

AT A CALLED WORK SESSION OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS  
HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING  
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA  
ON MONDAY, MARCH 8, 2021 AT 5:00 P.M.

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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

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CALLED TO ORDER:

Chairman Lyons called the meeting to order at 5:00 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.

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."

**Continued Discussion on County Decals:**

Mr. Suter briefly reviewed the following information:

"As you know decals have been a topic of conversation over the past several meetings. Since the last meeting, the Finance Committee met again with staff and the Commissioner and Treasurer to discuss thoughts and options. The main issues are identification of residents of the County for purposes of solid waste and recycling disposal and revenues associated with decal purchase.

Traditionally, the County has budgeted \$535K in revenues from decal sales. In the current FY22 draft budget, we have \$470K budgeted. There is about \$15,000 in annual cost for mailing and purchase of decals by the Treasurer. Last year, that number was higher due to increase mailing because of Covid. Thus, we could subtract at least \$15,000 off the revenue loss since there would be no decal costs. The amount we would need to cut from the budget or find in replacement revenues is about \$455K.

The Board has discussed varying options including adjustment of the personal property tax. Ms. Huffman has prepared an ordinance for a permanent decal, which is attached to your package. Rather than going back over plowed ground again, at this point, I'd ask if there are any questions or if the Board would like to discuss."

Chairman Lyons shared that personally, he would like to see a permanent decal, but would also like to be able to be able to afford doing what is necessary to do it. He added that eventually, things will head that direction, but he did not feel that the decision should be made

during a pandemic when the budget is unknown and the State is going to cause some increased expenditures. He recommended that no change be made at this time.

Supervisor Lewis shared that personally, he would like to do away with the decals and noted that the figures provided in Mr. Suter's review could be better estimated to show additional revenues. He added that, although we are in a pandemic, if there were a way to assist the citizens in their request to eliminate the decal, he felt the Board should if a majority of the lost revenue could be found.

Supervisor Ayers shared her agreement with both Chairman Lyons and Supervisor Lewis but felt the Board should put this off until the they could find a way to capture the lost revenue.

Supervisor McDaniel shared his agreement with eliminating the decal but was not in favor of increasing personal property to make up the revenue. He added that the budget could be tightened and could do with without the revenue.

In response to a question by Supervisor Lewis, Ms. Huffman advised that the draft ordinance as written would collect a small amount of the lost revenue, approximately \$90,000, one time.

Supervisor Lewis disagreed with not moving forward with eliminating the decal if a majority of the Board are wanting to see the decal eliminated.

Chairman Lyons advised that he had received calls from citizens who had issues from both sides. He shared that one of the callers stated that the personal property tax was just increased last year and that he was not in favor of increasing it even more, whereas another caller agreed with

increasing personal property to eliminate to decal. He noted that, even if staying the way it is, some citizens will see an increase in their personal property because values of some vehicles have increased where normally they would have decreased. Chairman Lyons added that there must be a way to recognize a vehicle at collection sites. He stated that he would be happy to support eliminating the decal if it could be done so without raising taxes or fees.

With there being no further business to discuss, Chairman Lyons closed the Work Session at 5:11 p.m.

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS  
HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING  
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA  
ON MONDAY, MARCH 8, 2021 AT 5:30 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 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.

Chairman Lyons 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 do our best to take citizen comment remotely during the citizen comment portion of the meeting. 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.

**Recognitions and Presentations:**

**Recognition of Buena Vista City Manager Jay Scudder:**

Mr. Suter advised that Buena Vista City Manager Jay Scudder would be retiring at the end of the month and the Board wished to recognize him for his service to the region for the past nine-plus years.

Chairman Lyons recognized Mr. Scudder who was present via Zoom by reading aloud the following resolution:

**RESOLUTION EXPRESSING THE APPRECIATION OF THE  
BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY  
TO WILLIAM P. “JAY” SCUDDER ON THE OCCASION OF HIS RETIREMENT AFTER NINE  
YEARS AS MANAGER OF THE CITY OF BUENA VISTA, AND THIRTY-TWO YEARS OF PUBLIC  
SERVICE IN THE COMMONWEALTH OF VIRGINIA**

**WHEREAS**, William P. “Jay” Scudder was hired as the Buena Vista City Manager in 2011 bringing a Bachelors of Science Degree in Public Administration and Public Policy from James Madison University and over 20 years of prior public management experience in the Commonwealth; and,

**WHEREAS**, as the second longest serving manager in the history of the City, Jay has worked diligently for nearly a decade in the interest of the citizens of and visitors to the City of Buena Vista; and,

**WHEREAS**, successes achieved by the City of Buena Vista and the County of Rockbridge are ultimately and inextricably linked; and,

**WHEREAS**, Jay’s loyalties have always rested squarely with the City of Buena Vista, resulting in the occasional “disagreement” with the County which surrounds it; and,

**WHEREAS**, despite these occasional differences of opinion, Jay has maintained a consistently open line of professional communication; and,

**WHEREAS**, his dedication and leadership has been instrumental in many initiatives of regional significance, including, but not limited to: establishing a new Regional Emergency Communications Center in Buena Vista, implementation of a new digital, trunked regional emergency communications system, renovations at the Rockbridge Regional Jail, implementation of the Rockbridge Area Network Authority (RANA), extension of the Chessie trail to downtown Buena Vista and the River Walk Trail, collaboration to regionally improve fire and EMS services, significant improvements in Buena Vista’s public water systems and transportation network, and coordination of numerous grants intended to promote economic development; and,

**WHEREAS**, and *despite* the aforementioned and occasional differences of opinion, the County of Rockbridge recognizes and appreciates the time, effort, thought and energy exerted by Jay in collaborative pursuit of these initiatives, which have and will continue to benefit our regional family.

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

**Adopted this 8<sup>th</sup> day of March, 2021.**

**Chairman of the Rockbridge County Board of Supervisors**

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**Daniel E. Lyons**

The Board commended Mr. Scudder on his retirement.

Mr. Scudder shared his appreciation to the Board for its support as well as Mr. Suter who prepared the draft resolution on behalf of the Board.

Supervisor Lewis moved to adopt the resolution of appreciation as presented. Supervisor McDaniel provided the second, and the motion carried by the following roll call vote by the Board:

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

**Citizens Comments:**

Chairman Lyons called for citizens' comments. There were none.

**Approval of the February 22, 2021 Minutes:**

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

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

**Consideration of County Financial Package:**

Fiscal Services Director Steven Bolster presented his monthly memorandum and revenues verses expenditures chart. He then presented the County resolution as shown below and recommended approval as presented.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING,  
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,  
ON MONDAY, MARCH 8, 2021 AT 5:30 P.M.

On motion by Supervisor Ayers, seconded by Supervisor Day, the Board, by record vote, adopted the following appropriation resolution and payment of bills for the month as follows:

APPROPRIATION RESOLUTION

**GENERAL FUND:**

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

4-11-21010-5402 Technology Trust Fund.....	\$6,357.00
4-11-81090-5640 Refund VEDP Opportunity Fund.....	\$73,000.00
<b>Total General Fund Appropriations</b>	<b>\$79,357.00</b>
<b>Total Appropriations</b>	<b>\$79,357.00</b>
<b>Current County</b>	
11 - General Fund	\$1,016,673.42
94 - Central Stores	\$2,923.41
202 - COVID-19 Response Fund	\$3,704.09
372 - Construction Project Fund	\$5,951.85
<b>Total County Bills</b>	<b>\$1,029,252.77</b>
<b>Current Fiscal Agent</b>	
80 - Regional Jail Fund	\$175,479.14
<b>Total Fiscal Agent</b>	<b>\$175,479.14</b>
<b>TOTAL ALL BILLS</b>	<b>\$1,204,731.91</b>

Supervisor Ayers moved to adopt the resolution as presented.

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

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

**Annual Update on the Virginia Horse Center (VHC):**

Mr. Suter reviewed the following information:

"In 2018, the EDA and Board of Supervisors approved support of a \$730,000 Cornerstone Bank loan, the proceeds of which were intended to provide for necessary capital maintenance improvements at the facility. The debt service was/is supported by a 1% increase in the transient occupancy (lodging) tax by both the County and the City of Lexington.

Part of the agreement includes the requirement for the VHC to make an annual report on usage of the funds to the EDA, followed by a report to the Board of Supervisors. On Tuesday, February 16<sup>th</sup>, VHC CEO John Nicolson and CFO Sandra Thomas provided a report to the EDA. The EDA approved the report and recommended submittal to the Board of Supervisors which included the following supporting documents:

- A listing of CIP projects supported by the loan proceeds.
- November 2020 Financial Statement
- Audit report"

Mr. Nicholson shared his appreciation of VHC staff and how they handled business after being forced to be shut down from March 14, 2020

through June 11, 2020 due to COVID-19. He advised that the VHC seen its best two quarters (July-December) in the history of the VHC, having added three (3) new shows in fall and two (2) in the winter as result of other facilities not being open. He then advised of the following private-funded projects that had been completed:

- Entire renovation of one of the 8 barns costing roughly \$750,000
- Renovation of another barn costing roughly \$500,000
- New memorial park in the center of the property
- Brand new LED lighting and fans in the main indoor colosseum
- Currently working on upgrading lighting in another colosseum
- Upgraded technology

He then noted that the privately-funded economic impact study completed just before the pandemic stated that Rockbridge County benefits by the VHC some \$47.7 million annually in terms of what is added to the economy and some \$920,000 annually to the tax-base. He added that the study concluded that the Commonwealth of Virginia benefits some \$94.4 million annually and adds \$2.01 million to the general fund for the Commonwealth of Virginia. In addition, he noted, the VHC provides 518 jobs to the Commonwealth as result of the economic activity of the VHC. Mr. Nicholson shared his gratitude to the County for its support.

Ms. Thomas shared that the \$1.5 million loan from Cornerstone Bank provided a payoff of the New River Bank loan and around \$740,000 for deferred maintenance projects of which all have been completed. She noted that the projects mentioned by Mr. Nicholson that were completed using private-funding totaled around \$2 million and the majority of the money left from the Cornerstone Bank Loan was set aside for deferred maintenance

was mainly used for stormwater improvements. She noted that revenues exceeded expenditures this year by about \$200,000 whereas in 2019, expenditures exceeded revenues.

Supervisor Lewis shared his appreciation of the VHC utilizing local contractors to complete the capital projects, which is all part of the economic impact.

Supervisor Ayers noted that the VHC's electricity bill is very expensive and asked if they had ever considered solar panels.

Ms. Thomas replied that one of the VHC's Board members is currently looking into this.

Chairman Lyons commended VHC staff and shared his well wishes for a happy retirement for Mr. Nicholson.

#### **Health Benefits Update:**

Mr. Suter provided the following overview:

"At the February 21st meeting, the Board of Supervisors received a comparison of the cost data for The Local Choice renewal and self-funded options presented by Jim Gordon with One Digital. It was anticipated that Cigna and Anthem would review the most current claims data as of February 17th and provide updated proposals.

As opposed to the information printed in the agenda package, which was the best info we had available at time of posting, Cigna has in fact further reduced their quote. Anthem did not ultimately reduce their quote.

Jim Gordon and Kelly Hubbard with OneDigital are zooming in to the meeting to discuss.

We are currently a little ahead of schedule in that April 1 is the date when we must provide our current benefits provider The Local Choice, with a decision. However, the sooner we can achieve a heading the better. We have a meeting scheduled tomorrow with the heads of agencies which are in our plan to discuss the outcome of tonight's meeting and options for moving ahead.

If the Board chooses to pursue the self-funding option, staff will begin to develop contribution models that are cost-effective for the County and appealing to staff.

As discussed in the last Board meeting, staff is requesting an additional employee in the Fiscal Services Department to assist with current payroll and benefit workload and to assist with the transition and coordination of a self-funded program."

In response to a question by Supervisor Ayers, Mr. Suter provided an updated cost-comparison chart with revised numbers provided prior to the meeting.

Mr. Gordon reviewed the comparison numbers as shown on the revised chart.

Supervisor McDaniel asked Mr. Gordon if the total maximum liability is what we should be focused on from a budget standpoint.

Mr. Gordon recommended focusing on the mid-point as a place to set the premiums and to look at the max to fully-budget for the total risk.

Supervisor McDaniel asked if the County should set aside the maximum expected cost of around \$212,000 in a reserve account.

Mr. Gordon replied, the County could prepare to be fully-covered by putting aside that funding.

Chairman Lyons commended Mr. Gordon and Ms. Hoke for all their work. He agreed with Supervisor McDaniel's thought of going ahead and setting aside the \$212,000 in reserves to be completely covered. He asked the other Board members if there were any objections to continuing down the path of self-funded insurance. There were no objections.

Supervisor McDaniel asked what the renewal would be like after switching to self-funded.

Mr. Gordon replied that it would need to be reviewed year-by-year.

Supervisor Ayers asked if there were anyone who ever regretted their decision to move to self-insured.

Mr. Gordon replied, only one he could think of in his 20 years in the consulting business and that was because they were given a deal they could not refuse.

The Board provided consensus for staff to move ahead with the self-funded process.

#### **Consideration of Fire-Rescue Admin Bldg/911 Center Roof Replacement Bids:**

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

"From Friday, February 5, 2021 to Friday, February 26th, the County advertised an Invitation for Bids (#2021-02-001) to complete a turn-key project to replace the Fire-Rescue Administration Building/911 Center roof. Please note that this replacement is for the only remaining section of flat roof not replaced during the 2016 renovation of the building. The advertisement efforts included local print, the County website, and the Virginia eProcurement Portal (eVA). Eight companies attended the mandatory

pre-bid meeting on Thursday, February 11th. County staff issued Addendum #1 on Friday, February 19th to correct one item on the Bid Form and in response to a series of written requests for clarification. Five contractors submitted bids to the County by the advertised due date and time. These bids were opened and read at the Rockbridge County Administration Building not on February 26th beginning at 2:00 p.m.; see summary table below.

1.	John T. Morgan Roofing & Sheet Metal Co., Inc.	\$24,831.00
2.	Adelphia Contracting, Inc.	\$34,700.00
3.	Melvin T. Morgan Roofing	\$35,891.00
4.	S.G. Young Contracting	\$37,987.00
5.	Vertex Roofing Contractors, Inc.	\$59,225.00

The lowest responsive and responsible bid was submitted by John T. Morgan Roofing & Sheet Metal Company. A resolution authorizing contract award is attached for the Board's review and consideration. The resolution authorizes the County Administrator to execute the contract documents on behalf of the Board of Supervisors of Rockbridge County, and to take such other and further actions as may be necessary and appropriate to accomplish this transaction, which shall be approved as to form by the County Attorney.

In accordance with standard procurement policy, if a contract is not reached with the lowest bidder, staff would move to the next bidder and bring a contract back to the Board for consideration.”

Supervisor McDaniel asked why this section of the building was not replaced during the renovations at the get-go.

Mr. Suter replied that the architect had advised at time of renovation that this portion of the roof still had useable life and replacement was not recommended. However, there are now leaks.

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

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,  
MARCH 8, 2021

**RESOLUTION AUTHORIZING AWARD OF BID TO AND EXECUTION OF THE  
CONTRACT DOCUMENTS WITH JOHN T. MORGAN ROOFING & SHEET METAL  
COMPANY FOR THE ROOF REPLACEMENT AT THE FIRE-RESCUE  
ADMINISTRATION BUILDING/911 CENTER**

WHEREAS, on February 5, 2021, the County of Rockbridge issued an Invitation for Bids for the roof replacement at the Fire-Rescue Administration Building/911 Center; and,

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

WHEREAS, five bids shown upon the Bid Tabulation dated February 26, 2021, have been determined by staff to be responsive to the County’s Invitation to Bid # 2021-02-001; and,

WHEREAS, the lowest responsive and responsible bidder for the construction services is John T. Morgan Roofing & Sheet Metal Company; and,

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

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

1. That John T. Morgan Roofing & Sheet Metal Company is deemed the lowest responsive and responsible bidder, and the bid is hereby accepted.

2. That John T. Morgan Roofing & Sheet Metal Company be, and hereby is, awarded the contract at a price of \$24,831.00 to replace the roof at the Fire-Rescue Administration Building/911 Center located at 100 Baner Lane in Buena Vista, Virginia.

3. That upon receipt of the completed Contract Documents from John T. Morgan Roofing & Sheet Metal Company and compliance with all remaining requirements therefor, the County Administrator is hereby authorized to execute the construction Agreement, in substantial conformity to the Agreement presented herewith, on behalf of the Board of Supervisors of Rockbridge County, and to take such other and further actions as may be necessary and appropriate to accomplish this transaction, which shall be approved as to form by the County Attorney.

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

Adopted this 8<sup>th</sup> day of March, 2021.

**Authorization to Exercise Option and Acquire Locher Property for  
Collection Center:**

Ms. Huffman briefly reviewed the agenda item which included the following information:

"By Option to Purchase Agreement dated October 23, 2019, Baldwin G. Locher, Jr., granted to the County an option to purchase multiple lots along Wert Faulkner Highway in Natural Bridge Station for development of a

solid waste collection center. The initial option period was for 90 days, with the ability to renew for another 90 days.

Staff proceeded to contract with Perkins & Orrison to survey the lots and prepare a preliminary site plan and feasibility study. P & O generated two options, with the preferred alternative being development of the collection site toward the front of the combined lots, due to low development cost and increased efficiency.

Title work revealed that Lot 17, in Block 66, had no source of title. In addition, we have known from the outset that Lots 19 and 25, in Block 49 (at the rear of the parcel) are shown on the County Land Records as "unknown" parcels and are included in a pending Circuit Court proceeding to clear title. However, little progress had been made and the matter has since been dismissed for lack of activity.

Prior to expiration of the Option, Mr. Locher initiated negotiations for acquisition of additional lots, including Lot 17, Block 66, and a number of Block 66 lots adjoining the lots under the Option. On April 13, 2020, the Board authorized an Extension of Option to Purchase with Baldwin G. Locher, Jr., which extended the Option for another 6 months (through October 22, 2020).

On October 13, 2020, the Board of Supervisors approved Amendment and Extension of the Option to Purchase Agreement, adding eight (8) lots in Block 66 (for a total of 39 lots), clarifying the purchase price with the added lots, and extending the option period through April 22, 2021.

P & O has prepared a third preliminary site plan and feasibility study for the site, incorporating the additional lots, and staff recommends this alternative. The planned collection center can be

developed entirely on the lots in Block 66. A copy of the preliminary site plan is attached for reference.

Title work has been completed for the additional lots. The Phase I Environmental Site Assessment has been completed with no obvious exceptions. Based on these due diligence findings, staff is recommending that the County exercise the Option to Purchase the lots in Block 66 and proceed with the acquisition.

Vacation of the alley in Block 66 will be necessary. Vacation of the street between Block 66 and Block 49 will not be required for development of the site, but would provide some additional barrier and expansion area for the collection site. The question remains whether the Board wishes to also acquire the lots in Block 49, or acquire the Block 66 lots and continue/extend the Option to Purchase the Block 49 lots. As a reminder, Locher's conveyance of Lots 19 and 25, in Block 49 (the "unknown" lots) would be by quit-claim deed only and could present title issues in the future.

The total purchase price for the Block 66 lots would be \$34,986. The total purchase price with inclusion of the Block 49 lots would be \$37,186. The funds for the purchase are currently available in the budget. The proposed Resolution to authorize exercising the option to purchase, and for acquisition and acceptance of all of the lots, is attached for the Board's consideration. Amendments can be made at the meeting, depending upon the Board's determination."

Ms. Huffman, during her review, advised that a corrected resolution was published for the Board on BoardDocs with a revised amount as well as an alternate resolution.

Supervisor Ayers shared her concern about not purchasing all of the lots. She asked who would maintain the lots if the County did not purchase them.

Ms. Huffman advised that, currently, Mr. Locher pays the taxes on the vacant lots and are not really maintained as they are just wooded areas.

Supervisor Ayers moved to adopt the resolution for purchase of the entire property totaling 39 lots. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,  
MARCH 8, 2021

**Resolution to Authorize Exercising the Option to Purchase, and the Acquisition and Acceptance, From Baldwin G. Locher, Jr., of 39 Contiguous Lots of Unimproved Real Estate, Consisting of Approximately 3.61 Acres of Land, Located on the North Side of Wert Faulkner Highway Across From and Slightly East of Its Intersection With Arnolds Valley Road, Identified on Exhibit A as Multiple Lots in Blocks 66 and 49 on the Map of Glasgow, Recorded in Deed Book 58, page 1 and 2, in the Natural Bridge Magisterial District, for Development of a New Solid Waste and Recycling Collection Center in a Convenient Location for Residents**

WHEREAS, by Option to Purchase Agreement dated October 23, 2019, Baldwin G. Locher, Jr., also known as B. G. Locher, Jr., ("Locher") granted to the County an option to purchase multiple lots along Wert Faulkner Highway in Natural Bridge Station for development of a new solid waste collection center; and,

WHEREAS, the County has renewed and extended the Option to Purchase several times while performing due diligence on the feasibility of the proposed site for its intended purpose and while the owner pursued clearing potential title issues; and,

WHEREAS, by Amendment and Extension Agreement dated October 21, 2020, Locher and the County agreed to the addition of 8 lots to the Option to Purchase, with all lots shown and described on the attached "Amended Exhibit A", clarified the purchase price per lot with the additions, and extended the term of the Option through April 22, 2021; and,

WHEREAS, the County has completed evaluations of the site for its purposes, with the additional lots, including a revised preliminary site plan, a Phase I Environmental Site Assessment, and a title search, and staff recommends exercising the Option to Purchase and acquiring the property, in conjunction with proceeding with consideration to vacate the paper alley and street shown within the boundaries of the property.

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

1. That exercise of the option to purchase, and the acquisition and acceptance from Baldwin G. Locher, Jr., of the unimproved real estate described in "Amended Exhibit A" attached hereto, being a total of 39 contiguous lots consisting of approximately 3.61 acres (including the area of the alley and street) in Blocks 66 and 49 on the Map of Glasgow, recorded in the Clerk's Office of the Circuit Court of Rockbridge County, Virginia, in Deed Book 58, pages 1 and 2, and further shown on the 'Map of the Property of West-End Glasgow Land Company' recorded in the aforesaid Clerk's Office in Deed Book 121, page 302, located on the north side of Wert Faulkner Highway Across From and Slightly East of Its Intersection With Arnolds Valley Road, in the Natural Bridge Magisterial District, for development of a new Solid Waste and Recycling Collection Center in a convenient and accessible location for residents, for the purchase price of \$37,186.00, be, and hereby is, authorized and approved.

2. That the County Administrator is hereby authorized to provide Notice of Exercise of the Option, pursuant to the terms of the Option to Purchase Agreement, to accept the deed for the property, and to execute such other documents, and to take such further actions, on behalf of the Board of Supervisors, as are necessary to accomplish the acquisition and acceptance of the real estate described herein, all of which shall be approved as to form by the County Attorney.

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

Adopted this 8<sup>th</sup> day of March, 2021.

**AMENDED EXHIBIT "A"**

All those certain lots or parcels of land, together with any improvements thereon, rights incident thereto, and appurtenances thereunto belonging, situate in the Natural Bridge Magisterial District of the County of Rockbridge, Virginia, located near Natural Bridge Station, and shown on the 'Map of Glasgow', recorded in the Clerk's Office of the Circuit Court of Rockbridge County in Deed Book 58, page 1 and 2, and also described as shown on the 'Map of the Property of the West-End Glasgow Land Company', recorded in the aforesaid Clerk's Office in Deed Book 121, page 302, and more particularly described as follows:

- |                      |                        |
|----------------------|------------------------|
| (1) Lot 11, Block 66 | Tax Map #108A1-9-66-11 |
| Lot 13, Block 66     | Tax Map #108A1-9-66-13 |
| Lot 17, Block 66     | Tax Map #108A1-9-66-17 |
| Lot 19, Block 66     | Tax Map #108A1-9-66-19 |
| Lot 21, Block 66     | Tax Map #108A1-9-66-21 |
| Lot 23, Block 66     | Tax Map #108A1-9-66-23 |
| Lot 25, Block 66     | Tax Map #108A1-9-66-25 |
| Lot 29, Block 66     | Tax Map #108A1-9-66-29 |
| Lot 31, Block 66     | Tax Map #108A1-9-66-31 |
| Lot 14, Block 66     | Tax Map #108A1-9-66-14 |
| Lot 16, Block 66     | Tax Map #108A1-9-66-16 |

Lot 18, Block 66	Tax Map #108A1-9-66-18
Lot 20, Block 66	Tax Map #108A1-9-66-20
Lot 22, Block 66	Tax Map #108A1-9-66-22
Lot 28, Block 66	Tax Map #108A1-9-66-28
Lot 30, Block 66	Tax Map #108A1-9-66-30
Lot 32, Block 66	Tax Map #108A1-9-66-32

Being some of the same lots acquired by the Grantor in a deed from Joseph R. Ware, dated December 10, 2015, and recorded in the Clerk's Office of the Circuit Court of Rockbridge County as Instrument #160000466.

(2) Lot 12, Block 66	Tax Map #108A1-9-66-12
Lot 24, Block 66	Tax Map #108A1-9-66-24
Lot 26, Block 66	Tax Map #108A1-9-66-26
Lot 11, Block 49	Tax Map #108A1-9-49-11
Lot 13, Block 49	Tax Map #108A1-9-49-13
Lot 15, Block 49	Tax Map #108A1-9-49-15
Lot 17, Block 49	Tax Map #108A1-9-49-17
Lot 23, Block 49	Tax Map #108A1-9-49-23
Lot 27, Block 49	Tax Map #108A1-9-49-27
Lot 31, Block 49	Tax Map #108A1-9-49-31

Being some of the same lots acquired by the Grantor in a deed from Sallie T. Letcher, dated March 21, 1997, and recorded in the aforesaid Clerk's Office in Deed Book 574, page 685.

(3) Lot 21, Block 49	Tax Map #108A1-9-49-21
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Being one of the lots acquired by the Grantor in a Treasurer's Deed from Jeffrey A. Scharf, Esq., as collection agent for the County of Rockbridge, Virginia, dated November 18, 2016, and recorded in the aforesaid Clerk's Office as Instrument #170000462.

(4) Lot 29, Block 49 Tax Map #108A1-9-49-29

Being one of the lots acquired by the Grantor in a deed from Mary B. Denbo, dated February 2, 1998, and recorded in the aforesaid Clerk's Office in Deed Book 590, page 920.

(5) Lot 19, Block 49 Tax Map #108A1-9-49-19

Lot 25, Block 49 Tax Map #108A1-9-49-25

Being two lots listed upon the Rockbridge County Land Records as "UNKNOWN" owner, c/o B.

G. Locher, Jr.

**Additions:**

(6) Lot 15, Block 66 Tax Map #108A1-9-66-15

Lot 27, Block 66 Tax Map #108A1-9-66-27

Being a portion of the lots acquired as Parcel 2 by Grantor in deed dated July 27, 2020, from Rose Marie P. Westmoreland, Executor of the Estate of Max Julian Westmoreland (also known as Max J. Westmoreland), recorded in the aforesaid Clerk's Office as Instrument #200002823.

(7) Lot 5, Block 66 Tax Map #108A1-9-66-5

Lot 7, Block 66 Tax Map #108A1-9-66-7

Lot 9, Block 66 Tax Map #108A1-9-66-9

Lot 6, Block 66 Tax Map #108A1-9-66-6

Lot 8, Block 66 Tax Map #108A1-9-66-8

Lot 10, Block 66 Tax Map #108A1-9-66-10

Being some of the same lots acquired by the Grantor in a deed from Joseph R. Ware, dated December 10, 2015, and recorded in the Clerk's Office of the Circuit Court of Rockbridge County as Instrument #160000466.

**Re-adoption and Extension of the Continuity of Government Ordinance:**

Ms. Huffman briefly reviewed the agenda item which included the following information:

"At a Special Emergency Meeting of the Board of Supervisors on April 6, 2020, the Board adopted an Emergency Continuity of Government Ordinance, to address continuing government operations during the current emergency and disaster due to the COVID-19 pandemic. The Ordinance was effective for sixty (60) days, through June 5, 2020. On May 26, 2020, due to the on-going state of emergency, the Board of Supervisors held a public hearing and re-adopted and extended the Continuity of Government Ordinance for an additional four (4) months, through October 5, 2020. On September 28, 2020, following notice and public hearing, the Board readopted and extended the Continuity of Government Ordinance, effective through April 5, 2021.

The declared state of emergency and disaster continues at the federal, state and local levels, although many restrictions have been released or modified contingent upon compliance with guidelines for the health and safety of the public. It is not expected that the state of emergency will be rescinded or that all restrictions will be released or removed prior to April 5<sup>th</sup>. Health officials at the federal, state, and local level continue to advise that large gatherings of people can spread the illness and prolong the disaster. The usual and necessary operations of government, by law, often require indoor gatherings in person.

Readoption of the Continuity of Government Ordinance is recommended to allow for observance of current public health guidelines as needed, and

to permit flexibility in the County's operations should circumstances change, whether in a positive or negative direction. If adopted, the Ordinance would remain in effect for six (6) months, through October 5, 2021, or its rescission, whichever first occurs. The proposed Ordinance is attached for the Board's consideration."

Supervisor Lewis suggested a three (3) month extension instead of 6.

Supervisor McDaniel stated that the Board could lift the ordinance at any time.

Ms. Huffman concurred that the ordinance can at any time be rescinded.

Supervisors McDaniel, Day, Ayers, and Lyons agreed to the 6-month extension.

Supervisor McDaniel moved to advertise the ordinance for public hearing. 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

**Continued County Decal Discussion:**

In continuation of the Work Session held at 5:00 p.m., Chairman Lyons reiterated that this would not be the appropriate time to make a change not knowing how the revenues would be found if eliminating the decal. He suggested bring this before the Board next year.

Supervisor Lewis suggested the Board still hold the public hearing to receive public input.

Supervisor Ayers objected to having a public hearing when the Board is not ready to move forward.

Supervisor Day agreed with Supervisor Ayers.

Supervisor McDaniel agreed that the Board needed to hear input from the public but shared concern about the public hearing advertisement and what it would be advertising if not moving forward.

Supervisor Lewis moved to advertise this for a public hearing. Supervisor McDaniel provided the second with the understanding that change would not be happening immediately. The motion failed by the following roll call vote by the Board:

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

**Appointments:**

**MSA- John Higgins- Unexpired Term- 6/30/2024:**

Chairman Lyons advised that the Board had received two (2) applications to fill this unexpired term. In addition, he added, Supervisor Lewis shared an interest in serving in this capacity.

The Board discussed whether or not there was an official policy for Board members to serve on various boards and committees.

Ms. Huffman stated that there wasn't an official policy, however the Board members some years ago thought they should serve on various boards and committees where possible.

Chairman Lyons shared his opinion that, if the Board wishes to continue following a similar path as previous Board members and have them serve where possible, members who are no longer on the Board of Supervisors should not continue serving on various boards and committees if appointed in their capacity as a Board Supervisor.

Supervisor Ayers advised that she too had an interest in serving on the MSA. However, there were two (2) really great applicants who were willing to serve in a volunteer roll and their applications should be considered.

Supervisor Lewis suggested this appointment be carried over to the next agenda.

Chairman Lyons concurred.

**Break:**

Chairman Lyons suspended the meeting at 7:06 p.m. for the Blue Ridge Resource Authority to hold its meeting.

**Reconvened:**

Chairman Lyons reconvened the meeting at approximately 7:45 PM.

**Appointments Continued...**

**Planning Commission- Robert Lucas- Term Expires 3/23/2021:**

Supervisor McDaniel moved to reappoint Mr. Lucas to serve on the Planning Commission. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

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

**EDA- Boyd Brown and David Ferris- Terms Expire 4/10/2021:**

Supervisor McDaniel moved to reappoint Mr. Brown and Mr. Ferris to the EDA. Supervisor Lewis provided the second, and the motion carried by the following roll call vote by the Board:

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

**Scheduled Budget Meeting #3:**

**Fiscal Services Director Provides Update on FY2022 Draft Budget:**

Mr. Suter reviewed the following information:

"Since the last meeting, the Finance Committee and staff have worked on the draft budget and as of today it is balanced. However, there are a few things I'd like to point out:

1) The General Assembly has recommended 5% raises for state employees to include constitutional offices, jails and SOQ positions in public schools.

2) We have included the County's portion of the constitucionals, but do not yet have a revised request from the jail or school division

3) The most recent Finance Committee meeting was last Wednesday. In it we discussed some budget adjustments including adjusting some revenues.

4) On last Thursday, Mr. Bolster worked through the budget to adjust for the Finance Committee recommendations. In an effort to completely close the gap, he made some additional cuts, beyond what were discussed by the Finance Committee, which he will review in a minute. Thought the revised budget was sent to the Finance Committee on Thursday, we have not yet discussed as a group. Therefore, I want to make sure the Board understands that many changes you will see were not specifically recommended by the Finance Committee, despite the fact that they are listed in the "Finance Committee Recommendation" column. They are Steve's efforts, with my support, to give the Board a balanced budget as of today. All are certainly open for discussion and amendment."

Mr. Bolster presented a balanced budget and noted there were no proposed increases to taxes for the upcoming fiscal year.

Chairman Lyons inquired about health insurance changes and what that could do to the budget.

Mr. Bolster explained that there would need to be an adjustment in the budget based on Board discussion.

Mr. Suter added that he would bring back budget impact numbers for health insurance changes.

Supervisor Day asked where the money would be coming from that would cover the cost to exit The Local Choice.

Mr. Suter explained that the County's benefits advisor did not believe the County would have to pay anything to exit The Local Choice. However, the County would not be given that information until late in September.

Supervisor McDaniel advised that the Finance Committee had pressured Mr. Bolster and Mr. Suter during this budget process to try to recover as much revenue as possible without raising taxes. He stated that he felt they had done what was asked of them and asked the other members of the Board if they felt the same.

Chairman Lyons concurred and shared his appreciation to the Finance Committee.

Supervisor Ayers also agreed and shared her appreciation to the Finance Committee.

Supervisor McDaniel noted that the current draft "balanced-budget" included a 2% raise for staff. He explained that Constitutional Officers and other State employees are likely to see a 5% raise from the State's budget.

**Board Comments:**

Supervisor Ayers provided and updated on the Regional Tourism Board advising of the launch of the Spring Pact Program on March 15<sup>th</sup>. She shared that PACT stood for "Protecting All Citizens and Travelers". She also advised of a campaign called "We love it when you visit" that would focus on personal connections between customers and businesses personnel.

Chairman Lyons provided an update on resident concerns from the last meeting regarding Tinkerville Road. He shared that a meeting was conducted on Wednesday, March 3<sup>rd</sup> and members present were himself and Supervisor McDaniel, VDOT Residency Administrator Susan Hammond, Sheriff Steve Funkhouser, and Mr. Suter. He advised of the following items discussed during the meeting:

- Speed - VDOT will complete a speed study to ascertain the efficacy of posting at a lower speed
- Road Construction - At this time, budgetary constraints do not allow for major road improvements / widening / straightening
- Visibility - Visibility could be improved in some areas via trimming back brush in both the public ROW and on private property
- Restrictions - The road is currently restricted to vehicles under 40' in length
- Signage - VDOT will
  - o Reevaluate placement of existing signs at the terminal endpoints of Rt 684 (int with Rt 11 and Rt 130 / Anderson Street)
  - o Evaluate the potential to add GPS warning signs at both ends
- GPS Routing - VDOT has made some progress in sharing restrictions with GPS services (in particular WAZE), but cannot get through to all routing services
- Enforcement - The Sheriff's Office has increased patrols and has issued one speed violation

Chairman Lyons reminded those present that there would be a Joint School Board meeting on Thursday, March 18<sup>th</sup> at 5:00 p.m. at Maury River Middle School.

**Monthly Staff Reports:**

Supervisor McDaniel moved to approve the reports as presented.

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

**Adjournment:**

Supervisor McDaniel moved to adjourn. 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