

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, AUGUST 24, 2020 AT 5:30 P.M.

Please take notice, that the scheduled 4:30 p.m.
Work Session was cancelled.

BOARD MEMBERS PRESENT: D. E. LYONS
R. W. DAY
L.E. AYERS
D.B. MCDANIEL (Participated Remotely)
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.

Administrative Assistant to the County Administrator Brandy Whitten conducted a roll call of the Board members. All Board members were present, with Supervisor McDaniel participating remotely.

Supervisor Lewis offered an invocation for anyone who wished to participate.

The Board then led in the Pledge of Allegiance.

Chairman Lyons advised of the following announcements:

"While the room will be open to the public, due to the size of the meeting room and social distancing requirements, no more than 30 attendees will be allowed into the room at one time. Per the Governor of the Commonwealth of Virginia Executive Order 63, all persons over the age of

ten, that do not have a precluding medical condition, are asked to wear a face covering.

We will hold citizen comment near the beginning of the meeting. Also, there are several public hearings this evening. We will do our best to take citizen comment remotely. There are two options for citizens to offer comment remotely:

1) To join the Rockbridge County Board of Supervisor's Zoom webinar

The link is available on the County website to copy into the address line on your browser.

2) To join by Telephone, you may 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.

3) If you wish to make a citizen comment as a Zoom meeting participant, you will use the "Raise your Hand" feature. You can press the "Raise Hand" button on the bottom of your Zoom window, or press *9 if you are calling in by telephone."

Chairman Lyons then announced to those participating by phone or by electronic means, that Supervisor McDaniel would be participating remotely.

Changes to the Agenda:

There were none.

Recognitions and Presentations:

There were none.

Citizens Comments:

Scott Miller of the Natural Bridge Magisterial District advised that this would be the first meeting he had attended and the first time he was providing a statement to the Board. He first commended the Board for repealing the Admissions Tax because it would be an additional burden on local small businesses and an undue burden on the residents of the County to pay extra taxes to enjoy local attractions. He then commented on the County's public school system in regard to them having been shut down for roughly four (4) months. He stated that there should be savings from those months of approximately \$9 million and asked if taxpayers would see these savings by reduction of property taxes or a lower assessment.

Scott Guise of the Kerrs Creek Magisterial District asked what the Board's plan is to safe-guard the virtual education to our children when teachers will be using webcams to see things going on in households and calling the police on parents. He advised that an incident in Dallas Texas occurred where the student curriculum compared the police to the KKK. Mr. Guise asked the Board if they were looking into this and if it was being addressed. He also asked the Board if it planned to sit in silence and allow the School Board to use money to establish gender-neutral bathrooms without any oversight by the Board. Mr. Guise stated that Board members serve on various boards and committees but sit in silence instead of being the voice of the citizens when they have concerns.

Lewis Swink of the Kerrs Creek Magisterial District spoke of the incident in Dallas Texas where the students were given curriculums comparing today's police with the KKK and slave owners. He shared his disapproval of this, stating that he agrees with law enforcement. In regard to the school's discussion on gender-neutral bathrooms, he compared it to a single individual in 1962 and 1963 having prayer and Bibles removed from schools. Mr. Swink stated that young adults already have enough pressure on them in the schools today without having the LGBTQ preaching to them and having transgender restrooms in the schools. He stated that God created a man named Adam and a woman named Eve, not Adam and Steve or Eve and Louise, and that a man is not to lay with another man nor a woman with another woman.

Collette Barry-Rec of Lexington City spoke in regard to the School Board having discussions about gender-neutral bathrooms in the schools and shared that she has a really big problem with this. She stated that the Board of Supervisors should have more oversight over what the School Board is doing to protect children because there are forces in the County and across the Country that are trying to undermine children. She added that children are already bombarded with the garbage they see on television and video games, such as police being attacked and seeing riots. Ms. Barry-Rec then asked the Board to consider posting the meeting agenda sooner than the Thursday prior to meetings to allow members of the public to adjust their schedules in order to be able to attend on such short notice.

Approval of the August 10, 2020 Minutes:

Supervisor Lewis moved to approve the minutes as presented.

Supervisor Ayers provided the second, and the motion carried by the following roll call vote by the Board:

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

Consideration of the School's Appropriation Resolution:

Fiscal Services Director Steven Bolster presented the resolution shown below and recommended approval as presented.

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

Ayes: Day, Lewis, 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, AUGUST 24, 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, 2021** in **FUND 50, SCHOOL FUND** and expended as follows:

Carryover Grants

4-50-61100-1620-312-700-150	Teacher Salaries.....	\$7,670.00
4-50-61100-2100-312-700-150	FICA.....	<u>\$586.00</u>
Total		\$8,256.00

RACE 2020

4-50-61100-1620-312-700-151	Teacher Salaries.....	\$14,300.00
4-50-61100-2100-312-700-151	FICA.....	\$1,094.00
4-50-61100-3160-312-700-151	Purchased Services.....	\$540.00
4-50-61100-6030-312-700-151	Materials & Supplies.....	<u>\$67.00</u>
Total		\$16,001.00

CARES ACT 2020

4-50-61100-1120-260-800-906	Teacher Salaries.....	\$42,765.00
4-50-61100-2100-260-800-906	FICA.....	\$3,272.00
4-50-61100-2210-260-800-906	VRS.....	\$7,110.00
4-50-61100-2300-260-800-906	Medical.....	\$6,700.00
4-50-61100-2400-260-800-906	GLI.....	\$574.00
4-50-61100-2510-260-800-906	VLDP.....	\$355.00
4-50-61100-2750-260-800-906	HCC.....	\$518.00
4-50-61310-1120-901-102-906	Teacher Salaries.....	\$43,442.00
4-50-61310-1120-901-103-906	Teacher Salaries.....	\$36,758.00
4-50-61310-2100-901-102-906	FICA.....	\$5,972.00
4-50-61310-2210-901-102-906	VRS.....	\$13,330.00
4-50-61310-2300-901-102-906	Medical.....	\$6,600.00
4-50-61310-2400-901-102-906	GLI.....	\$1,075.00
4-50-61310-2750-901-103-906	HCC.....	\$971.00
4-50-64200-3300-904-000-906	Purchased Services.....	\$15,000.00
4-50-64200-6007-904-000-906	Materials & Supplies.....	\$73,740.00
4-50-64200-6007-904-110-906	Materials & Supplies.....	\$1,110.00
4-50-64200-6007-904-111-906	Materials & Supplies.....	<u>\$14,100.00</u>
Total		\$273,392.00

Total Carryover Grant Appropriations **\$297,649.00**

TOTAL FUND 50 APPROPRIATIONS **\$297,649.00**

Consideration of EDA Board Member Compensation Adjustment:

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

“At the latest meeting of the Rockbridge County Economic Development Authority, the EDA Board discussed compensation of Board members. As the

Board of Supervisors liaison to the EDA, Supervisor McDaniel requested that the Board discuss EDA compensation.

The EDA is currently compensated at \$30 per meeting plus mileage. The following are considerations in making a change:

- (i) Amount of compensation?
- (ii) Is per meeting compensation for regular meetings only, or is it for any meeting, including special, called or committee meetings?
- (iii) If compensation for all meetings, would amount be the same for all, or would it be less for meetings other than regular monthly meeting?
- (iv) Would Chairman receive additional amount of compensation for meetings, as with Board, the PSA and the MSA?
- (v) On mileage, statute provides for reimbursement for necessary traveling and other expenses incurred in the performance of their duties, so it should include all meetings and site visits.

If the Board wishes to amend compensation levels for the EDA, provide direction in response to questions above for preparation of a resolution for adoption at a subsequent meeting."

Supervisor McDaniel stated that there were other committees that increased compensation over the past couple of years; however, the EDA was not one of them. He suggested that increasing the compensation could help recruit and retain volunteers on various committees.

Chairman Lyons directed Mr. Suter to look at all committees receiving compensation and bring back recommendations.

Mr. Suter confirmed, adding that it will be a challenge to recommend a certain amount of compensation as each committee has differing obligations.

Little Calf Pasture Water Quality Improvement Grant Application:

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

"In June 2018, and after a great deal of community outreach and study, the Virginia Department of Environmental Quality (DEQ) published the Little Calfpasture Water Quality Improvement Plan (attached). The Little Calfpasture River is listed as a Virginia impaired waterway, based on multiple factors, including sedimentation and turbidity.

Recently, DEQ announced a grant opportunity for Virginia water quality improvement projects, using pass-through funds from the federal Environmental Protection Agency, under the 1972 Clean Water Act. Up to \$300,000 per grant is available. The Natural Bridge Soil and Water Conservation District approached me with the request that the County be the applicant in partnership with the NBSWCD, the Boy Scouts of America Capital Region, and the Headwaters Soil and Conservation District. Potential other partners may include Virginia Military Institute and James Madison University.

A large portion of the grant would include targeted sediment removal from Lake Merriweather on the BSA complex. Other actions would include upstream illegal dumping cleanup and downstream monitoring. VMI's involvement would be via a cadet service project, assisting in site-specific dump cleanup. VMI is unable to fully commit at this time due to uncertainty of cadet availability due to COVID, but has expressed interest in the project. Local volunteers would also be involved in the project. JMU has prepared a proposal to assist in downstream monitoring and to

install a real time monitoring gage at the lake to report lake levels. The proposal is currently awaiting final approval by the university. In addition, the NBSWCD would team with the VT Cooperative Extension Office to offer outreach and support for landowners in the watershed, for voluntary implementation of best management processes (BMPs).

If the application is successful, the project would complement a similar water quality grant project upstream at the Augusta Correctional facility near Craigsville, providing overall improvement of the waterway, which would also benefit the Maury River downstream.

There is a 30% grant match requirement, for which we are currently proposing as in-kind (time spent on the project by staff and partners). Additionally, Headwaters SWCD has a National Fish and Wildlife Foundation grant proposal currently under review that would support livestock exclusion at the Augusta Correctional Center Facility. We are currently working to determine if these funds may be used to fulfill the 30% match requirement for the DEQ grant. No local funding is being requested. In that the application is due August 31st, we are working diligently to pull together all the required information. Though award notices will be issued this fall, funding for projects will not be available until the fall of 2021."

He then noted that the Headwaters SWCD confirmed on Friday, August 21st that they will be providing the County's 30% grant match to do a full stream improvement project.

Supervisor Lewis commended the Boy Scouts of America for being willing to participate in this project and to the private citizens who are offering in-kind services.

Appointments:

The following appointments were moved to the next Agenda:

Building Code Board of Appeals- Richard Siler- Term Expired 7/13/2020

EDA- Gerry Locher resigned- Term Expires 4/10/2022

EDA- Robbie Faulkner resigned- Term Expires 4/10/2024

Supervisor Ayers suggested the Board look at compensation for all committees before making any appointments at the next meeting.

Public Hearings at 6:00 p.m.:

Repeal of the Admissions Tax:

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

"On June 22, 2020, the Board of Supervisors held a public hearing and adopted an Ordinance to impose a 10% admissions tax in the County, per new state code authority for counties. The effective date was August 1st.

At the Board's July 27th meeting, a number of business and non-profit representatives spoke in opposition to the tax, or in opposition to the rate of the tax, during Citizen Comment. At the August 10th meeting, the Board of Supervisors determined to consider repeal of the tax and authorized Public Notice for a public hearing at this August 24th meeting."

Chairman Lyons opened the public hearing.

Scott Guise of the Kerrs Creek Magisterial District shared that repeal of the tax is great, but does not want the board to make this error in judgement in the future. He added that the County did this while saying expenses are going up to run the County, but was quick to waste County

time coming up with a resolution of appreciation for the retiring Zoning Administrator, and yet were hesitant to pass a 2A resolution to protect the Constitutional rights of the citizens of this County. He asked the Board where it stands with implementing local gun restrictions since the State has authorized local government to do so.

Mark Cline of the Kerrs Creek Magisterial District shared his appreciation of the Board taking the time to listen to small business owners and taking their concerns under consideration resulting in the repeal of the Admissions Tax.

Lauren Summers representing Hulls Drive In commended the Board for repealing the tax. She asked what small business owners needed to do with the admissions tax that was already collected since the implementation date.

Ms. Huffman responded, remit the collected tax to the Commissioner of the Revenue.

Hearing no additional comments, the public hearing was closed.

Supervisor Ayers moved to adopt the ordinance repealing the admissions tax. Supervisor Day provided the second. Supervisor Lewis stated that he could not support the motion because he did not feel it would be wise to not have an implementation date for the tax when there remains a lack of General Assembly funding to localities. The motion however carried by the following roll call vote by the Board:

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

Chairman Lyons asked Supervisor McDaniel if he were willing to meet with the small business owners to discuss a potential rate and implementation date.

Supervisor McDaniel asked that a notice be placed on the County's website letting the public know they are welcome to the discussions.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, AUGUST 24, 2020

ORDINANCE TO REPEAL ARTICLE XIV – ADMISSIONS TAX, IN ROCKBRIDGE COUNTY CODE, CHAPTER 25 - TAXATION, TO REMOVE THE 10% ADMISSIONS TAX ON ANY ADMISSION CHARGE FOR ATTENDANCE AT AN EVENT OR BUSINESS

WHEREAS, effective July 1, 2020, Virginia Code §58.1-3818 authorized the governing body of any county, by adoption of an ordinance, to levy an admissions tax on admissions charged for attendance at any event not to exceed 10% of the admission charge; and,

WHEREAS, pursuant to such enabling statute, Article IV - Admissions Tax in Chapter 25 – Taxation, of the Rockbridge County Code, was adopted by the Rockbridge County Board of Supervisors on June 22, 2020, to be effective August 1, 2020, to impose a 10% admissions tax on any admission charge for attendance at an event or business; and

WHEREAS, the Board has directed that a public hearing be scheduled to consider repeal of said County Code provisions; and,

WHEREAS, a public hearing was held on August 24, 2020, following publication of notice as prescribed by law.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Rockbridge County, Virginia, that Article XIV – Admissions Tax, Chapter 25 – Taxation of the Rockbridge County Code is hereby repealed and deleted from the County Code as follows:

ROCKBRIDGE COUNTY CODE

Chapter 25

TAXATION

- Art. I. In General, §§25-1--25-20**
- Art. II. Personal Property Tax, §§25-21--25-35**
- Art. III. Real Property Tax, §§25-36--25-95**
 - Div. 1. Generally, §§25-36--25-50
 - Div. 2. Special Assessment for Agricultural, Horticultural, Forest or Open Space Real Estate, §§25-51--25-65
 - Div. 3. Assessment of New Buildings, §§25-66--25-75
 - Div. 4. Exemptions from Real Estate Taxes, §§25-76--25-95
- Art. IV. Motor Vehicle License Tax, §§25-96--25-120**
- Art. V. Sales Tax, §§25-121--25-130**
- Art. VI. Use Tax, §§25-131--25-140**
- Art. VII. Utility Tax, §§25-141--25-160**
- Art. VIII. Additional Tax on Telephone Services, §§25-161--25-175**
- Art. IX. Transient Occupancy Tax, §§25-176--25-190**
- Art. X. Tax on Certain Foods and Beverages, §§25-191--25-215**
- Art. XI. Bank Franchise Tax, §§25-216--25-225**
- Art. XII. Recordation Tax, §§25-226--25-230**
- Art. XIII. Short-Term Rental Registry, §§25-231--25-240**
- Art. XIV. Reserved, §§25-241--25-250***

ARTICLE XIV. RESERVED

Secs. 25-241--25-250. Reserved.

(Art. XIV, Sections 25-241--25-250 Repealed by Ord. of 8-24-20)

This Ordinance shall be effective on and from the 24th day of August, 2020.

Adopted this 24th day of August, 2020.

* **Editor's Note**--Former Article XIV, entitled "Admissions Tax", Sections 25-241--25-250, adopted June 22, 2020, was repealed in its entirety by Ordinance dated August 24, 2020.

Logging Equipment Tax Exemption:

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

"This year, the General Assembly passed legislation which would allow localities to exempt from personal property taxation equipment used for forest harvesting and silvicultural activities. A copy of the legislation is attached. Commissioner of Revenue David Whitesell has confirmed that his office (and his predecessors have never assessed a tax on this equipment).

At its August 10 meeting, the Board considered codifying the longstanding administrative exemption and, after discussion, directed staff to advertise amendments to Chapter 25 of County Code, adding forestry harvesting and silviculture equipment to the list of tax-exempt personal property. The public hearing was subsequently advertised for two weeks in the News Gazette, to take place at 6:00 PM on August 24th."

Chairman Lyons opened the public hearing.

Scott Guise of the Kerrs Creek Magisterial District shared that he did not understand why the Board would implement the admissions tax stating it was needed to run the County but then go against its word and exempt certain business from being taxed on its equipment, primarily sawmills and logging businesses. He added that this exemption does not exempt other small businesses from being taxed on their equipment, leading one to believe it is an infringement in times like these. Mr. Guise stated that the Board either needs to represent themselves better or the County needs better representation.

Scott Miller of the Natural Bridge Magisterial District advised that he was a former shipping and receiving Supervisor for Northwest Hardwoods in Buena Vista, Virginia. He shared that, prior to the 2016 election, , approximately 40 percent of his employees were illegal immigrants. Mr. questioned that, since those individuals were exempt from e-file and immigration laws, how much more exemption does that industry really need?

Hearing no additional comments, the public hearing was closed.

Supervisor Ayers asked for clarification from Ms. Huffman that this exemption is one of many exemptions already in the County Code including farming equipment, household exemptions such as firearms and weapons of any kind, along with piano's, oil paintings, and farm animals, etc.

Ms. Huffman confirmed noting that not all farm equipment has been listed as exempt in the past. She added that the proposed timber harvesting equipment would be added in conjunction with the other listed items.

Supervisor Ayers asked if forest harvesting was ever taxed before.

Ms. Huffman replied, not to her knowledge, and noted that sawmills are not exempt from being taxed on their equipment.

Supervisor Lewis noted that the County, by referendum of the citizens, have always been supportive of agricultural exemptions.

Supervisor Lewis moved to adopt the ordinance shown below. 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,
AUGUST 24, 2020

**ORDINANCE TO AMEND THE ROCKBRIDGE COUNTY CODE, CHAPTER 25 -
TAXATION, ARTICLE II – PERSONAL PROPERTY TAX, TO ADD A NEW
SUBSECTION 25-22(3), TO INCLUDE EQUIPMENT AND MACHINERY USED FOR
FOREST HARVESTING AND SILVICULTURAL ACTIVITIES AS AN ADDITIONAL
PERSONAL PROPERTY TAX EXEMPTION**

1. BE IT ENACTED by the Rockbridge County Board of Supervisors that, pursuant to
Section 58.1-3505 of the Code of Virginia (1950, as amended), Section 25-22 of Article II in Chapter
25 -TAXATION, of the Rockbridge County Code be and hereby is amended and reenacted, as
follows:

ROCKBRIDGE COUNTY CODE

Chapter 25

TAXATION

ARTICLE II. PERSONAL PROPERTY TAX

Sec. 25-22. Exemptions.

The following classes of personal property shall be exempt from taxation:

- (1) Household goods and personal effects as defined in §58.1-3504 of the 1950 Code of Virginia, as amended. The items affected by this exemption are described as follows:
 - a. Bicycles;
 - b. Household and kitchen furniture, including gold and silver plates, plated ware, watches and clocks, sewing machines, refrigerators, automatic refrigerating machinery of any type, vacuum cleaners and all other household machinery, books, firearms and weapons of all kinds;
 - c. Pianos, organs; phonographs, record players, and records to be used therewith, and all other musical instruments of whatever kind; radio and television instruments and equipment;
 - d. Oil paintings, pictures, statuary, curios, articles of virtu and works of art;
 - e. Diamonds, cameos or other precious stones and all precious metals used as ornaments or jewelry;
 - f. Sporting and photographic equipment;
 - g. Clothing and objects of apparel;

- h. Antique motor vehicles, as defined in §46.2-100 of the Code of Virginia, which may not be used for general transportation purposes;
 - i. All other tangible personal property used by an individual, a family or household incident to maintaining an abode.
- (2) Farm animals, grains and other feeds used for the nurture of farm animals, agricultural products, and farm machinery, implements and equipment as described and enumerated in Subsections 1 through 10 of §58.1-3505(A) of the Code of Virginia (1950, as amended).
- (3) Farm machinery and farm implements, other than the farm machinery and farm implements described in Subsection (2) above, which shall include equipment used for forest harvesting and silvicultural activities.

This Ordinance shall be effective as of the 1st day of July, 2020.

Adopted this 24th day of August, 2020.

CARES Act Budget Amendment Part 2:

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

“As you are aware, the County is expected to receive a second round of CARES Act funding this month (a total of \$1,969,407). In accordance with Section 15.2-2507 of the *Code of Virginia*, the County published a public hearing notice in *The News-Gazette* on August 24th. This notice stated the Board's intent to amend the FY 2021 budget with the CARES Act funding and provided a concise summary of the proposed expenditure categories.”

Chairman Lyons opened the public hearing.

Jeff Pufahl of the South River Magisterial District sent in a comment electronically suggesting that some of the CARES Act funding be used to extend RANA's fiber line.

Dasan Janjic of the City of Lexington asked the Board to strongly consider appropriating funds to RANA for extending broadband through the

County because RANA is an open network that provides service to any business, whereas if appropriating funds to any other business, only that single business would benefit from it.

Hearing no additional comments, Chairman Lyons closed the public hearing.

Supervisor Lewis moved to adopt the appropriation resolution shown below. 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

Supervisor McDaniel asked if the CARES Act funding would be covering the cost of the bi-polar ionization HVAC filters that reduce the spread of COVID, influenza, and other air borne disease.

Chairman Lyons replied that it has been taken under consideration and is on the list, but not high on the list as of right now.

Supervisor McDaniel asked that it be moved up on the list because it helps with the current outbreak of COVID and other illnesses.

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, AUGUST 24, 2020 AT 5:30 P.M.

On motion by Supervisor ____, seconded by Supervisor ____, the Board, by record vote, adopted the following appropriation resolution as follows:

APPROPRIATION RESOLUTION

BE IT RESOLVED By the Board of Supervisors of Rockbridge County, Virginia:

until the completion of the planned expenditures, currently December 30, 2020.

AND BE IT FURTHER RESOLVED: That the Rockbridge County Board of Supervisors on this 24th day of August 2020, authorizes the Fiscal Services Department to process the budget adjustments required for this appropriation in accordance with the expenditure plan developed to execute the County's response to the COVID-19 pandemic.

II. That this resolution shall be in force and effect upon adoption.

Adopted this 24th day of August, 2020.

Continued Cares Act Expenditure Discussion:

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

"During an August 10 work session, the Board further discussed potential uses of CARES Act funding, which was doubled to a total of \$3,938,814 in early August. The same restrictions as were applied to the original allocation still apply. The funds must be utilized in accordance with federal and state guidelines and must be spent by December 30, 2020. While some recent guidance has assisted a bit in clarification, localities are still left to make determinations on which uses are allowable and which are not.

Chairman Lyons and Supervisor Lewis, as the Board CARES Act committee, have met again with staff in an effort to provide further recommendations to the Board."

He then reviewed the line items as follows:

K12 Public Schools:	\$450,000
	Reached out to the Schools and they have suggested adding the bi-polar ionization HVAC filters that were being purchased

Food Insecurity:	Currently, foods are covered but unsure what the future needs will be.
	Supervisor Ayers recommended that local farmers and Donald's Meat Processing work with RARA for food coverage needs.
Mortgage and Rental Assistance:	Currently no unmet needs that CARES funds could be used for.
Temporary Housing/Housing Assistance/Emergency Housing:	Contacted Project Horizon and they could use around \$5,000
Small Business Assistance:	\$255,000 for EDA Grant program / \$5,000 for the Shenandoah Valley Workforce Development Board.
	Additional advertisements such as radio ads have been completed, per Supervisor McDaniel's request.
COVID Testing:	\$10,750 to upgrade existing EM trailer to assist in future testing an inoculation sites.
	\$1,000 for employee testing if required An agreement for testing has been executed with the Rockbridge Area Health Center
Contact Tracing:	VDH continues to cover.
Telework for Government Operations:	\$327,000 on hardware, software, licensing, and training.
Non-Governmental Internet Access:	\$5,000 for RANA circuits
Disinfection and Sanitation:	\$80,000 for additional cleaning in the County Public Building, Jail, Courts, etc.
	A new request of \$8,752 for sanitation units for all ambulances has been submitted.
Personal Protective Equipment (PPE):	\$25,000 for masks, sanitizer, etc.
Safe Access to Government:	Admin Building Board Room AV upgrades \$40,000 and door access upgrades \$35,000.

Building Modifications/compliance with Dept. of Labor Regs.:	Sneeze guards, barrier, foot traffic direction, Courthouse improvements, etc. (25% cost share with Lexington) \$50,000
Public Health and Safety Employees under the presumption Provision:	Public safety payroll costs for uniformed Sheriff's Office and Fire/Ems, Jail, County Fire/EMS \$221,218 for March-June and \$331,827 for July-December. County's share of payroll cost for Lexington Fire Dept. for March-June \$136,319 and July through December \$298,716. Increase to pay-per call to encourage volunteer response \$21,000. Sheriff's Office payroll costs for March-June \$255,739 and July through December \$368,362. County share of Jail payroll costs for March- June \$26,616 and July-December \$39,924. Temporary PT Bailiffs for Jury Trials \$33,133.
Local/Regional Jails:	Emergency housing, transport unit, laundry, HVAC, cleaning/supplies expended from March- June \$115,000. <i>Estimated Emergency Housing, cleaning, and supply cost for July-December is unknown at this time.</i>
Operation of Government Services:	Potential application of personnel time to COVID response (Admin, Legal, Financial, EM, etc.) is <i>unknown at this time.</i>
Assistance to Non-Profit Agencies:	Contribution to the Community Foundation Grant Program for \$150,000
Assistance to Towns:	Limited requests from Goshen and Glasgow \$25,000 is set aside as a placeholder.

COVID Payroll (for required quarantine):	Reimburse County for any COVID-related work absences \$25,000.
Assistance to local Volunteer Fire and EMS Agencies:	20% Increase in annual allotment for COVID Response \$246,990.
Broadband:	Criteria will be needed, first, to see how the money will most efficiently be used, how many will be impacted, etc.

Mr. Suter advised that the soft-number remaining monies was \$359,000 but would need adjusting as other requests are received, such as RARO and the Jail.

Supervisor Day noted that the remaining balance did not include funding the bi-polar ionization HVAC filters for the Schools.

Mr. Suter requested that the Board give its blessing on any of the items on the list that they are comfortable with moving ahead with given that there are procurement efforts that will need to take place fairly quickly to get projects completed before the December 30th deadline. He added that there is always room to move monies around from one line to another if there is a need.

Supervisor Ayers suggested having more information on Broadband such as how many students would benefit from the expansion etc.

Supervisor Lewis stated that the Finance Committee struggled with this as well because the State guidelines are continuously changing. He shared his agreement with Supervisor Ayers in that he remains uncomfortable dedicating a certain amount of money to a certain line.

Chairman Lyons added that the RANA fiber expansion would not only benefit students being schooled from home but also employees who have to work from home. He then added that the Schools request for funding the bi-polar ionization HVAC filters was a good request; however the Schools have already budgeted for the project and contracts have already been signed. Chairman Lyons agreed with Mr. Suter that the Board needed to go ahead and approve some of the line items that the Board agrees on, such as: the contribution to the EDA, the Community Foundation Grant program, the transportation unit for the Regional Jail, the Jail's cleaning etc.

Supervisor Lewis asked if contribution to Project Horizon would be one that could be approved as it fits under one of the larger categories the Board wants to help.

Supervisor McDaniel asked if an RFP had been issued for RANA projects in order to be completed by the end of the year.

Mr. Suter stated that the RFP process was originally looked at but have now determined that it will not be necessary since RANA has an open-access network; however, they would still follow the State's procurement guidelines. Mr. Suter advised that RANA currently has contractors on stand-by and fiber ready for installment.

Supervisor McDaniel asked if there were known numbers of households that would receive service from the fiber expansion.

Mr. Suter replied that he would know later in the week.

Supervisor McDaniel stated that he was under the impression that CARES funding would pay for the bi-polar ionization HVAC filters for the

schools. He noted that he was not necessarily in agreement with using CARES funding for already budgeted salaries for various departments, but would support the bi-polar ionization HVAC filters for the schools and County facilities, such as the Administration Building or Courthouse, if there were a need because they were one-time unplanned expenditures.

Supervisor Lewis clarified that the guidelines for using the CARES funds for capital projects was prohibited, but funding some paid positions such as Fire and Rescue or public safety positions was not. He stated that the CARES Committee struggled with this as well.

There was no objection by the Board to proceed with Telework for Government Operations or Jail emergency housing, transport unit, laundry, HVAC and cleaning.

Supervisors Lewis and Ayers shared support of the 20% increase in annual allotment for COVID response to local Fire and EMS agencies understanding that an exact amount was not being requested at this time.

Supervisor McDaniel asked if the County had to show where those funds were spent.

Mr. Suter replied that other local governments have opined that volunteer fire and rescue agencies have put a certain amount of their time preparing and making sure they are COVID ready. He added that Senator Kaine's attorney's office felt that this was allowable.

Supervisor Lewis stated that Federal, State, and local peers' guidance has been sought to see if the interpretation of other jurisdictions are the same.

Mr. Suter added that the State, when asked if something is allowable, tells you to ask your attorney and to follow the Federal guidelines which is unclear. Thus, staff and the CARES Committee had sought out others opinions, as mentioned by Supervisor Lewis.

Board Comments:

Supervisor Day advised that he had received a request for no-thru truck signs following a required public hearing and a VDOT study.

Chairman Lyons asked that a discussion be added at the next meeting to request scheduling a public hearing.

Supervisor Ayers provided a Tourism update. She shared that Tourism had received a \$10,000 grant from the Virginia Tourism Corporation to develop materials for a marketing campaign beginning in August. She also announced that Tourism had entered into a partnership for an advertising opportunity at the Covington Welcome Center. Supervisor Ayers announced that, on September 25th at the Natural Bridge State Park, there will be a ribbon cutting for "Love Works," designed by Mark Cline; and, on October 9th, there will be another ribbon cutting for the New Kids Discovery Trail. She shared that RARO Clinics have started and are following the governor's social distancing guidelines.

Supervisor McDaniel shared that he had received complaints about large truck traffic on Sallings Mountain even though there are no-thru truck signs, they are not adhered to. He asked that discussion be added at the next meeting while looking at The Ponds no-thru trucks sign.

Supervisor Day asked what the Board could do about this situation since there is already signs up.

Mr. Suter replied, it would be an enforcement issue. He noted that VDOT has been trying for years for mapping to be rerouted because GPS directs trucks that way.

Supervisor McDaniel shared that the common area at the Natural Bridge Industrial Park is not being maintained and may need the County's assistance.

Adjourn:

Supervisor Lewis moved to adjourn. Supervisor Ayers provided the second, and the meeting adjourned by unanimous vote by the Board.