

AT A WORK SESSION OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS
HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, MARCH 23, 2020 AT 4:30 P.M.

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

COUNTY ADMINISTRATOR: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Chairman Lyons called the Work Session to order.

Budget Meeting #4:

Fiscal Services Director Steven Bolster briefly reviewed the agenda item which included the following information:

"At a scheduled budget meeting on February 27th, staff presented an initial review of the FY 2021 draft budget and overall funding position to the Board of Supervisors. At the time of presentation, planned expenditures exceeded anticipated revenues by \$1,431,572. Staff provided an update on March 9th and communicated an expenditure over revenue gap of \$1,437,538 existed. Since the March 9th meeting, the finance committee also discussed and made the following adjustments to the FY 2021 draft budget:

- Based on the passed state budget, Compensation Board revenues were adjusted up for the following offices: Commissioner of the Revenues (+\$2,192), Treasurer (+\$4,384), Clerk of the Circuit Court (+\$4,776).
- Updated the NBSWCD salaries and fringes reimbursement, revenue up \$7,980. This correlates with budgeting for staff members' health insurance costs.
- Within HR, adjusted out the additional Benefit Consulting costs linked to transitioning towards a self-funded health insurance program; \$6,000 reduction."

County Administrator Spencer Suter stated that they had presented the scenario last month at the March 9th meeting and initially here was a leaning toward going to self-funded insurance; however, the Finance Committee and Personnel Committee are now recommending staying with Local Choice given the strict timeframe to change over to self-funded this year. In staying with Local Choice, he advised, the high deductible plan would be the base plan and would provide some additional lower-cost options for families. Mr. Suter recommended that staff and the personnel committee begin to look at self-funded insurance early in the next fiscal year..

Chairman Lyons asked if Anthem had confirmed that there will be a 12% increase this year.

Mr. Suter concurred.

Mr. Bolster continued reviewing the agenda item containing the following information:

"Staff received an updated cost-share total (\$2,386,817) for the Rockbridge Regional Jail based on the passed state budget which included Compensation Board increases for entry-level jailers; \$9,782 increase.

- Updated the latest landfill operational cost-share (tipping fees) accounted for in the Recycling/Refuse Collection budget, up \$63,351.

- Staff received an updated cost-share from the School Division (up \$230,922 for a total additional request of \$1,044,115); the Finance Committee recommends a reduction of \$104,328 resulting in \$939,787 in additional local funding for operations.

- Downward adjustment on the Transfer to Capital Purchases Fund (Fund 376) is tied with the reducing the purchase of Sheriff Vehicles from 8 to 7 in FY 2021, down \$40,341. This change is also reflected in Fund 376. As a result of these updates, the attached FY 2021 draft budget now reflects an expenditure over revenue gap of \$1,639,592. Although their budgets are fairly solidified at this time, staff may also receive revised funding requests from the Blue Ridge Resource Authority, Consolidated Dispatch, Rockbridge Regional Jail, and School Division as each respective Board still needs to approve their final FY 2021 budgets."

Mr. Bolster then presented the Board with a FY2021 Scenario Exercise #1 handout that provided ideas for potential adjustments to the draft budget to try getting to a balanced budget. He noted that there are certain revenues that will be impacted by the current COVID-19 such as sales and use taxes, meals taxes, lodging taxes, and use of Lake Robertson's campground and pools. He advised that there have been a series of inputs received over the last 2 - 3 weeks from Supervisor McDaniel and

internal staff. He stated that he looked at some revenues and estimated a 10% reduction without knowing the actual impact other than knowing they will go down, especially in the last quarter. All potential changes totaled a \$667,842 reduction in anticipated revenues. For the expenditures side of the budget, he stated that there could be a 2% cut on discretionary spending. In addition, he suggested eliminating the proposed 2% cost of living adjustment.

Supervisor McDaniel asked if any of the 2% cost of living is tied into state revenue, where the state could help fund any of that.

Mr. Bolster replied, not for the County positions.

Mr. Bolster then highlighted the suggested changes that included: 2% cost of living removed; 2% removed from discretionary spending; and a 10% reduction on the "ask" from non-profits. With those changes, he noted, the budget gap would come down to \$1,770,904. He stated that, in order to get to a balanced budget even after the reductions, the County could potentially use unassigned reserves to bridge through FY2021. He added that Mr. Suter had spoken earlier in the day with Jail Superintendent Derek Almarode and that they have worked through some additional cuts to potentially reduce the County's \$262,800 cost-share.

Mr. Suter advised that the Jail's prisoner count in the building is now down to under 110, noting that one point that number was 170, and that those prisoners in emergency housing is now down to 96.

Supervisor Lewis asked where the inmates were being moved to.

Mr. Suter replied, some are sent home with electronic monitoring.

Supervisor McDaniel asked for the difference in the County's cost share now verses the Jail's request.

Mr. Suter answered, roughly \$270,000.

Chairman Lyons stated that, even if the County follows the scenario, it will start the following year with at least a \$667,000 deficit.

Mr. Bolster replied, potentially so. He added that there was a request to reevaluate the schools request since the County would give a 2% cut across its departments. He noted that, should the schools see that same 2% reduction, there is potential for a \$307,590 reduction in the school's request leaving the overall gap of \$532,672- equivalent to a 1.9 cent increase on real estate.

Supervisor Lewis asked what the 2% decrease could do to the School Resource Officers' positions.

Mr. Bolster replied that the schools would have to see if they have space in their budget to make up the difference for those positions.

Chairman Lyons noted that the 2% from the state did not have to take place in the next year, but just as long as it is used in the biennial.

Mr. Bolster asked the Board to send any comments to Supervisors Lewis and Lyons between now and the April 6th Budget meeting. He added that the information within the scenario was for discussion purposes only for potential solution to balance the budget.

Supervisor McDaniel asked if there was a reduction in the anticipated fuel and travel costs due to the COVID-19 pandemic.

Mr. Bolster concurred, stating there was a reduction of 2%. He concurred that it is not anticipated that there will be much travel in the first 6-months of the fiscal year.

Update on the FY 2021-2025 CIP:

Mr. Bolster reviewed changes to the CIP as follows: new modified collection sites 1,2, and 3 have been pushed out until FY2022; the Health Departments boiler can be replaced using fund reserves; the municipal software was pushed out; Sheriff's vehicles reduced from 8 to 7; and, the Parks and Recreation departments ATV and hauling trailer can be purchased using savings from the costs of the compactors in Goshen and Kerrs Creek. With those changes, he advised, the new numbers are as follows:

-Overall CIP: Reduced from \$1,378,394 to \$723,203

-Construction Fund Expenditures: Reduced from \$948,700 to \$411,700

-Capital Purchases: Reduced from \$429,694 to \$311,503

Chairman Lyons inquired about the HVAC project at Central Elementary.

Mr. Bolster advised that the estimated cost was \$1 million; however, the quoted cost is \$1,301,000. Because the price is higher than expected, he shared, it is anticipated that the other HVAC project would cost more as well.

With no further discussion, the meeting closed.

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, MARCH 23, 2020 AT 5:30 P.M.

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

COUNTY ADMINISTRATOR: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Chairman Lyons called the meeting to order and advised that the Board would be following a revised meeting policy due to COVID-19. The policy included observing social distancing; livestreaming the meeting using a link on the website; removing citizen comments from the agenda and accepting all comments via a County email address as provided by news release and website; and prohibiting more than 10 participants in the meeting room at a time, sitting 6-feet apart, in addition to the Board members and staff.

Changes to the Agenda:

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

Pledge of Allegiance:

The Board led in the Pledge of Allegiance.

Recognitions and Presentations:

Chairman Lyons called for recognitions and presentations. There were none.

Approval of the March 9, 2020 Minutes:

Supervisor McDaniel offered a change in the draft minutes. He asked that his votes for both appointments in the prior meeting be aye, not nay, as some who were present during the vote thought he voted nay. He asked to clarify both votes for the appointments were aye.

Supervisor McDaniel moved to approve the minutes. Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

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

Consideration of the School's Appropriation Resolution:

Fiscal Services Director Steven Bolster presented the School's Appropriation Resolution and recommended approval as presented.

Supervisor McDaniel moved to approve the School's Appropriation Resolution. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: McDaniel, Lewis, Day, Ayers, 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, MARCH 23, 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 Grant

SEGM 2019	
4-50-64200-3670-270-000-161 Purchased Services.....	\$105,000.00
4-50-64200-3670-350-000-161 Purchased Services.....	\$10,000.00
Sub-total	\$115,000.00
TOTAL FUND 50 APPROPRIATIONS	\$115,000.00

Ratifying Declaration of Local Emergency due to COVID-19:

County Attorney Vickie Huffman submitted a revised resolution to the Board members and noted that she added language that the nature of the local emergency constitutes a disaster.

County Administrator Spencer Suter added that a local state of emergency was issued on March 17th and that the Board would need to ratify the declaration at either its next regular meeting or by a special meeting within 45 days.

Supervisor Ayers moved to adopt the revised resolution. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Ayers, McDaniel, 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 ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
MARCH 23, 2020

**RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF
LOCAL EMERGENCY**

WHEREAS, the Board of Supervisors of the County of Rockbridge, Virginia, does hereby find
as follows:

- (1) That, on March 12, 2020, the Governor of Virginia, by Executive Order Number Fifty-One (2020), declared a state of emergency in the Commonwealth of Virginia with regard to the Coronavirus (COVID-19); and,
- (2) That, due to the outbreak and spread of COVID-19, conditions exist such that there is a threat to the public health, safety, and welfare of the residents of Rockbridge County, Virginia, and that the severity and magnitude is sufficient to constitute an emergency as defined in Virginia Code 44-146.16, and warrants coordinated local government action to prevent or alleviate the damage, loss or suffering threatened or caused thereby; and,
- (3) That, on March 17, 2020, the Director of Emergency Management deemed that a continuing state of emergency existed in the County of Rockbridge and executed a Declaration of Local Emergency in accordance with the Code of Virginia Section 44-146.21; and,
- (4) That circumstances at the time did not permit the Rockbridge County Board of Supervisors to convene to consent to the declaration of a local emergency; and,
- (5) That a Board of Supervisors ratification of the Declaration is required.

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

1. That a local emergency exists throughout the County of Rockbridge and the Declaration of a state of emergency by the Director of Emergency Services, dated March 17, 2020, is hereby RATIFIED and CONFIRMED; and,
2. That the nature of the local emergency, with the on-going threat to the public health, constitutes a disaster as provided in Virginia Code § 44-146.16.
3. That, during the existence of this emergency, the powers, functions, and duties of the Emergency Management Director of the Rockbridge County Department of Fire, Rescue and Emergency Management shall be all those prescribed by the laws of the Commonwealth of

Virginia, Executive Order Number Fifty-One (2020), and the ordinances, resolutions, and approved plans of the County of Rockbridge, have been and shall continue to be implemented in order to mitigate the effects of said emergency; and,

4. That the County Administrator/Director of Emergency Management shall undertake all possible efforts required in attempting to recover any emergency-related local expenditures from the Commonwealth of Virginia, the Federal Emergency Management Agency (FEMA), or any available, non-local source; and,

5. That the Declaration of Local Emergency shall remain in full force and effect until such time as the Board of Supervisors determines that all appropriate actions have been taken to address the emergency declared herein, and votes to end the declared emergency as provided by applicable law.

6. That this Resolution shall be effective as of March 17, 2020.

Adopted this 23rd day of March, 2020.

Ms. Huffman presented the Board with a draft ordinance to effectuate temporary changes in certain deadlines and to modify public meeting and public hearing practices and procedures to address continuity of operations associated with pandemic disaster. She shared that there had been concerns about holding the budget public hearing and noted that the draft ordinance continues to be modified by other jurisdictions. Ms. Huffman asked the Board for authority to advertise a public hearing on the ordinance for the next meeting. She advised that the ordinance could be adopted at the next meeting without scheduling a public hearing under an emergency basis.

Chairman Lyons provided consent to advertise the public hearing.

Consideration of Custodial Services IFB Bids for the Rockbridge County

Administration Building:

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

“On February 29, 2020 staff issued Invitation for Bid (IFB) # 2020-02-001 - Custodial Services for the Rockbridge County Administration Building. The IFB was posted to the County and eVA websites from February 29th to March 16th. In addition, an advertisement was published in a local newspaper on March 4th. Bids were received until March 16, 2020 at 2 PM. Five companies’ submitted bids. The table below summarizes the lump-sum, annual bids received from each bidder for the custodial services contract.

#	Company	Bid Amount
1	Clean Care Cleaning Services, LLC	\$18,811.56
2	Unique Robinson	\$22,755.00
3	JB Wilson Enterprises	\$25,068.00
4	JKK Services	\$28,700.00
5	Tri-County Maintenance, Inc.	\$30,000.00

If agreement, adopt the resolution to award the bid and authorize the agreement, which shall be approved as to form by the County Attorney.”

Supervisor Day moved to adopt the resolution awarding the contract to Clean Care Cleaning Services, LLC. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Day, McDaniel, Lewis, Ayers, 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, MARCH 23, 2020

**RESOLUTION AUTHORIZING AWARD OF BID TO AND EXECUTION
OF THE CONTRACT DOCUMENTS WITH CLEAN CARE CLEANING
SERVICE, LLC FOR CUSTODIAL SERVICES AT THE ROCKBRIDGE
COUNTY ADMINISTRATION BUILDING**

WHEREAS, the County has issued an Invitation to Bid for custodial services in the Rockbridge County Administration Building, since the current contract expires on March 31, 2020; and,

WHEREAS, the County has received competitive sealed bids in accordance with Chapter 43, the Virginia Public Procurement Act, of Title 2.2 of the Code of Virginia (1950, as amended) and of the Rockbridge County Public Procurement Policy; and,

WHEREAS, all bids shown upon the Bid Tabulation dated March 16, 2020, have been determined by staff to be responsive to the County's Invitation to Bid # 2020-02-001; and,

WHEREAS, the lowest responsive and responsible bidder for the services is Clean Care Cleaning Service, LLC; and,

WHEREAS, the award of the bid to the lowest responsive and responsible bidder and approval of a contract have been submitted to the Rockbridge County Board of Supervisors.

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

1. That Clean Care Cleaning Service, LLC, be, and hereby is, awarded the contract at a price of \$18,811.56 per year for the custodial services at the Rockbridge County Administration Building, for an initial term from April 1, 2020, through March 31, 2021, with option to renew for four one-year terms upon mutual agreement of the parties, which may be authorized without further approval from the Board.

2. That upon receipt of the completed Contract Documents from Clean Care Cleaning Service, LLC, and compliance with all remaining requirements therefor, the County Administrator is hereby authorized to execute the contract on behalf of the Board of Supervisors of Rockbridge County, and to take such other and further actions as may be necessary and appropriate to accomplish this transaction, which shall be approved as to form by the County Attorney.

3. That, in the event Contract Documents, including compliance with all requirements and insurance certifications therefor, are not completed by and with Clean Care Cleaning Service, LLC, the County Administrator is hereby authorized, upon a determination that the next lowest bidder as

shown on the Bid Tabulation dated March 16, 2020, is a responsible bidder, to award the bid to and execute a contract with Unique Robinson, all of which shall be subject to approval as to form by the County Attorney.

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

Adopted this 23rd day of March, 2020.

Resolution supporting pre-trial services in Rockbridge County:

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

“As you may recall, we have applied to the Commonwealth for funding to support pretrial services (through Blue Ridge Court Services) for Rockbridge, Lexington and Buena Vista. Blue Ridge Court Services has requested a resolution of support from the Board to strengthen our effort.”

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

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

**Resolution Supporting the Expansion of Pretrial Services
to the Cities of Lexington and Buena Vista and the County of Rockbridge**

WHEREAS, Pretrial Services Agencies were authorized by statute with the passage of the Pretrial Services Act (PSA, § 19.2-152.2) in 1995 to assist judicial officers in making better-informed bond decisions and to provide supervision to those defendants suitable for release to the community; and,

WHEREAS, Pretrial Services saves money by identifying lower risk defendants who can be safely supervised in the community, and preserving expensive jail bed space for high risk and violent offenders; and,

WHEREAS, Pretrial Services plays a key role early in the criminal justice process by identifying those individuals with mental health, substance abuse, and veterans' needs; and,

WHEREAS, the Cities of Staunton, Waynesboro and the County of Augusta established Blue Ridge Court Services in 1995 to provide local probation and pretrial services to the Central Shenandoah Valley; and,

WHEREAS, the County of Highland was formally included in the service area of Blue Ridge Court Services for local probation and pretrial services in 2002; and,

WHEREAS, the Cities of Lexington and Buena Vista and the County of Rockbridge were formally included in the service area of Blue Ridge Court Services for probation services only in 2014; and,

WHEREAS, formal pretrial services for the Cities of Lexington, Buena Vista and the County of Rockbridge have not been funded by the Commonwealth of Virginia; and,

WHEREAS, the Virginia General Assembly has appropriated grant funding to expand pretrial services to unserved localities; and,

WHEREAS, the judges and prosecutors in the Cities of Lexington and Buena Vista and the County of Rockbridge have actively pursued pretrial services for their court system, and,

WHEREAS, Pretrial Services could assist the Rockbridge County Regional Jail to more effectively manage their pretrial population.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Rockbridge County, Virginia, support the grant proposal by Blue Ridge Court Services to the Department of Criminal Justice Services to provide the full array of pretrial services to the Cities of Lexington and Buena Vista and the County of Rockbridge effective July 1, 2020.

Adopted this 23rd day of March, 2020.

Board Comments:

Chairman Lyons asked that staff offer heartfelt gratitude to our medical professionals and first responders for assisting the community during the COVID-19 pandemic. He also offered thanks to the County Administrator for working 7-days a week, over 12 hours a day, in relation to the pandemic.

Mr. Suter thanked all County staff and those throughout the region for being supportive and understanding through this time. In addition to

fire and rescue workers, commended law enforcement and central dispatch personnel for their services.

Break:

At this time, the Board took a short break until the 6:00 p.m. public hearings could begin.

Reconvene:

Chairman Lyons reconvened the Boards regular meeting at 6:00 p.m.

Virginia Infrastructure Inc.- Rezone from R-1 to I-1:

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

"Laura and Andy Hoofnagle have applied to rezone .81 acres from Residential General District (R-1) to Industrial General District (I-1) to expand an existing contractor's yard per Section 607.02-11 of the Land Development Regulations. The property behind their current shop at the end of Cloverleaf Lane off of Flowers Lane was purchased a few years ago and needs to be rezoned to accommodate their expanding footprint. The Planning Commission has recommended approval of this rezoning."

Supervisor Ayers asked if there were comment from neighbors.

Mr. Crickenberger replied, there were no comments.

Chairman Lyons opened the Public Hearing, hearing no comments, he closed the Public Hearing.

Supervisor Lewis moved to adopt the ordinance. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

Ayes: Lewis, McDaniel, Day, Ayers, 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, MARCH 23, 2020

Ordinance to Change the Zoning Classification from Residential General District (R-1 to General Industrial District (I-1) of a .81-Acre Parcel of Land (Tax Map #75A-3-1F), Located on Cloverleaf Lane, off of Flowers Lane, in the Buffalo Magisterial District of Rockbridge County, Owned By Virginia Infrastructure, Inc.

WHEREAS, the Planning Commission held a public hearing on this matter on March 11, 2020, and recommended approval of the application to the Board; and,

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

WHEREAS, the Board of Supervisors has held a public hearing on this matter on March 23, 2020; and,

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

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

1. That the zoning classification of a parcel of land, containing .81 acre, located on Cloverleaf Lane, off of Flowers Lane, in the Buffalo Magisterial District of Rockbridge County,

identified upon the Rockbridge County Land Records as Tax Map #75A-3-1F, owned by Virginia Infrastructure, Inc., be and hereby is changed from Residential General District (R-1) to General Industrial District (I-1).

2. That this action is taken upon the application of the property owner, Virginia Infrastructure, Inc.

3. That this ordinance shall be effective on the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

Adopted this 23rd day of March, 2020.

Vacating a plat for High Fields Subdivision:

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

"As a reminder, Nancy Leslie has requested the County vacate the plat for High Fields Subdivision, a 10-lot subdivision located off of Union Run and approved December 8, 2008. Jimmy Leslie (deceased) had plans to develop a portion of their farm and was going to do all of the road construction himself. He became ill and never initiated the project. Mrs. Leslie has kept the bond current to keep the project vested, but has recently decided it is not in her best interest to pursue. Mrs. Leslie is the sole owner of these platted lots. Per Section 911 of the Land Development Regulations, a plat may be vacated by Ordinance of the Board upon application by the owner."

Chairman Lyons opened the Public Hearing, hearing no comments, he closed the Public Hearing.

Supervisor McDaniel moved to adopt the ordinance. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

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

Tax Map #0740003800000010
Tax Map #0740003800000020
Tax Map #0740003800000030
Tax Map #0740003800000040
Tax Map #0740003800000050
Tax Map #0740003800000060
Tax Map #0740003800000070
Tax Map #0740003800000080
Tax Map #0740003800000090
Tax Map #0740003800000100

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
MARCH 23, 2020

Ordinance to Vacate the Plat of Subdivision Survey of High Fields, Recorded in Plat Cabinet 4, Slide 264 and 264A, Located Off of Union Run in the Buffalo Magisterial District

WHEREAS, by plat entitled 'Subdivision Survey of High Fields', surveyed July 31, 2008, and recorded on January 7, 2009, in the Clerk's Office of the Circuit Court of Rockbridge County, Virginia, in Plat Cabinet 4, at Slide 264 and 264A (the "High Fields Plat"), the owner/developer created the subdivision of "HIGH FIELDS"; and,

WHEREAS, James H. Leslie and Nancy F. Leslie, the owners and developers of High Fields, provided the County with a Letter of Credit to ensure the completion of the infrastructure outlined on the Plat; and

WHEREAS, to date, no portion of the infrastructure has been started, no facilities have been constructed on any related section of the property located within the subdivision within five years of the date on which the plat was first recorded, and no portion of the subdivision has been conveyed to any third party; and

WHEREAS, Nancy F. Leslie, as Trustee under the James H. Leslie Declaration of Trust, dated August 27, 2007, the applicant and current owner of all lots within the subdivision, now desires to vacate the High Fields Plat, and has petitioned the Board of Supervisors of Rockbridge County to do so in accordance with Section 911 of the Rockbridge County Land Development Regulations and §15.2-2271.2 of the Code of Virginia (1950, as amended); and,

WHEREAS, §15.2-2271.2 of the Code of Virginia (1950, as amended) requires that such action be accomplished by the adoption of an ordinance by the governing body; and,

WHEREAS, notice has been given as required by §15.2-2204 of the Code of Virginia (1950, as amended), and the public hearing was held on March 23, 2020.

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

1. That, upon the application of Nancy F. Leslie, as Trustee under the James H. Leslie Declaration of Trust, dated August 27, 2007, the plat entitled 'Subdivision Survey of High Fields', surveyed July 31, 2008, and recorded on January 7, 2009, in the Clerk's Office of the Circuit Court of Rockbridge County, Virginia, in Plat Cabinet 4, at Slide 264 and 264A, be and hereby is vacated in its entirety and of no further force and effect, pursuant to Section 15.2-2271 of the Code of Virginia (1950, as amended), subject to the condition that all costs and expenses associated herewith, including but not limited to publication, survey and recordation costs, shall be the responsibility of the applicant.

2. That an original or a certified copy of this Ordinance shall be recorded in the Clerk's Office of the Circuit Court for the County of Rockbridge, in accordance with §15.2-2271 of the Code of Virginia (1950, as amended), and shall be indexed under Nancy F. Leslie, Trustee, and under the following tax map numbers:

Tax Map #0740003800000010
Tax Map #0740003800000020
Tax Map #0740003800000030
Tax Map #0740003800000040
Tax Map #0740003800000050
Tax Map #0740003800000060
Tax Map #0740003800000070
Tax Map #0740003800000080
Tax Map #0740003800000090
Tax Map #0740003800000100

3. That the Subdivision Agent is hereby authorized to cancel and release the Letter of Credit provided to the County for the development.

4. That the County Administrator or County Subdivision Agent is hereby authorized to execute such documents and take such actions as may be necessary to accomplish the provisions of this ordinance, all of which shall be approved as to form by the County Attorney.

5. That this ordinance shall be effective on and from the date of its adoption.

Adopted this 23rd day of March, 2020.

Recorded Vote:

AYES: McDaniel, Lewis, Day, Ayers, Lyons
NAYES: None
ABSENT: None
ABSTAIN: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Daniel E. Lyons, Chairman

Attest: _____
Spencer H. Suter, Clerk

State of Virginia,
County/City of _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of April, 2020, by Daniel E. Lyons, Chairman, and Spencer H. Suter, Clerk to the Board, on behalf of the Board of Supervisors of Rockbridge County, Virginia.

Notary Public
Registration No. # _____
Commission expiration: _____

Additional Board Comments:

Supervisor Lewis encouraged the public to send comments to the County's citizen comments email address during the change in meeting policies.

Supervisor McDaniel suggested that the email address remain active even after the pandemic to provide those who cannot come to a meeting with opportunity to share their comments.

Adjournment:

Supervisor Lewis moved to adjourn the meeting. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

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