinance has been looked at multiple times in the past and the current ordinance is in place for that reason. He added that he did not disagree that the ordinance can be looked at, but did not have high hopes that revisions could be made to accommodate everyone.

Supervisor McDaniel suggested that staff contact the Campus Community Coalition and the University to see if there are any changes that could be made to assist with the complaints.

Supervisor Ayers asked the County Attorney for information on the current process for members of the public to hold a large party.

County Attorney Vickie Huffman replied that there is no permitting process to hold a party.

Supervisor Ayers recommended talking with W&L first to let them know what is going on.

Chairman Lyons stated that the current ordinance is Countywide regardless of zoning.

Ms. Huffman agreed and added that, at one time, they looked at having it apply specifically to residential zones; however, one of the pole houses is zoned agricultural.

Chairman Lyons directed staff to contact the University and attend the next meeting where a discussion is scheduled, to see what can be done with the current ordinance with the potential to be more restrictive in residential zones, and to set up a meeting with the newly-elect Sheriff. He asked that this be added to the February agenda.

Supervisor McDaniel suggested looking at a permit process for large events to isolate the noise issue verses changing the ordinance for everyone, including noise by lawn mowers, barking dogs, etc.

Ms. Huffman stated that the current ordinance only applies to party-type noise such as outdoor music. She stated that, to implement a permit process, you could define what a large gathering is and have them apply for a permit in order to have the outdoor event, similar to the Woodstock Ordinance. Ms. Huffman added that, in the past, there have been issues with implementing a permitting process do to the amount of staff time it would involve to process the permit and the enforcement. She added that it

is hard to define what constitutes a gathering to which a permit would apply. She stated that, it can be done, but there are many factors to be considered.

Chairman Lyons suggested that staff begin by looking at the hours covered in the noise ordinance and bring back as many options as possible.

Supervisor Lewis shared his concern about changing the zoning requirements in the ordinance because many, like himself, have a business in a residential district.

Supervisor Ayers shared her concern about changing one's livelihood. She added that everyone should be able to have a party but not as often as the students do.

Supervisor McDaniel asked staff to find the history of the pole houses and the nearby subdivision.

Presentation on Employee Health Benefits Recommendations from One Digital Benefit Plan Advisors:

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

"Last Spring the Board received a report from staff regarding the status of the County's current health benefits program and the concern of rising health care costs and financial impact to the County and to the employees. The report provided comparative information between the current plan and new opportunities available should the Board decide to implement a strategic plan to assist in controlling costs and maintaining a solid benefits program for employees. The recommendation was for staff to bring options for consideration to the Board early in 2020 for review.

To recap, the County health benefit pool includes County staff, Constitutional offices, Social Services, the Jail, the Library system, the BRRRA, the PSA and the Natural Bridge Soil and Water Conservation District. The leadership representatives from many of these agencies met last year to discuss options moving ahead; the group expressed strong desire for more County contribution to the dependent tiers of coverage to assist with recruiting and retaining talent. And in doing so, most agreed that the employees should at some point begin paying for part of their health care costs in the employee-only tier. Currently, Rockbridge County pays 100% of the employee only-cost, and a range of 48%-61% for dependent coverage depending on the plan and coverage tier elected. On average, our neighboring localities (Lexington, Botetourt, Augusta, Amherst) are contributing 87% toward employee-only cost, and 68%-82% of the dependent cost, depending on the plan and coverage tier elected.

Over the last six months, County staff and the Board Personnel Committee (Supervisors Lewis and Higgins) have been working with One Digital (our benefits consultant) to complete an off-cycle market analysis. The off-cycle market analysis was requested as a result of last year's meeting with leadership where there was strong desire to explore self-funding options as a method to control costs and offer plans in which employees could recognize more value. The results of the market study conducted by One Digital provided us with viable options that have not previously been available to us in a timeframe that would allow for the County to execute changes to the benefits offered. Anthem has provided us with quotes for self-funding options on comparable plans which create significant savings that can be allocated to the County and to the

employee. If the decision is made to move away from The Local Choice, the County would have the flexibility to design its own benefit plans, which could include cost containment mechanisms such as higher deductibles, more tiers of coverage to accommodate families, and Health Reimbursement Accounts. Please note that while moving to a self-funded option appears to offer the most value, it will add workload for staff to implement and maintain, which combined with other increasing payroll and benefit responsibilities may result in the need additional support.

A summary of options and recommendations will be presented to the Board by Jim Gordon, Principal for One Digital Health and Benefits Consulting."

Mr. Gordon presented the Board with several options:

Rockbridge County Self-Funded Assessment

Option A. 7/1/20 Local Choice renewal projection assuming current benefits and 8% rate increase: Maintaining the status quo.

Total Cost: \$1,761,303

Rockbridge County Cost: \$1,546,154

Employee Share: \$215,149

Option B. 7/1/20 Anthem Self-Funded projection matching current benefits with RX and Vision:

Total Expected Cost: \$1,720,279

Rockbridge County Expected Cost = \$1,491,345

Employee Share: \$228,933

Rockbridge County Max Annual Liability: \$ 1,782,834

ACA Reporting and COBRA administration fees: \$7,500

Option C. 7/1/20 Anthem Self-Funded projection with 5000 Deductible HRA:

Total Expected Cost: \$1,633,693

Rockbridge County Expected Cost = \$1,425,079

Employee Share: \$208,614

Rockbridge County Max Annual Liability: \$ 1,782,834

HRA Funding: \$50,000. All unused funding is retained by RC.

ACA Reporting and COBRA administration fees: \$7,500

Option D. 7/1/2020 Self-Funded 5000 deductible/ Backend HRA, employees retain same benefits:

Assumes 5% cost share for employee only cost on both plans*

Total Expected Cost = \$1,633,693

Rockbridge County Expected Cost = \$1,365,051

Employee Share: \$268,642

Rockbridge County Max Annual Liability: \$1,706,063

HRA Funding: \$50,000. All unused funding is retained by RC.

HSA Funding: \$1,200 per participant in HDHP

ACA Reporting and COBRA administration fees: \$7,500

Option E. 7/1/2020 Same as Option E/ Contributions set off base plan and reduction in dependent cost:

Assumes 5% cost share for employee only cost of HDHP. Assumes \$70 cost for employee only cost of buy up plan. Includes cost reductions to dependent coverage cost.*

Total Expected Cost= \$1,633,693

Rockbridge County Expected Cost= \$1,315,108

Employee Share: \$318,585

Rockbridge County Max Annual Liability: \$1,706,063

HRA Funding: \$50,000. All unused funding is retained by RC.

HSA Funding: \$1,200 per participant in HDHP

ACA Reporting and COBRA administration fees: \$7,500

He then discussed self-funding advantages and disadvantages as being/having:

Self-Funded Advantages

More choice and flexibility over benefit designs

Design benefit plans to affect utilization

Better cash flow

Reduce employee family costs

Receive monthly claims data

More predictable budgeting

More cost saving options: captives, RX and re-insurance carve-outs

Self-Funded Disadvantages

Variable monthly claims cost and cash flow

In the rare case of a max liability year, managing the additional cost

Leaving Local Choice will create some additional administration with billing, ACA and COBRA.

Chairman Lyons asked Mr. Suter if he had yet consulted with the agencies which participate in the plan.

Mr. Suter replied that after discussion with the personnel committee, it was determined to take the consultant's recommendations to the full Board first, to gauge the Board's thoughts - before taking back to the leadership group which was consulted last year. He noted that, if the Board is in agreement a meeting would be organized to discuss the options presented to get feedback, prior to bringing it back to the Board. The Board concurred.

Consideration of Resolution in Support of Legislation Improving Local Fiscal Impact Review Process:

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

"The Virginia Association of Counties (VACO) has requested local support for General Assembly legislation to improve the process of local review of posited laws which whole have impacts at the local level. As you know, the Commonwealth sometimes adopts legislation which has a negative impact on local budgets - commonly referred to as unfunded mandates."

Supervisor Ayers asked for additional clarification and Mr. Suter noted that this is simply a request that the General Assembly provide additional time for localities to review and comment on bills which have a negative fiscal impact.

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

Ayes: Lewis, McDaniel, Day, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

Resolution in Support of Legislation to Improve the Process for Review of Legislation with Local Fiscal Impact

WHEREAS, each year the General Assembly considers thousands of pieces of legislation, many of which have a significant impact on local governments; and,

WHEREAS, in recognition of the need for localities to have an opportunity to review and analyze legislation that may require additional expenditures of local funds or reduce local revenues, Virginia Code sets out a process for the Commission on Local Government to develop local fiscal impact statements for such bills, with the assistance of local volunteers; and,

WHEREAS, under the current process, the large volume of bills and the rapid pace of the legislative session limit the time that is available for the review of bills with implications for local government finances; and,

WHEREAS, the local volunteers who assist with the fiscal impact review process take on this responsibility in addition to their regular duties, often during the same time as local budgets are being finalized; and,

WHEREAS, prior to 2010, legislation that had a local fiscal impact was required to be introduced by the first day of the General Assembly session, which allowed some additional time for the legislation to be reviewed by the Commission on Local Government and local staff, but this requirement was eliminated in the 2010 session, compressing the opportunity for review of legislation in subsequent General Assembly sessions; and,

WHEREAS, additional time to review legislation would allow for a more thorough understanding of the potential ramifications of bills affecting local finances; and,

WHEREAS, a robust analysis of legislation affecting local governments benefits policymakers, as localities work in partnership with the state to deliver critical services to Virginia residents.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Rockbridge County, Virginia, expresses its support for legislation that would provide additional time for review and analysis of legislation with a fiscal impact on localities, as well as direct further consideration of additional ways to improve the review process.

Adopted this 13th day of January, 2020.

Monthly Staff Reports:

Supervisor Lewis moved to accept the staff reports. A second was provided by Supervisor McDaniel, and the motion carried by unanimous roll call vote by the Board.

Ayes: Lewis, McDaniel, Day, Ayers, Lyons
Nays: None
Absent: None
Abstain: None

Chairman Lyons continued the meeting until Thursday, January 23, 2020 at 5:00 p.m. for a Joint Meeting with the School Board held at the School Board Central Office - 2893 Collierstown Road, Lexington, VA 24450.