

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, FEBRUARY 22, 2021 AT 4:30 P.M.

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

COUNTY ADMINISTRATOR: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Chairman Lyons called the meeting to order at 4:30 p.m. and 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 10 attendees other than County staff 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 five, that do not have a precluding medical condition, are asked to wear a face covering."

Administrative Assistant to the County Administrator Brandy Whitten conducted a roll call of the Board members. Supervisors Lewis, Day, McDaniel, and Lyons attended in-person, while Supervisors Ayers attended virtually.

Continued Discussion on County Decals:

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

"At its January 25 and February 8 meetings, the Board discussed options concerning the requirements for vehicle owners to purchase annual decals. At the conclusion of the February 8th discussion, staff was asked to schedule a work session on February 22nd, to further discuss. To recap, the following information was presented by staff:

Over the years, on multiple occasions, the Board of Supervisors has considered elimination of the requirement for residents to purchase County decals. Ms. Huffman has previously issued at least five Board reports on the topic, dating back to the mid 2000's. The most recent consideration was in December, 2018, but no action has ever been taken. Ultimately, there has been no change to the decal requirement, though there was a short-term change to the type of decal issued, and there was a change to the placement location on the windshield, corresponding to a change for inspection stickers.

The interest in making a change has recently been rekindled. County staff, Commissioner of Revenue David Whitesell and Treasurer Betty Trovato have met recently to discuss options again.

Background:

Historically, and to our understanding, the primary purpose of requiring residents to purchase County decals was to provide a source of

revenue where each resident vehicle owner was charged a flat rate on vehicles being used by that owner. Additional benefits included:

- A way to help enforce payment of personal property taxes
- Ability to quickly identify a resident of the County - primarily related to waste disposal locations.

Over time, the ability to share information with the Virginia Department of Motor Vehicles (DMV) evolved. All vehicle title changes can now be more easily shared with localities, so that personal property taxes can be accurately tracked and assessed. Similarly, the Treasurer has the ability to place a DMV stop to vehicle registration renewal. The stop is not removed until payment of the outstanding indebtedness to the County is made. However, the annual decal requirement is still a tool that the Treasurer relies on to help ensure fair and equitable tax collection.

Also, the fact remains that for the foreseeable future, the County will still need a method to quickly and accurately identify residents at points of service - mainly at solid waste collection centers (including the BRRR Landfill), and for the Sheriff's enforcement efforts for improper use of dumpster sites. Additionally, the County relies on the revenue source to support governmental services.

Currently, decal notices are sent to residents in March each year and purchase is due by April 15. In order to provide additional time for the Board to consider options, the current decal deadline is anticipated to be extended until June 30, 2021.

Not all vehicles registered in the County have a decal. Some residents have multiple vehicles, but they may not purchase decals for all. Rather, they are required to purchase decals for only the vehicles which will be used on public roads.

Issues with the current system include:

- From the residents' position
 - o Annual inconvenience of procuring a decal
 - o Difficulty in removing old decals

- From the County's position
 - o Annual task of billing, tracking and enforcing the decal program
 - o Cost of the program
 - Staff time
 - Materials

The current goal is to find a solution which:

- Maintains current levels of revenue at approximately \$535,000 per year
- Provides the ability to quickly and easily identify County residents
- Reduces the amount of time (and money) expended by residents and staff in achieving/maintaining compliance

Staff, Ms. Trovato and Mr. Whitesell have developed a proposal which could meet all the requirements. This option would involve implementation of a permanent decal or other vehicle sticker and increase in current

taxes (personal property / real estate), implementation of new taxes (i.e. cigarette, admissions, etc.) or a combination of these, to replace the revenue currently generated by decal fees. State regulations (applicable section attached) provide for either a decal or a sticker.

Suggested implementation steps:

- January 2021 - Extend vehicle decal deadline to June 30, 2020, with intention to transition to a permanent decal, due on that date.

- February 2021 - Consider and determine whether to utilize a permanent decal or window sticker to identify vehicles owned by residents. Advertise and conduct a public hearing to consider an ordinance as such.

- April 2021 - In lieu of the annual decal purchase notice sent to vehicle owners, County Treasurer Betty Trovato sends a no-fee permanent decal or sticker, to be applied to windshields by June 30, 2021. After sending the initial batch of decals, Ms. Trovato would transfer administration of the permanent decal program to Commissioner of Revenue David Whitesell, who would provide each new vehicle registrant with a no-fee permanent decal or sticker. His office will also be able to replace decals or stickers which have been damaged or aged.

- March - April 2021 - The Board considers and implements alternative sources of revenue for FY2022 and beyond.

There are several considerations for the Board should this proposal be implemented:

- Revenue anticipated for the current fiscal year (2021) will not be realized, as decals would not be sold. Up to \$535,000 of anticipated

general fund surplus can be dedicated to this one-time replacement. Again, the Board will need to determine the ongoing source of revenues for 2022 and beyond.

- The new, permanent decal or sticker would remain on a vehicle as long as it is owned by a County resident. Upon sale, it would be removed. The proposed ordinance would prohibit a non-resident from using a decal or sticker to access County services such as collection centers.
- Upon purchase of a vehicle, a County resident would obtain a permanent decal or sticker from Mr. Whitesell's office at no charge.
- We would need to ensure coordination with the Towns of Glasgow and Goshen, which also currently require decal purchase. Should they wish to follow suit, they could issue a similar, permanent decal, or in some other way provide a visible symbol of residency to access County services such as collection centers or the BRRA Landfill.

Following a staff presentation, the Board discussed several concerns, which included:

- Impacts to the workload of either the Commissioner of Revenue or Treasurer
- Method of replacing revenue (approximately \$535,000 currently - NOTE: Updated revenue projections are shown below) or decreasing expenditures.

Purchase of decals and postage for the program are approximately \$15,000. One point of discussion was the personnel cost for administering the decal program. Mr. Suter explained that the current decal program is cyclic and that staff in the Treasurer's office could utilize time previously spent on processing decal purchases to focus on tax collections.

Ms. Trovato noted an additional option for the Board to consider to replace revenue, involving an increase to the personal property tax such that the highest valued vehicles would only increase by the current decal amount (\$25). That percentage increase would be applied to the personal property tax rate, so that no increase would exceed the amount of the previous decal fee. In addition, the increase would be spread over all taxable personal property to help close the funding gap. The remaining gap could be closed by other fund sources, to include consideration of increase to the real estate tax. At the February 8 meeting, there was Board discussion concerning source of revenue to make up any shortfalls as a result.

Since the February 8th meeting, staff has worked with Ms. Trovato and Mr. Whitesell to estimate what impacts an increase in personal property tax would be, should the scenario above be applied. We used a value of \$65,000 as the upper margin (meaning that a vehicle valued at \$65,000 would pay no more than \$25 additional personal property tax). Given that, the increase would be \$0.04 on the personal property tax rate. Applying \$0.04 to the personal property tax rate for all assessed property would generate approximately \$90,000 in revenues.

Based on current information, we have reduced anticipated decal fee revenues in the draft FY2022 budget to \$470,000. Thus the difference in revenues would be approximately \$380,000. The County would need to cut expenses or find another source of revenue to balance the budget.

Also, the Towns of Goshen and Glasgow would need to determine if they would follow suit in issuance of a permanent decal or sticker (for identification at solid waste collection sites and the landfill), and also how they would replace revenues. It should also be noted that any increase in personal property taxes will apply to the residents of Goshen and Glasgow, regardless of whether the Towns continue to require local decals or eliminate them.

Detailed discussion is currently slated for the Board's work session on February 22nd. Any actions resulting from that discussion could be taken during regular session.

Ms. Huffman has provided a draft ordinance (attached) which would enable a permanent decal (placed in the same spot as the current, annual decal). Should the Board wish to pursue a permanent sticker (placed on the windshield in front of the rear view mirror), the ordinance to be advertised for the March 8 public hearing would simply be to eliminate the permanent decal. A second ordinance would need to be drafted to require display of a permanent window sticker.

In either case, the Board would need to determine a source of replacement revenue or identify budget cuts to close the gap in next (FY2022) and future years. This would require, at minimum, setting a new personal property tax rate. Finally, expected revenues for the current (FY2021) year would need to be sourced from reserves.

RECOMMENDATION:

Receive a staff report, pose questions and discuss as desired. Consider whether the Board wishes to continue pursuit of this proposal, and if so, identify the preferred source of replacement revenue or budget cuts."

Supervisor McDaniel advised that the Finance Committee met with the Commissioner of the Revenue, the Treasurer, and administration staff to discuss the possibility of transitioning from an annual decal to either a permanent decal or a placard. He added that a permanent decal would include specific information about the vehicle.

Supervisor Lewis noted that, while discussing the option to utilize placards, he was made aware that the requirement for record-keeping went beyond what the Treasurer provided.

Supervisor McDaniel advised that the need for additional record-keeping may not be necessary if the placard or decal included details about the vehicle.

Supervisor Lewis noted that charging the citizen a \$25 fee for a permanent decal collects the revenue but does not eliminate the need for them to come into the office to make the purchase which is the whole reason they wanted to eliminate the decal.

Chairman Lyons stated that the permanent decal would be hard to remove like it used to be, so that it couldn't be transferred from one vehicle to another. He added that this year, the County could collect the \$25 fee for a permanent decal so there would not be any lost revenues and then plan to replace the revenues in the budgets ahead. He also noted that

the deadline to purchase decals was extended to June 30th which could cause havoc if a member of the public comes in to purchase the decal July 1 or later.

Mr. Bolster replied that monies collected after June 30 would be realized revenue not budgeted for in budget year 2022.

Supervisor Ayers asked how the lost revenue would be collected for years following the permanent decal purchase.

Chairman Lyons replied, it would not be collected by selling another permanent decal, it would have to be over multiple means.

Supervisor Ayers shared that the decal fee needed to be on the vehicle itself and not property. She added that discussion took place about the potential to write-off the decal fee for one (1) year; however, she disagreed.

In response to a question by Chairman Lyons, Mr. Whitesell advised that vehicles are taxed by the jurisdiction they are housed in. As such, college students would not be paying the decal fee if their vehicle is garaged in another jurisdiction.

Supervisor McDaniel asked Mr. Whitesell for an average of new registered vehicles on an annual basis.

Mr. Whitesell replied, for close to a five-month period, roughly 1,800. He added that there are roughly 24,000 vehicles registered in the County.

Supervisor Ayers asked why the County would stay with a \$25 fee if moving to a permanent decal.

Ms. Huffman advised that, by Code, it is set up as an annual fee and she believed the \$25 fee was the maximum.

L.E. AYERS (virtually)
D.B. MCDANIEL

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. Supervisors Lewis, Day, McDaniel, and Lyons attended in-person, while Supervisors Ayers attended virtually.

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 10 attendees other than County staff 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 five, that do not have a precluding medical condition, are asked to wear a face covering.

We will hold citizens comments near the beginning of the meeting.
There is one (1) Public Hearing at 6:00 P.M.

We will do our best to take citizen comment remotely. There are two options for citizens to offer comment:

- 1) 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.
- 2) 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."

Changes to the Agenda:

There were none.

Citizens Comments:

Chairman Lyons called for citizens' comments after reading the following announcement:

"To make a comment in-person, please follow these guidelines:

1. Sign up to speak on the Citizens Comments Sign Up Sheet.
2. Once your name is called, address the Board from the podium beginning by clearly stating your name and magisterial district.

3. This is an opportunity for citizens to provide comments. Please do not expect the Board to respond to questions or engage in dialogue. If you have questions, please ensure that you have entered your contact information on the Citizen Comment Sign Up Sheet and staff will do their best to respond to your questions as soon as possible.
4. Citizens are respectfully requested to keep comments brief, not to speak for more than three (3) minutes- there is a timer on the podium for your convenience- and to address only those issues which are not part of a public hearing.
5. The same rules apply for those attending virtually. Once your name is called, please state your full name, magisterial district, and contact information for the record."

Jon Repair from the Natural Bridge Magisterial District shared his concerns about the safety of Tinkerville Road. Mr. Repair shared details of accidents that occurred along Tinkerville Road. He noted that the road is not posted, so the speed limit is 55 MPH. He also shared his concern about the dangers posed to farmers moving equipment on the road, by tractor trailer trucks illegally using the road. He further advised that the no-thru truck sign sits too far off of Route 11 leaving truckers no choice but to continue along Tinkerville Road once they have already made the turn. Mr. Repair asked the Board to consider the following:

1. Moving the no-thru truck sign closer to the intersection of Tinkerville Road and Route 11, to include no vehicles over 40' with

- a picture of a tractor trailer, circled in red with a slash through it, and beneath the image add language that states "Double Fines".
2. That the yellow signs currently suggesting speed limits be changed to a white sign with a posted speed limit of 35 mph.
 3. That a 35 mph sign be added on the road beginning at Sailings Mountain all the way to Tinkerville Road.
 4. To encourage law enforcement to enforce the speed limits.

Lastly, Mr. Repair asked the Board to consider scheduling the Citizens Comments period to 6:30 p.m. to be more advantageous to those who work.

Recognitions and Presentations:

Introduction of new Glasgow Town Manager:

Mr. Suter introduced Mr. George Hayfield, the newly hired Town Manager for Glasgow.

Chairman Lyons welcomed Mr. Hayfield.

Mr. Hayfield shared his excitement to work for the Town of Glasgow and for the opportunity to work with the County in the future.

Approval of the January 21, 2021 (Budget) and 2/3/2021 Budget Meeting #1 Minutes and the 2/8/2021 Regular Board Meeting Minutes:

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

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

Consideration of School Appropriation Resolution:

Fiscal Services Director Steven Bolster presented the School Appropriation Resolution, as shown below, and recommended approval as presented.

Supervisor McDaniel moved to adopt the resolution. 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

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, FEBRUARY 22, 2021 AT 5:30 P.M.

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

APPROPRIATION RESOLUTION

SCHOOL FUND:

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:

New Grant

Title III 2020

| | | |
|-----------------------------|---------------------------|-------------------|
| 4-50-61310-3160-901-102-920 | Purchased Services..... | \$1,425.00 |
| 4-50-61310-5540-901-102-920 | Travel..... | \$300.00 |
| 4-50-61310-6030-901-102-920 | Materials & Supplies..... | <u>\$1,369.00</u> |
| Total | | \$3,094.00 |

TOTAL FUND 50 APPROPRIATIONS **\$3,094.00**

SCHOOL CAFETERIA FUND:

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 56, SCHOOL CAFETERIA FUND** and expended as follows:

New Grant

No Kid Hungry Grant

| | | |
|-----------------------------|----------------------------|--------------------|
| 4-50-65100-8200-905-000-921 | Capital..... | \$30,000.00 |
| 4-50-65100-5600-905-000-921 | Contrb to Other Entity.... | \$15,000.00 |
| 4-50-65100-5200-905-000-921 | Communications..... | <u>\$5,000.00</u> |
| Total | | \$50,000.00 |

TOTAL FUND 56 APPROPRIATIONS **\$50,000.00**

TOTAL APPROPRIATIONS **\$53,094.00**

Update on Health Insurance:

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

"At the January 25th meeting, the Board of Supervisors received a presentation from the County's benefit consultant, One Digital, that included a summary of the options available to the County for a self-

funded benefits program for the FY 2022 benefit plan year. The options included the status-quo benefit plan (The Local Choice) with an estimated renewal figure based on claims data or proposals from Anthem and Cigna that are comparable to the benefit plans and contribution scale currently in place.

At the request of the Board, staff was asked to provide an update after receiving the FY 2022 renewal data from The Local Choice.

Projected costs for the status quo option were modeled to be at a 9% increase over current costs. The FY2022 renewal was received on Wednesday, February 17th and included an 8% increase with a one-time adjustment of 4%; the final total is 3.7% (\$67,620). A comparison of the data for the renewal and self-funded options will be presented by Jim Gordon with One Digital.

With this information in hand, staff has been working on some contribution models that may minimize the impact to the County while achieving the targeted goal of providing more affordable benefits to staff. The attached models provide options for the Board's consideration for FY 2022.

Additionally, staff met remotely with representatives from Pulaski County, which is similar to Rockbridge in the following ways:

- They previously utilized the Bright financial management software (and continue to do so for some applications).
- They transitioned to a self-funded program in FY2014 while still on the Bright system.

- They serve as fiscal agent to multiple agencies which are members of their internal insurance pool.

The discussions resulted in the following information which we would like to share with the Board:

- In the first three years of the self-funded plan, Pulaski County was able to maintain a \$1,000,000 surplus each year.
- Pulaski County has not experienced a benefit rate increase in the last 5 fiscal years.
- The total enrollment under their plan is 500 members (350 County staff).
- Billing and reconciliation for a self-funded plan differs from our current procedure and will likely require additional staff to implement and maintain the program.

Lastly, if it's the Board's desire to move towards a self-funded plan, it is strongly recommended to add a new full-time position in the Fiscal Services Department to ensure an efficient transition and to assist with the increase in current payroll and benefit responsibilities."

Jim Gordon of One Digital reviewed a comparison chart of coverage costs between Local Choice, Anthem, and Cigna which reiterated what Mr. Suter explained in the agenda item. He advised that One Digital was working on budget illustrations splitting premiums and employee contributions.

Chairman Lyons asked what it would cost to leave Local Choice.

Mr. Gordon advised that Local Choice would not release that number until mid to late September. He added that the County had remained profitable for Local Choice over the years and it should not cost anything to leave.

Supervisor Day asked if the County would have to hire a 3rd party to do the ACA reporting.

Mr. Gordon advised that the ACA reporting is currently included with Local Choice and would need to be subbed out to a 3rd party which would not be hard to do.

Mr. Gordon also noted that he had requested that Signa Health and Anthem review their previous quotes to provide a best and final offer to the County.

Chairman Lyons commented Mr. Gordon for his assistance.

Update by the Virginia Horse Center:

Mr. Suter advised that the Virginia Horse Center had requested that this item would be moved to the next Agenda. Chairman Lyons moved the item to the March 8 meeting.

Public Hearing at 6:00 P.M.:

Ordinance To Amend The Rockbridge County Code, Chapter 11, Article III, Sections 11-32 And 11-33 - To Relocate The Polling Places For The Effinger And Collierstown Precincts:

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

"The Rockbridge County Electoral Board has submitted information to the County Administrator on plans to relocate the two polling places that have been in the Effinger Fire Department. The Collierstown Precinct in the Kerrs Creek Magisterial District would be moved to the School Board Office of the Rockbridge County Public Schools at 2893 Collierstown Road. A letter dated January 20, 2021, from Dr. Phillip Thompson, Superintendent, confirming the availability, is included in the Board packet.

The second proposed change is to relocate the polling place for the Effinger Precinct in the Buffalo Magisterial District from the Effinger Fire Department to the Palmer Community Center at 1230 Blue Grass Trail. A copy of a confirmation communication dated January 25, 2021, from Martha Rockett, Secretary, on behalf of the Palmer Board of Directors, to Harry Stone, Chairman of the Rockbridge County Electoral Board, is included in the Board packet.

This action requires adoption of an Ordinance to amend the County Code, following a public hearing."

Mr. Stone was present and reiterated that there was a need to change the two (2) precinct locations following the last election and felt gratitude toward those who were ready to accommodate the Electoral Boards needs.

Chairman Lyons opened the Public Hearing at 6:07 P.M. Hearing no comments, Chairman Lyons closed the Public Hearing.

Supervisor Lewis shared his appreciation for those who were willing to help.

Supervisor McDaniel moved to adopt the ordinance. 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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON FEBRUARY 22, 2021

ORDINANCE TO AMEND THE ROCKBRIDGE COUNTY CODE, CHAPTER 11, ARTICLE III, SECTIONS 11-32 AND 11-33 – TO RELOCATE THE POLLING PLACE FOR THE EFFINGER PRECINCT FROM THE EFFINGER FIRE DEPARTMENT TO THE PALMER COMMUNITY CENTER IN THE BUFFALO MAGISTERIAL DISTRICT AND TO RELOCATE THE POLLING PLACE FOR THE COLLIERSTOWN PRECINCT FROM THE EFFINGER FIRE DEPARTMENT TO THE SCHOOL BOARD OFFICE OF ROCKBRIDGE COUNTY PUBLIC SCHOOLS IN THE KERRS CREEK MAGISTERIAL DISTRICT

BE IT ENACTED by the Rockbridge County Board of Supervisors that Sections 11-32 and 11-33 of the Rockbridge County Code are hereby amended as follows:

ROCKBRIDGE COUNTY CODE

ELECTIONS*

ARTICLE III. VOTING PRECINCTS

Sec. 11-32. Names of precincts; polling places.

The precincts for each magisterial district and the polling place for each precinct shall be as follows:

(1) [Same]

(2) [Same]

(3) *Buffalo Magisterial District:*

- a. *Ben Salem Precinct.* In this precinct the polling place is the Ben Salem Ruritan Club.
- b. *Airport Precinct.* In this precinct the polling place is Lexington Baptist Church.
- c. *Plank Road Precinct.* In this precinct the polling place is the Natural Bridge Fire Department.
- d. *Effinger Precinct.* In this precinct the polling place is the Palmer Community Center.

(4) [Same]

(5) *Kerr's Creek Magisterial District:*

- a. *Highland Belle Precinct.* In this precinct the polling place is the Kerrs Creek Fire Department.
- b. *Collierstown Precinct.* In this precinct the polling place is the School Board Office of Rockbridge County Public Schools.
- c. *Vo-Tech Precinct.* In this precinct the polling place is Life Chapel Church.

(Ord. of 6-13-94; Ord. of 3-11-96; Ord. of 2-24-97; 2(b), 3(b),(c), 4(a),(b), 5(a),(b) Amended by Ord. of 7-23-01; 2(b),(c), 3(a), 4(b) Amended by Ord. of 6-28-04; 3(d) Amended by Ord. of 4-11-05; 1(d), 3(b) Amended by Ord. of 8-22-05; 4(a) Amended by Ord. of 8-14-06; 3(d) Amended by Ord. of 8-10-09; 2(a) Amended by Ord. of 4-27-11; 3(d), 5(a) Amended by Ord. of 7-23-12; 1(a),(c) Amended by Ord. of 3-11-13; 5(c) Amended by Ord. of 8-08-16; 4(c) Amended by Ord. of 8-28-17)

Sec. 11-33. Precinct boundaries.

* Cross reference(s) -- Administration, Ch. 2.

State law reference -- Elections, Code of Virginia, §24.2-100 et seq.

The boundaries of the respective precincts are as follows:

(1) [Same]

(2) [Same]

(3) [Same]

(4) [Same]

(5) [Same]

(6) [Same]

(7) [Same]

(8) [Same]

(9) [Same]

(10) [Same]

(11) *Effinger Precinct.* Polling place is the Palmer Community Center.

Beginning at a point that is an intersection of the Alleghany County line and State Route 770 (Turnpike Road), thence northerly, thence southeasterly on State Route 770 to its intersection with State Route 654 (Hayslette Road), thence southerly along State Route 654 to its intersection with State Route 696 (Ford Hill Road), thence southerly along State Route 696 to its intersection with State Route 655 (Blacks Creek Road), thence easterly along State Route 655 to its intersection with State Highway 251 (Collierstown Road), thence in a southeasterly direction along State Highway 251 to its intersection with State Route 677 (Kygers Hill Road), thence in a northeasterly direction with State Route 677 to its intersection with the private road Peacock Lane, thence southwesterly along a straight line to the northern crest of Short Hills, thence southerly along the crest of Short Hills to the Botetourt County line, thence northwesterly to the Alleghany County line, thence northeasterly with said line to point of origin.

(12) [Same]

(13) [Same]

(14) [Same]

(15) [Same]

(16) *Collierstown Precinct.* Polling place is the School Board Office of Rockbridge County Public Schools.

Beginning at the intersection of State Route 677 (Kygers Hill Road) and State Highway 251 (Collierstown Road), thence northerly on State Highway 251 to its intersection with State Route 674 (Union Run Road), thence northerly along State Route 674 to its intersection with State

Route 687 (Ross Road), thence northeasterly along State Route 687 to its intersection with the city limits of Lexington, thence around the western boundary of Lexington to State Route 672 (Enfield Road), thence northwesterly on State Route 672 to State Route 670 (Beatty Hollow Road), continuing northwesterly on State Route 672 (Turnpike Road) to State Route 673 (Wee Darnock Road), thence northerly on State Route 673 to State Route 641 (Jacktown Road), thence northwesterly on State Route 641 to State Route 638 (Still House Drive), thence northerly on State Route 638 to State Route 639 (Higgins Hollow Drive), thence northwesterly on State Route 639 to the end of the road, thence southwesterly across country to the west end of State Route 642 (House Mountain Road), thence northwesterly across House Mountain to the crest of Big Hill, thence northwesterly along an unnamed creek to the Alleghany County line, where the Alleghany County line makes a ninety (90) degree turn, thence southwesterly along the Alleghany County line to State Route 770 (Turnpike Road), thence northerly thence southeasterly along State Route 770 to its intersection with State Route 654 (Hayslette Road), thence southerly along State Route 654 to its intersection with State Route 696 (Ford Hill Road), thence southerly along State Route 696 to its intersection with State Route 655 (Blacks Creek Road), thence in a northeasterly direction along State Route 655 to its intersection with State Highway 251 (Collierstown Road), thence southeasterly along State Highway 251 to the point of origin.

(17) **[Same]**

(Ord. of 3-11-96; Ord. of 2-24-97; (1)-(16) Amended by Ord. of 7-23-01; (6), (7), (8), (13) Amended by Ord. of 6-28-04; (11) Amended by Ord. of 4-11-05; (4), (9) Amended by Ord. of 8-22-05; (12) Amended by Ord. of 8-14-06; (11) Amended by Ord. of 8-10-09; (4), (5), (10), (13), (17) Amended by Ord. of 4-27-11; (11), (15) Amended by Ord. of 7-23-12; (1), (3) Amended by Ord. of 3-11-13; (17) Amended by Ord. of 8-08-16; (14) Amended by Ord. of 8-28-17)

This ordinance shall become effective on the date of its adoption.

Adopted this 22nd day of February, 2021.

Consideration of Reimbursement Resolution for CES and FES HVAC

Projects:

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

"Over the past few years, the Board of Supervisors and School Board have coordinated on the timing and financing of replacing the HVAC units at Central (CES) and Fairfield Elementary Schools (FES). Both sets of HVAC units are approximately 20 years old and near the end of their respective life cycles for efficient and effective use.

At a joint Board meeting on November 19, 2020, Trane Account Manager Scott Wise provided a presentation on each project. For CES, work includes replacing the rooftop HVAC units and ductwork (new insulation and metal jacket). The project schedule reflected work in Summer 2021. The FES project involves replacing the rooftop HVAC units and specific interior components of the system. This effort is estimated to begin in March 2021. Both projects are part of the FYs 2022-2026 CIP which the Board provisionally adopted on January 11, 2021.

At the February 8th Board meeting, staff communicated that our working group (County/School Division staff, Bond Counsel, and Financial Advisor) determined the most efficient process to secure financing for these projects was through the Virginia Public School Authority's (VPSA) Spring 2021 financing pool. Thus, eliminating the dual-track option consider a lease-leaseback financing through the EDA. The working group is currently reviewing the prepared VPSA application to meet the February 22nd submission deadline.

Since the FES project is estimated to begin in March 2021 and the VPSA bond closing (funds available) is tentatively targeted for May 11th, staff anticipates local funding is needed to cover March and April invoices. To ensure the County receives these dollars at closing, a

reimbursement resolution must be adopted by the Board. Rockbridge County Bond Counsel Daniel Lauro produced the attached resolution. This document was provided to the County Administrator, County Attorney and Fiscal Services Director for review."

Supervisor Lewis asked Mr. Bolster if there were a point of no return for going down the VPSA path, should other funding sources be identified in the meantime.

Mr. Bolster replied that a final decision would need to be made in late March or early April to move forward on the financing.

Mr. Suter noted that the group had looked into private lending sources but it did not appear to be cost effective. He added that there may not be enough time to utilize any other source of lending and meet the completion date.

Chairman Lyons advised that there could be potential state and federal funding in the near future to reopen schools and those funds could be used for air-quality projects, such as the HVAC systems. He asked Mr. Bolster if the amount to be borrowed could be changed should those funds become available.

Mr. Bolster replied, the application could be modified.

Supervisor Lewis moved to adopt the resolution. 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

RESOLUTION TO DECLARE AN INTENT TO REIMBURSE

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, upon mature consideration, has determined that it is essential for the County of Rockbridge, Virginia (the “County”) and the School Board of Rockbridge County, Virginia (the “School Board”) to (a) acquire, construct, reconstruct, expand, and equip capital projects for school purposes in the County, including but not limited to construction, renovation, and equipping of Central Elementary and Fairfield Elementary, and (b) pay costs of issuance in connection with such undertakings (together, the “Project”); and

WHEREAS, the School Board, upon mature consideration, has determined that a vital need exists for the Project; and

WHEREAS, the County reasonably anticipates to obtain long-term financing of all or any portion of the costs of the Project through the County’s participation in the pooled bond program offered from time to time by Virginia Public School Authority (“VPSA”), or other tax-exempt financing(s) as may be necessary or convenient, in one or more financings, and accordingly, the County shall comply with the provisions of the Internal Revenue Code of 1986, as amended, so that interest on any bonds issued by the County, or VPSA on behalf of the County, the proceeds of which are used to fund such loan to the County (the “Loan”), will remain excludible from gross income for Federal income tax purposes in accordance with law; and

WHEREAS, the County now desires to declare its intent to use all or any portion of the proceeds of one or more tax-exempt obligations to be issued, in one or more series, to reimburse certain expenditures in connection with the Project, among other things, all as required by Federal tax laws, including Treasury Regulations § 1.150-2 in the Internal Revenue Code of 1986, as amended, all as further described below.

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

1. The County and/or the School Board has paid or caused to be paid, beginning no earlier than 60 days prior to adoption hereof, and/or will pay or cause to be paid, on and after the date hereof, certain expenditures (the “Expenditures”) in connection with the Project. Further, it has been determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Project-related Expenditures are available only for a temporary period and it is necessary to reimburse the County and/or the School Board for the Expenditures from the proceeds of such Loan as described above (or otherwise from one or more issues of tax-exempt bonds). Accordingly, the County hereby declares its intent and reasonable expectations to reimburse the County and/or the School Board with all or any portion of the proceeds of the Loan for the Expenditures with respect to the Project made no earlier than 60 days prior to the adoption of this Resolution. The County reasonably expects as of this date that it will reimburse the Expenditures with all or any portion of the proceeds of such Loan.

2. The maximum aggregate principal amount of bond(s) or note(s) to be issued by the County in one or more series (to VPSA, as described above, or other tax-exempt financing(s) as may be necessary or

convenient) in connection with the Project, as described above, is reasonably anticipated to be approximately \$5,000,000.

3. The County or the School Board, as the case may be, will make a reimbursement allocation, which is a written allocation that evidences the use of proceeds thereof to reimburse the Expenditures, no later than 18 months after the later of the date on which the Expenditures are paid or the Project is placed in service or abandoned, but in no event more than three (3) years after the date on which the Expenditures are paid. This declaration of intent to reimburse, as required by Treasury Regulations Section 1.150-2 and Federal tax laws, shall take effect immediately.

ADOPTED: February 22, 2021

CERTIFICATE OF VOTES

The undersigned hereby certifies that the foregoing constitutes a true and correct copy of the foregoing Resolution to Declare an Intent to Reimburse, duly adopted by the Board of Supervisors of Rockbridge County, Virginia, upon a roll-call vote at a regular meeting duly held and called on the date hereof, and that the recorded roll-call vote of the Board of Supervisors is as follows:

| NAME | AYE | NAY | ABSTAIN | ABSENT |
|---|------------|------------|----------------|---------------|
| Daniel E. Lyons, Chair Kerrs Creek District | X | | | |
| David B. McDaniel, Vice Chair Natural Bridge District | X | | | |
| Leslie E. Ayers Buffalo District | X | | | |
| R.W. Day South River District | X | | | |
| A.J. "Jay" Lewis, II Walkers Creek District | X | | | |

Dated: February 22, 2021

Appointments:

Rockbridge Regional Jail Commission- Glasgow Representative:

Supervisor McDaniel moved to appoint new Town Manager for Glasgow, George Hayfield. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

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

Board Comments:

Supervisor Lewis asked Supervisor Ayers if the search for a new RARO Director had begun and suggested David Hinty be part of the hiring committee.

Supervisor Ayers advised that the job description was being worked on and noted that Mr. Hinty would be able to assist in the hiring process.

Supervisor Lewis asked Ms. Huffman when the Continuity of Government Ordinance expired.

Ms. Huffman replied in April, but plans to have it on the next Agenda for consideration to re-adopt.

Chairman Lyons asked Mr. Suter if he would draft a letter to the Governor regarding plans to re-open businesses in regards to the COVID-19 restrictions.

Supervisor McDaniel shared his concern about the comments made during citizens comments in regards to safety concerns on Tinkerville Road. He asked that VDOT be advised of the concerns.

Adjournment :

Supervisor McDaniel moved to adjourn the meeting at 6:46 p.m.

Supervisor Lewis provided the second, and the motion carried by unanimous vote by the Board.