

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, APRIL 27, 2020 AT 5:30 P.M.

MEMBERS OF THE BOARD PARTICIPATED REMOTELY

BOARD MEMBERS PRESENT: D. 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 at 5:30 p.m. and offered an invocation for anyone who wished to participate.

The Board then led in the Pledge of Allegiance.

Chairman Lyons offered roll call of the Board members present. All Board members were present. He then advised of the following important notices: "The 4:30 p.m. work session was cancelled. This meeting is being held by electronic means pursuant to the Continuity of Government Ordinance adopted by the Board on April 6, 2020, due to the threats posed by the COVID-19 pandemic to the health, safety, and welfare of the public, and in accordance with the recommendations, guidelines and requirements of federal, state and local authorities. Board members will be participating remotely. Staff will be presenting as normal in the Board of Supervisors meeting room at 150 S. Main Street, Lexington and while the room will be open to the public, no more than 10 persons, including staff, will be

allowed into the room at one time, as per the Board's COVID19 meeting policy. This meeting is also being recorded. The link is on the website where you can access the recording after the meeting. We will hold citizen comment near the beginning of the meeting. Also, there is a Public Hearing this evening. We will do our best to take citizen comment remotely. There are two options for citizens to offer comment:

1) Join the Rockbridge County Board of Supervisors [Zoom webinar](#). The link is available on the County website to copy into the address line on your browser.

2) Join by Telephone. Dial in to one of the numbers listed on the County Website. Webinar ID and Password are there for your convenience. Citizens wishing to simply view the meeting live or after the fact can do so on the Rockbridge County Board of Supervisors YouTube Channel also available on the County website.

At this time we will now proceed with the meeting."

Changes to the Agenda:

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

Recognitions and Presentations:

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

Citizens Comments:

Chairman Lyons advised of the following:

"I'll remind everyone that, in addition to participating by Zoom or telephone, written Citizens Comments have been solicited for receipt via email, U.S. Mail and the dropbox located at the front entrance to the County Administration building. We will take comments in the following order: Comments received via email, letter or dropbox will be read aloud.

For in-person participants, if any: The moderator will ask if there are any participants present to comment. If there are, they will be invited to approach the podium and address the Board.

For Zoom participants:

a. Participants who do not have a microphone on their computer can click on the Q & A button and submit their comment via typing. The moderator will read the comment aloud during public comment. When typing a comment, please begin with your name and magisterial district.

b. Participants with a microphone on their computer can click on "Raise Hand" button. The moderator will unmute participants one at a time to receive verbal comment.

For Phone Participants: Citizens participating by phone will also be allowed to speak. The moderator and Board can only see your phone number on our screen, so the moderator will go down the list of numbers and unmute each line, one at a time. Prior to unmuting a line, the moderator will announce the last three (3) numbers of your phone number. You will then hear a recording indicating your phone is now unmuted. At that point you can indicate whether or not you wish to comment. If stating yes, you will be asked to state your name and magisterial district for the record.

In any case, citizen comments will follow the same rules as normal.

- Please state your name and magisterial district.
- Please limit comments to 3 minutes.

At this time, I will open the citizens comment period. Please note that the Board is interested in hearing your comments and that staff has done their best to make public comment possible during this challenging time. This period is to take comments unrelated to the 6:00 p.m. public hearing, at which time we will take comments related to that matter."

Chairman Lyons asked County Administrator Spencer Suter hold all written or emailed comments pertaining to the public hearing until that time. He then asked Mr. Suter if there were anyone physically present to speak.

Mr. Suter replied, no.

Chairman Lyons asked Mr. Suter to read aloud any comments received by the public via U.S. Mail, email, or dropbox.

Mr. Suter advised that three (3) emails had been received related to the agenda item concerning the formation of a Fire and Rescue Association and also related to the 6:00 public hearing.

Chairman Lyons asked Mr. Suter to hold the three (3) comments until the public hearing. He then asked Mr. Suter if there were any comments via electronic means. He reiterated that this was a live recorded meeting and that all comments would be taken under consideration by the Board.

Mr. Suter advised that there were no comments being requested via phone, Zoom, or Zoom text.

There being no comments, Chairman Lyons closed the citizens comment period.

Approval of the April 6, 2020 and April 13, 2020 Minutes:

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

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

Consideration of FY 2021 Draft Budget Public Hearing Advertisement:

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

"At a scheduled budget meeting on April 6th, staff provided the Board of Supervisors an update to the FY 2021 draft budget. In addition, staff requested guidance from the Board through the Finance Committee to garner a balanced FY 2021 draft budget advertisement. Since the April 6th meeting, staff received the following regional agency budget changes:

- Consolidated Dispatch (32060-6911) cost-share is now at \$879,720, up from a March 6th estimate of \$870,917; an increase of \$8,803.

- Juvenile Detention Home Care (33040-3901) cost-share formula is updated to \$29,887, down \$1,772 from \$31,659.

- RARO (71005-3005) cost-share reflects \$233,728, down \$6,991 from \$240,719.

- Regional Library (73020-5601) cost-share adjusted to \$581,070 from \$645,633, down \$64,563

- Tourism Program (81090-5603) formula calculation updated to reflect downward changes on the quarterly payments (-\$81,468); from \$465,533 to \$384,065.

- Adjusted Transfer from Unassigned Reserves to reflect changes in the funding calculation for Tourism Program in FY 2020 (down \$22,715 in 4Q; budget savings used to support FY 2021 cost-share payments) and overall reserves needed to offset projected FY 2021 revenue reductions (\$419,699) and gain a balanced budget.

- In the Capital Purchases Fund, staff added the Parks and Recreation CIP requests to purchase an ATV (\$12,000) and a hauling trailer (\$7,000) in FY 2021; source of funding is use of Fund 376 reserves.

As a result of these updates, the attached FY 2021 draft budget reflects a balanced budget of \$46,565,235, up \$357,784 (+0.77%) over the FY 2020 adopted budget.

As you may recall from the initial presentation of the draft FY 2021 budget, the County was faced with a \$3.1M gap between anticipated revenues and requested expenditures. If the County were to have spanned that budget shortfall solely with an increase to the real estate tax rate, the increase would have needed to be in excess of \$0.11 on the tax rate (going from \$0.73 to \$0.84). Then in March the COVID-19 virus struck and we further reduced revenue estimates, making the FY 2021 budget position even more difficult. Staff, the Finance Committee, and the Board worked with departments and outside agencies to trim budgets wherever possible. Ultimately, and per earlier Board discussions, tax increase proposals were greatly reduced. The following increases in taxes are included in this draft budget:

- Real Estate Tax - increase from \$0.73 to \$0.74 per \$100 assessed value (\$0.01 increase)
- Personal Property Tax - increase from \$4.25 to \$4.50 assessed value (\$0.25 increase) and reduction of PPTRA percentage to 37% from 40%.
- Increase in Meals Tax from 4% to 6% (matches rates in Lexington and Buena Vista).

In addition, the Board has discussed use of reserves to help bridge the budget gap. The proposed amount sourced from unassigned reserves in the presented draft is \$419,699.

The following is information relating to the remaining FY 2021 budget schedule.

Wednesday, April 29th - Advertisement of FY 2021 draft budget posted in The News-Gazette for Public Hearing on Monday, May 11th @ 6:00 PM

May 2020 - Advertisement of FY 2021 draft budget posted in The Rockbridge Advocate for the Public Hearing on Monday, May 11th @ 6:00 PM

Wednesday, May 6th - Advertisement of FY 2021 draft budget posted in The News-Gazette for Public Hearing on Monday, May 11th @ 6:00 PM

Monday, May 11th - Public Hearing on FY 2021 Budget @ 6:00 PM
(regular BOS mtg.)

Monday, May 18th - FY 2021 Budget Adoption Meeting @ 6 PM (scheduled BOS mtg.)

It is important to note that as the COVID-19 impacts continue to evolve, we may need to exercise flexibility in making additional budget adjustments moving into FY 2021. Also, since we are using General Fund reserves to assist in balancing the FY 2021 budget and anticipate continued flat, or reduced, revenues combined with ongoing service demands

to meet the needs of our citizens, we must prepare now for a challenging FY 2022 budget process.”

Supervisor McDaniel asked Mr. Bolster or Chairman Lyons if the County’s local support for operations to the school division in the amount of \$342,000 would cover their mandated cost increase.

Chairman Lyons affirmed.

Supervisor McDaniel asked if the Board is going to allow the school division to use any year-end surplus.

Chairman Lyons replied, yes, for one-time expenses.

Supervisor McDaniel shared his understanding of the reason behind that decision; however, would recommended letting the school division use the year-end surplus as needed with the understanding it is not being added to the base nor is it guaranteed next year; rather, it gives them a year to help bridge their budget gap and determine what cuts need to be made.

Chairman Lyons stated that he had no argument with that suggestion and clarified that the school division asked to use year-end surplus specifically for one-time expenses.

Supervisor Lewis stated that, as a Finance Committee member, he did not recall the school division asking for that.

Chairman Lyons clarified that the request was made during the Board of Supervisors and School Board’s Executive Committee meeting, at which time the School Superintendent and Finance Director were participants. He added that he (Chairman Lyons) asked what the School Board would need to get them through next year and they indicated they would need \$342,000 and any year-end surplus for one-time expenses.

Supervisor Lewis asked for additional clarification from the school division about their request as he was not of the understanding that their use of funds would be limited.

Chairman Lyons stated that the school division could use funds from other means for one-time expenses and replace those funds with year-end surplus.

Supervisor McDaniel suggested that no language be added that limits the use of year-end funds and allow them to use them as they see fit, as they are foreseeing a sizable gap.

Supervisor Lewis added that the sizable gap has been widened as usual by the lack of State funding and the Board continues as it has before to help make up that gap for them.

Supervisor Day stated that the Board had been awaiting a report on the schools retirement info, a request made during the April 20th meeting, and asked Mr. Suter if he had received that information, yet.

Mr. Suter replied, he had not.

Chairman Lyons stated he was fine either way.

Supervisor Lewis agreed with Supervisor McDaniel in that the Board should not include language limiting the use of year end savings to one-time purchases.

Chairman Lyons clarified that there is no language anywhere setting the restrictions, it was just what was discussed.

Mr. Bolster reviewed the public hearing advertisement.

Supervisor McDaniel asked for any feedback received following the General Assembly recently reconvening. Specifically, he asked if there was

any potential for the County's budget to require amendment even after the Board approves advertising the public hearing.

Mr. Suter responded that the situation at the General Assembly remained fluid and budgets are adjusted where they can be. He added that there are several more meetings to come and the final budget State numbers are unknown.

Supervisor Lewis stated that the Finance Committee also had the concern about final numbers being unknown until the General Assembly makes a decision. However, the budget public hearing has a specific timeline that has to be followed.

Supervisor McDaniel asked if the budget numbers can be changed after the Board advertises the public hearing.

Mr. Suter replied, tax rates can only be adjusted down after the advertisement, not up.

Supervisor McDaniel moved to approve advertising the FY2021 budget public hearing. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

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

Public Hearings at 6:00 p.m.:

Per request by Mr. Suter, Chairman Lyons combined the public hearing item shown below and the Consideration of Creation of the Fire and Rescue Association as each related to the other.

Creation of the Fire and Rescue Commission:

Mr. Suter explained that a lot of the information included in the Creation of the Fire and Rescue Commission resolution is included in Chapter 14 of the County Code being held under Public Hearing.

Chief of Fire and Rescue Nathan Ramsey briefly reviewed the agenda item which included the following information:

"At the February 25, 2019 meeting of the Board of Supervisors, the Board asked staff to explain the purpose for the three Fire and Rescue-related organizations in the County/Region and to report back on the makeup of the three groups. The request was made as the result of conflicting budget requests from the groups. The groups are: the Rockbridge Regional Fire and Rescue Commission (RRFRC), Rockbridge County Firefighters Association (RCFA), and the Rockbridge Emergency Rescue Group (RERG).

Over the next 6 months, I met with the three groups (separately), as well as the Board Fire and Rescue Committee (at the time, Supervisors Day and Higgins). I provided feedback from the various groups/agencies and history of the discussion. The Committee asked Mr. Suter and me to work on a solution whereby a single Countywide association could be established to assist in efficient coordination and communication. I created the attached memo, dated October 18th, summarizing this information. We subsequently worked on a draft, formative document and I again met with leaders of the groups to gain feedback. One request was to wait until after January 1 to present to the full Board, so that new members would have an opportunity to review and weigh in.

At the Board's regular meeting on January 27, I provided a summary of the work to date on this item. In the presentation, I noted that while the RCFA supports the initiative, the RERG opposes it. After discussion, the Board requested that the Fire and Rescue Committee meet with the RERG to hear the opposition they have regarding the concept of establishing the new Association. The Committee attended the regular RERG meeting on February 26th, and heard the concerns of the group, which included the rescue squads being out-numbered by the fire departments - thus the concern was/is that EMS would lose its voice in the County when it comes to voting on a topic.

Currently, nine of eleven fire departments which provide service in the County, are licensed EMS agencies. Three of those have ambulances that provide EMS transports and six are EMS licensed first responder agencies (non-transport).

To recap, the Firefighters Association and RERG are independent entities which were not created by the Board. Thus, it is fully up to the members of those organizations as to whether to continue to exist, should the Board move forward with a newly formed organization. The County, Lexington, and Buena Vista formed the Fire and Rescue Commission in 2011 via the attached agreement. The agreement provides for dissolution of the Commission by any of the parties, upon 90 days' written notice to the others.

If approved, the RFRA would include all County fire and rescue agencies. The Cities of Lexington and Buena Vista Fire and Rescue agencies are invited to participate as well. This is an effort to create a Countywide organization, whose members meet on a monthly basis to discuss

and make collaborative recommendations related to Fire and EMS challenges and opportunities to the County Fire-Rescue Chief.

The above information was presented to the Board at its meeting on March 9, 2020, together with the following list of potential actions:

- Notice to the Lexington and Buena Vista
- Notice to the members of the Fire and Rescue Commission
- Notice to the Fire Association and RERG
- Edits to chapter 14 of County code, to replace references to the three organizations (would require public hearing)

The Board determined to schedule consideration on March 23rd, including a public hearing on the County Code amendments. That same week, the schedule was interrupted by the national, state and local declared state of emergency.

Since then, staff has published the Public Hearing Notice for the April 27th Board meeting and public hearing on the County Code amendments is a separate item on this agenda.

For this item, the Resolution to Create the Rockbridge County Fire and Rescue Association is attached for your consideration.

If, after discussion, there is support for moving ahead with formation of a Rockbridge Area Fire and Rescue Association, take action to adopt the proposed Resolution effective August 1, 2020, and to immediately provide the required Notice to dissolve the existing Fire and Rescue Commission as of July 31, 2020."

Supervisor Lewis asked for clarification as to whether or not meetings are open to the public, given that section A of the formation paragraph did not specifically say.

Chief Ramsey affirmed that meetings would be open to the public and that the reason for having appointed members was for voting purposes.

Supervisor McDaniel asked Chief Ramsey if the County Code revision ordinance had been provided to each of the County's Fire and Rescue agency.

Chief Ramsey replied, it had not personally been provided to each agency, however it had been provided and discussed with the RERG president, Fire Association, and Commission. He added that the documents were provided online for public review on BoardDocs.

Supervisor Lewis reiterated that the documents had been publicized for public review.

Chairman Lyons opened the public hearing and noted that the same procedure would be followed as the citizens comment period. He then asked Mr. Suter if there were anyone physically present to speak.

Mr. Suter replied, no.

Chairman Lyons then asked Mr. Suter if there were any writing comments via U.S. Mail, email, or dropbox.

Mr. Suter began reading one (1) of three (3) emails received.

Submitted by: Colby Irvine, Walkers Creek Fire-EMS.

"I am speaking for Walkers Creek Fire-EMS on the resolution to formation of the Fire and Rescue Association. Walkers Creek's position is that the measure should be tabled until our current situation with COVID-19 has changed for the better. We are not saying that we are against the

resolution, we just ask that the board takes a step back. And maintain the current "status quo". This will give the Fire and Rescue community to continue to focus on caring for the communities as well as keeping our members safe. We are hoping that the Board will consider this and reevaluate the resolution once the pandemic has passed.

Mr. Suter then read aloud the second email.

Submitted by: Melvin Bauernfeind, Rockbridge Baths Fire Department.

"Rockbridge Baths Volunteer Fire Department feels we should wait until after the Covid19 has calmed down so we can have a regular meeting."

Mr. Suter read aloud the third email:

Submitted by: Steve Reese, Fairfield Vol. Rescue Squad Chief.

"While it's my impression that your decision has already been made concerning this issue I would like to continue to go on record stating that the Rockbridge Emergency Rescue Group (RERG) opposes the creation of a group that is unfair to EMS and will take away the voice of the EMS transport agencies. Any way you slice it, it's a 4 to 11 vote and we have no way of being heard in this new Fire Association. You have been given a lot of information about creating this group by the Fire Chief and he has continually shown the 2 independent groups in a bad light. This simply isn't a true representation of what's going on. I read the memo presented to the Emergency Services committee and it was full of inaccurate information but they believed it and have helped push for creating the Fire Chief's new Fire Association. The Fire Chief, at I believe the County Administrators guidance, is doing his best to portray the 2 associations in a bad light. The truth of the matter is that couldn't be farther from

what actually happens. The 2 groups have always been able to come together when needed to make joint decisions and there has never been a time when we haven't done so. According to the Fire Chief it takes 4 months in order for the 2 groups to discuss common items. Again, this is not accurate, the RERG made its meetings on opposite months of the current Fire Association so that it would reduce the amount of tie it would take to discuss any common items and those have been few and far between. The Fire Chief, in his own words, has told myself and others multiple times that the current fire association has been unable to hold productive meetings for years due to the lack of participation by the fire departments. With all due respect to them, that is none of the RERG's business, we have held all but 1 meeting in the past 3 years due to not having enough agencies present.

It's been very difficult for me to understand why the Fire Chief is pushing so hard to create his new Fire Association. I can only assume that he is doing his best to take away everything that EMS has worked for by placing our fate in the hands of the Fire Departments. While I had hopes that you would not do the same, I feel as though the Fire Chief and the County Administrator have convinced you otherwise. It's sad really that EMS has to lose everything while the Fire Departments are being handed the reigns. According to the Fire Chief you are going to give the new Fire Association control of the funds that the EMS transport agencies generate. That is a true detriment and slap to the face for EMS. The Fire Chief wants you to hand those funds over to him and the Fire Departments. Why would you do that? What are the Fire Chief's motives here?

I've reviewed the resolution created by the County Administrator for the new Fire Association and fell like I should point out the following

issue: 1) The Executive Committee will be composed of a majority of Fire Departments since the resolution only calls for 1 person to be from a rescue only agency. So the County Administrator is supporting the Fire Chief in making this new Fire Association governed by the Fire Departments. I also noticed in the Consideration Memo that the Fire Chief points out to you that the RERG remains in opposition due to us being outnumbered and losing our vote on any item. This is absolutely correct. He goes on to point out that 9 of the 11 fire departments hold an EMS license as well. I believe this is an effort to make you think that means the Fire Departments that are EMS will side with the transport agencies. I honestly don't understand that comment. A fire department with an EMS license is still a fire department first. That's their main objective and that's what they support. I would like to point out that transport agencies support those 9 first responder departments with the exchange of supplies and they are not generating the funds in the revenue recovery fund.

I fully expect you will continue with the creation of the Fire Chief's new Fire Association even though I view this as 2 completely different topics. If you want to disband the Commission that's 1 thing but why create a new Fire Association in its place? I do hope that you have the forethought to make adjustments to keep it a fair organization. Without that it will truly be a Fire Association. However, since the RERG has agreed not to fold unlike the Fire Association, the RERG will continue to make the decisions for EMS. We are a united group and I have been unable to wrap my head around why you would be willing to allow the Fire Chief to tear us apart. I expected more respect from the Fire Chief but he has shown that he has no respect for EMS by not even considering our

opinions about his fire association. He has pushed continually for his new fire association regardless of the fact that he doesn't have buy in from the agencies that he's shoving together. We should have a Chief that represents us all, not a Fire Chief that represents the Fire Departments without waiver but has snubbed his nose at the Rescue Squads.

As you create the new Fire Association please remember this. The RERG should not be disrespected by the Fire Chief or the new Fire Association because we decided we want to keep our unified EMS voice heard and not disband like the fire association. The RERG will continue to make EMS policy without input from the new Fire Association and that will be the policy that EMS will follow. The RERG will continue to make regular budget requests to the Board of Supervisors without input or discussion by the new Fire Association. The new Fire Association, in replacing the Commission, will have no need for any budget money for its own use just as the Commission did not have that need either. Finally, when you hand control of the revenue recovery fund over to the new Fire Association and they start coming up with ways for those funds to be put in the hands of the Fire Departments I hope you will question why it's happening and EMS is getting left out."

Mr. Suter advised there were no comments received via U.S. Mail or Dropbox, nor were any Zoom, Zoom text, or phone comments received.

With there being no further comments, Chairman Lyons closed the public hearing.

Supervisor Ayers asked Chief Ramsey if he felt there were any wisdom in postponing these items in light of Covid19.

Chief Ramsey replied that it was ultimately the Board's decision, but personally did not feel it should be postponed due to the Covid19.

Supervisor Lewis commended all of the County's volunteers and share his respect for the community to include its volunteers and Fire and Rescue committee members Day and Ayers. He stated that this concept started last March; however based on a comment made by Supervisor McDaniel, it appeared that there are still questions from Fire and Rescue agencies and it is unsure if each agency received the materials to review. He suggested setting back any voting until each agency receives a copy of the resolution to review given it would not become effective until August anyway. He suggested a 30-day postponement, with the Board voting on the materials at the Boards second May meeting.

Supervisor Ayers stated that the meeting back in January was for that purpose.

Supervisor Lewis agreed. He added that he believed the collaboration of the resolution is a good thing, but still felt like he needed additional time to talk with the volunteers.

Supervisor Ayers noted that this epitomizes the current issues of things taking too long for decision-making.

Supervisor Day agreed that there would be no reason to prolong voting.

Supervisor McDaniel stated that the documents should be delivered to each agency and require a receipt of delivery via signature to ensure each agency was provided with the materials to review. He added that the Board

should request that any agency bring forth any questions or concerns by the second May meeting.

Supervisor Ayers noted that this has been a reoccurring plan with no resolution.

Supervisor Day agreed, adding that there is no way any of the County agencies had not seen the documents to date.

Supervisor Lewis stated that he felt compelled to allow additional time given that two (2) of the three (3) comments just received came from agencies in his district and he felt the need to time to talk with them.

Supervisor McDaniel shared that he was previously a member of the Volunteer Fire Department for nearly 15 years and understood there are differences between Fire and Rescue departments. He added that there may never be a full consensus, but that the Board is in the position to make the final decision. He added that the volunteer network in Rockbridge County is essential to providing services to our citizens and wants the Board to take into account the voices of our volunteers. Otherwise, he added, the alternative is the County going into fully-paid personnel that will result in an enormous cost on the County.

Supervisor Ayers noted that this meeting is a public meeting where comments were welcomed.

Mr. Suter stated that, if it takes an additional month to vote, then it takes an additional month. He noted that he did not feel like Chief Reese would change his mind as he has been very consistent in how he feels about this. He added that, if it takes sending the final documents to the

Chiefs and Captains and come back in a month, then that is what they would do and revisit this in a month.

Chairman Lyons advised that, if adopting the resolution, the ordinance would need to also be adopted since they are directly related..

Supervisor McDaniel advised that having each agency sign upon receipt of the materials will eliminate any conflict when later and that the Board could not be held responsible should an agency state they did not receive the material or didn't understand it.

Supervisor Ayers stated that she has watched staff work with the agencies and has upmost confidence staff has been inclusive and respectful. She added that there is nothing to fear in this potential change, that it will only make things more efficient.

Supervisor Lewis moved to postpone voting on the resolution and ordinance until the second May meeting and asked if the ordinance would need to be re-advertised if postponing for thirty days.

Mr. Suter replied, only if there were changes to the ordinance or if the Board wished to have another public hearing.

Chairman Lyons reiterated the motion as follows: motion to delay action until the May 26th meeting providing additional time for each agency to receive a copy of the documents and providing a signature acknowledging receipt.

Supervisor McDaniel provided a second to the motion.

Supervisor Lewis, who made the motion, added language to clarify that a writing signature would not be mandatory, that an electronic signature suffice if sending via email.

The motion carried by the following roll call vote by the Board:

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

Consideration of Farmers Market Application for Steve Hart:

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

"Steve Hart has applied to host a Farmers Market on his property off of West Midland Trail just west of Fredericksburg Road per Section 4-44 of the County Code. His application meets the requirements of the Code and will be an asset to the Kerrs Creek community. Enclosed along with his application is that Section of the Code as well as new guidelines from the Virginia Department of Agriculture and Consumer Services for operating markets during the COVID-19 outbreak which Mr. Hart is aware of. We have posted a link to this information on the County's website."

Supervisor Lewis clarified that this would be an honor-system business.

Supervisor Ayers then shared her concern about hygiene during the Covid19 pandemic and how it is protected if there is no staff.

Supervisor Lewis replied that there would be limited contact and there would be a handwashing station also.

Mr. Suter noted that, should the need arise, there may be staff onsite from time to time.

Supervisor Lewis shared his support and made a motion to approve the application. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

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

Consideration of Resolution to Extend Due Date for County Decals:

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

"As a result of COVID19 challenges, the typical April 15 County decal purchase deadline was extended to May 15. Based on discussion at the Board's last meeting on April 13, staff is returning with a resolution to ratify and further extend the deadline to June 15, 2020. In addition to providing citizens with additional time to purchase decals, this extension will assist the County Treasurer's office. Treasurer Betty Trovato and her staff are working in shifts to avoid a complete shutdown of services, should a staff member be quarantined. Thus, there are typically only two staff processing payments or answering phones at any given time, and additional time to process decal transactions would be beneficial."

Mr. Suter then noted that the Treasurer asked him to let the public know that during this pandemic, her department is doing the best they can and appreciate the public's patience.

Supervisor Lewis asked Mr. Suter if Ms. Trovato was understanding of the resolution.

Mr. Suter replied, yes, that the Treasurer is very supportive of the proposed resolution.

Supervisor Lewis made a motion to approve 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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, APRIL 27, 2020

RESOLUTION TO EXTEND THE DUE DATE TO JUNE 15, 2020, FOR PAYMENT OF 2020 MOTOR VEHICLE LICENSE TAX AND DISPLAY OF COUNTY LICENSE DECAL

WHEREAS, pursuant to Rockbridge County Code Chapter 25 in Article IV - Motor Vehicle License Tax, every person owning, or having in his/her custody or under his/her control, a motor vehicle that is normally garaged, stored, or parked within the boundaries of Rockbridge County, is required to purchase a County license decal for such motor vehicle and pay the applicable license tax thereon, on or before April 15th of each year; and,

WHEREAS, 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,

WHEREAS, on March 17, 2020, due to the public health threat presented by COVID-19 and the declared state of emergency, the County extended the deadline for payment of the motor vehicle license tax, also known as the County decal tax, until at least May 15, 2020; and,

WHEREAS, on March 19, 2020, the Director of Emergency Services closed the County Administration Building to the public for the protection of County employees and the public, with alternative means of serving the public by telephone, mail, electronic mail and dropbox; and,

WHEREAS, on March 23, 2020, the Board of Supervisors of Rockbridge County adopted a Resolution to Ratify and Confirm the Declaration of a state of emergency throughout the County of Rockbridge and deemed the nature of the emergency, as an on-going threat to the public health, to constitute a disaster in accordance with Virginia Code § 44-146.16; and,

WHEREAS, conditions continue to exist such that there is a threat to the public health, safety and welfare of the residents of Rockbridge County, and the severity and magnitude constitutes an on-going state of emergency and disaster; and,

WHEREAS, under Va. Code §58.1-3916, a governing body is authorized to grant reasonable extensions of time, not to exceed 90 days, for the payment of local taxes, whenever good cause exists; and,

WHEREAS, the Board of Supervisors finds that good cause exists for extension of the time for payment of the motor vehicle license tax, also known as the County decal tax, until June 15, 2020.

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

1. That the date for payment of the 2020 motor vehicle license tax, also known as the County decal tax, and for displaying the decal is hereby extended from April 15, 2020, to **June 15, 2020**, said extension representing a one-time amendment, for the current year only, of Rockbridge County Code Chapter 25 in Article IV - Motor Vehicle License Tax. The license tax year shall begin on the sixteenth (16th) day of June, 2020, and shall expire on the fifteenth (15th) day of April, 2021. The provisions for penalty provided in County Code §25-106 shall apply to any motor vehicle license tax and display of the decal after June 15, 2020.

2. That all other provisions of Rockbridge County Code Chapter 25 in Article IV - Motor Vehicle License Tax shall remain in full force and effect. This action shall have no impact upon prior delinquencies.

3. Taxpayers are encouraged to use the U.S. Mail for payment of the tax for purchase of decals.

4. That this Resolution shall be effective on and from the date of its adoption.

Adopted this 27th day of April, 2020.

Appointments:

TAP Board- Andrea Stogdale- Term Expired 3/21/2020:

Supervisor Day moved to appoint Ms. Stogdale's replacement, Mr. Bruce Sigler, to serve on the TAP Board. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

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

Board Comments:

Chairman Lyons called for Board comments. There were none.

Adjournment:

Supervisor McDaniel moved to adjourn. 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