

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY
VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING,
150 SOUTH MAIN STREET LEXINGTON, VIRGINIA,
ON MONDAY, DECEMBER 9, 2013, AT 5:30 P.M.

PRESENT: CHAIRMAN R.R.CAMPBELL
MEMBERS: J.M.HIGGINS, R.S.FORD, A.W.LEWIS, JR
ABSENT: D.W.HINTY, JR.
CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN
FISCAL DIRECTOR: STEVEN BOLSTER
STAFF: SAM CRICKENBERGER, CHRIS SLAYDON, BRANDY FLINT,
PAUL OWEN, BRANDY WHITTEN

Call to Order

Chairman Campbell called the meeting to order at 5:30 p.m.

Supervisor Lewis delivered the invocation. He then led in the Pledge of Allegiance.

Recognitions/Presentations

Chairman Campbell called for recognitions and presentations.

Supervisor Lewis read aloud the following resolution to the Superintendent of Rockbridge County Public Schools John Reynolds:

**RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO JOHN REYNOLDS,
ROCKBRIDGE COUNTY SCHOOLS SUPERINTENDENT, ON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-EIGHT YEARS OF SERVICE TO ROCKBRIDGE COUNTY**

WHEREAS, John Reynolds served as Principal of Lexington High School from 1985 until 1988; and,

WHEREAS, Mr. Reynolds became Assistant Superintendent for Rockbridge County Public Schools in 1988 and remained in that position until 1990; and,

WHEREAS, Mr. Reynolds served as Principal of Rockbridge County High School from 1991 until March of 1995; and,

WHEREAS, Mr. Reynolds served Assistant Superintendent for Rockbridge County Public Schools in March of 1995 through 2007; and,

WHEREAS, Mr. Reynolds was appointed as Superintendent of Rockbridge County Public Schools beginning July 1, 2007; and,

WHEREAS, after twenty-seven and a half years of service to Rockbridge County Public Schools, Mr. Reynolds will retire on December 31, 2013; and,

WHEREAS, Mr. Reynolds has served a grand total of thirty-eight and a half years in the Virginia Public Education System; and,

WHEREAS, Mr. Reynolds has, through word and deed, been a faithful advocate for students, faculty, staff, and his community, serving all with honor and distinction;

NOW, THEREFORE, BE IT RESOLVED: That the Board of Supervisors of the County of Rockbridge, Virginia, does hereby express deep appreciation to John Reynolds, and offers sincere congratulations and best wishes for a happy and productive retirement.

Adopted this 9th day of December, 2013.

Rockbridge County Board of Supervisors:

Ronnie R. Campbell, Chairman

Albert W. Lewis, Jr., Vice Chairman

Russell S. Ford, Supervisor

David W. Hinty, Jr., Supervisor

John M. Higgins, Supervisor

(Seal)

Mr. Reynolds thanked the Board for honoring him with the resolution and explained that he never once felt that this Board did not respect what he was trying to do for the School Board but instead felt a partnership with the Board.

Mr. Reynolds, along with his wife, accepted the resolution and stayed to pose for pictures with the Board of Supervisors.

Citizen Comments

Chairman Campbell called for citizen comments.

Mr. Bob Kindle of the Natural Bridge Magisterial District expressed dissatisfaction with the fact that the County's website had misdirected citizens to the County Courthouse for this meeting. He explained that current technology should allow for better communication from government to citizens. He then shared his concern at the Federal Government's size and expanded authority - and the resulting danger to all citizens. He stated that he did not believe that the Board of Supervisors had taken his concerns into consideration since the February 11, 2013 meeting, when he first shared them. He then shared information on Article One of the Constitution of the United States, stating that the Board of Supervisors of Rockbridge County could have made these concerns a priority but because they have not, he stated that he would be starting a group to petition the government. He stated that he is a Vietnam Veteran, has seen many friends die defending this Country, and the government is running this Country into the ground. He made reference to US HR 347, a law which is seen to restrict free speech under certain conditions [but not in local meetings], and VA Code 2.2 - 3707, the state law that requires notice of public meetings and provides that citizens may record them on videotape.

He then provided the Board with documents on Article One of the Constitution as well as a compact disc that included images of two sections of the old canals in the County that he stated, because of their beauty, could be used to enhance tourism.

Items to be added to the Agenda

Chairman Campbell called for items to be added to the agenda. There were none.

Approval of November 25, 2013 Minutes

Supervisor Lewis moved to approve the November 25, 2013 minutes, seconded by Supervisor Ford, and approved by the following roll call vote, with Supervisor Hinty absent:

AYES: Lewis, Ford, Higgins, Campbell
NAYES: None
ABSENT: Hinty

Financial Report

Fiscal Services Director Steve Bolster reviewed his monthly memorandum. Activities for the Commissioner of the Revenue involve preparing to send out end-of-year forms at completion of December, 2013. These include business licenses as well as meals and lodging coupon books.

Other monthly activities include completing end of calendar year record keeping and beginning processes for calendar year 2014.

Activities for the County Treasurer include collecting delinquent taxes from personal property and real estate along with collecting 2nd half real estate for 2013 - due on December 5, 2013.

Mr. Bolster indicated that work on the fiscal 2013 audit continues. The audit is currently in draft mode and will be final in January 2014. The audit shows that the annexation payment due to the City of Lexington

is \$1,742,885. This check is due on the first business day in January 2014.

Mr. Bolster then presented the expenditures versus revenues chart, stating that year-to-date, revenues have come in below the estimate by \$232,540. He believes it has to do with the there being one less business day in the month of November compared to last year because Thanksgiving fell so late in the month. Mr. Bolster reviewed expenditures, stating that year to date they were less than projected by \$98,918.

Mr. Bolster presented the School Appropriation Resolution and recommended approval.

Supervisor Higgins moved to approve the School Appropriation Resolution. A second was provided by Supervisor Ford, and the resolution was adopted by unanimous roll call by the Board, with Supervisor Hinty absent:

AYES: Higgins, Ford, Lewis, Campbell
NAYES: None
ABSENT: Hinty

***The following has been executed and filed in the office of the Clerk to the Board of Supervisors**

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, DECEMBER 9, 2013 AT 5:30 P.M.

On motion by Supervisor Higgins, seconded by Supervisor Ford, 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, 2014** in **FUND 50, SCHOOL FUND** and expended as follows:

Title I Part A 2013

4-50-61100-1121-910-100-830	Teacher Salaries.....	\$315,379.00
4-50-61100-2100-910-100-830	FICA.....	\$24,127.00
4-50-61100-2210-910-100-830	VRS.....	\$36,773.00
4-50-61100-2300-910-100-830	Hospitalization.....	\$26,881.00
4-50-61100-2400-910-100-830	GLI.....	\$3,753.00
4-50-61100-2500-910-100-830	RHIC.....	\$3,500.00
4-50-61100-6013-910-100-830	Materials & Supplies.....	\$3,456.00

Title II Part A 2013

4-50-61100-1121-910-100-831	Teacher Salaries.....	\$72,997.00
4-50-61100-2100-910-100-831	FICA.....	\$5,584.00
4-50-61100-2210-910-100-831	VRS.....	\$8,512.00
4-50-61100-2300-910-100-831	Hospitalization.....	\$10,263.00
4-50-61100-2400-910-100-831	GLI.....	\$869.00
4-50-61100-2500-910-100-831	RHIC.....	\$810.00
4-50-61100-3160-910-100-831	Purchased Services.....	\$5,698.00
4-50-61100-5540-910-100-831	In Service.....	\$1,000.00

Security Improvements

4-50-66200-8110-915	Capital Outlay.....	\$67,931.00
4-50-64200-3160-990	Contracted Services.....	\$3,650.00
4-50-64200-6007-915	Building Materials.....	\$2,448.00

TOTAL FUND 50 APPROPRIATIONS **\$593,631.00**

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, 2014** in **FUND 70, SCHOOL CONSTRUCTION FUND** and expended as follows:

4-70-66200-3160-950	Purchases Services.....	\$200,000.00
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TOTAL FUND 70 APPROPRIATIONS **\$200,000.00**

RECORDED VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Ronnie R. Campbell
Chairman

Attest: _____
County Administrator

Mr. Bolster then presented the County Appropriation Resolution, noting the following amendments: line item 4-11-31030-7001, entitled Homeland Security Grant, changed from \$881 to \$973; line item 4-11-99010-6192, entitled Transfer to Lined Landfill, changed from \$8,593 to \$10,361; and line item 4-19-19070-3001, entitled Engineering Services, changed from \$3,003 to \$4,771. These changes are reflected in the Total General Fund Appropriations of \$29,774, Total SWA/Landfill Fund Appropriations of \$16,214, and Total Appropriations of \$45,958. Mr. Bolster recommended approval of the amended resolution.

Supervisor Ford moved to approve the County Appropriation Resolution, as amended. A second was provided by Supervisor Higgins, and the resolution was adopted by unanimous roll call by the Board, with Supervisor Hinty absent:

AYES: Ford, Higgins, Lewis, Campbell
NAYES: None
ABSENT: Hinty

The following has been amended, executed, and filed in the office of the Clerk to the Board of Supervisors

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, DECEMBER 9, 2013, AT 5:30 P.M.

On motion by Supervisor Ford, seconded by Supervisor Higgins, the Board, by record vote, adopted the following appropriation resolutions and payment of bills for the month as follows:

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/s are, and the same hereby is made, for the period ending **June 30, 2014**, from the UNAPPROPRIATED SURPLUS

of the **GENERAL FUND** and expended as follows:

4-11-31020-1008 DMV ADEP Grant.....	\$3,060.00
4-11-31030-7001 Homeland Security Grant.....	\$973.00
4-11-34015-3002 Contracted Services (E&S).....	\$8,270.00
4-11-81090-3002 Transportation Grant.....	\$7,080.00
4-11-99010-6192 Transfer to Lined Landfill.....	\$10,361.00

Total General Fund Appropriations **\$29,744.00**

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/s are, and the same hereby is made, for the period ending **June 30, 2014**, from the UNAPPROPRIATED SURPLUS of the **SWA/LANDFILL FUND** and expended as follows:

4-19-19050-3002 Professional Services.....	\$5,853.00
4-19-19070-3001 Engineering Services.....	\$4,771.00
4-19-19070-3003 Well Development.....	\$5,590.00

Total SWA/Landfill Fund Appropriations **\$16,214.00**

Total Appropriations **\$45,958.00**

Current County

11 - General Fund	\$551,235.59
19 - SWA/Landfill	\$48,490.00
20 - SWA/Recycling	\$6,707.42
94 - Central Stores	<u>\$2,892.96</u>

Total County Bills **\$609,325.97**

Current Fiscal Agent

22 - RANA - BTOP Construction	\$29,126.78
80 - Regional Jail	\$48,310.43
93 - CSA Administration	<u>\$278.30</u>

Total Fiscal Agent **\$77,715.51**

TOTAL ALL BILLS **\$687,041.48**

RECORDED VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Ronnie R. Campbell
Chairman

Attest: _____
Spencer H. Suter
County Administrator

General Items

Presentation of the Cardinal Committee Report

Administrative Assistant for Community Development Brandy Flint presented the following report: "In your packets you have the Cardinal Committee Executive Summary, the Cardinal Report and the 'ASK SEDC' Survey. The Cardinal Committee Executive Summary details the process of applying for the Cardinal Community Assistance Program (CCAP) through Virginia Economic Developers Association (VEDA) as well as the countywide goals and strategies and the goals and strategies specific to the shuttered school properties. The Cardinal Report and the 'ASK SEDC' Survey were provided by the Cardinals.

Members of the Cardinal Committee formulated a plan of action for the County's shuttered schools:

1. Proceed with Phase 1 studies on Rockbridge Middle School and Highland Belle.
2. Get a detailed estimate on the yearly maintenance costs at Effinger, Highland Belle and Rockbridge Middle School.
3. Present an idea of what return the County would like to receive on each property.
4. Formulate strategies and goals for reuse of the shuttered schools.

During the discussion on the shuttered school properties, the Cardinal Committee also discussed overall County Economic Development efforts. The following items were deemed important to the overall County Economic Development efforts:

1. Formulate a countywide economic development plan.
2. Formulate a guideline for incentive packages.
3. Prepare a comprehensive inventory of all County-owned properties and their uses.

With regards to the countywide economic development efforts, the Office of Community Development currently utilizes the resources of Shenandoah Valley Partnership and the Virginia Economic Development Partnership; however, Mr. Crickenberger is currently working with the Chamber of Commerce, VMI and W&L to solidify partnerships with them related to countywide economic development."

In response to a question by Supervisor Ford, Mr. Crickenberger further explained that this last partnership consists of members from Lexington, Buena Vista, Rockbridge County, and business leaders of the area. The Chamber has received quotes from the Central Shenandoah Planning District Commission on formation of a regional marketing plan. Following that, a firm would be hired to produce such a plan with brochures. Mr. Crickenberger indicated that W&L has been involved with some aspects of this and he hoped they would continue their assistance.

Chairman Campbell shared that he felt what the Chamber is doing will be beneficial, but they needs to be incorporate some of the steps from the Cardinal Committee Report. He asked that the County Administrator, Mr.

Crickenberger, and Ms. Flint explore options and bring back their recommendations to the Board.

County Administrator Spencer Suter commended the Cardinal Committee members Brandy Flint, Sam Crickenberger, Supervisor Higgins, Supervisor Lewis, Keith Holland, Jon Whitesell, John Morris and Lin Jones.

Mr. Crickenberger announced that Brandy Flint had recently attended a Virginia Economic Development Association meeting in Richmond, Virginia.

Ms. Flint explained that on December 3rd, the Shenandoah Valley Partnership (SVP) held their annual Lunch and Learn meeting at the Virginia Economic Development Partnership (VEDP) headquarters in Richmond, and on December 4th she attended the Virginia Economic Developers Association (VEDA) 2013 Annual Membership Meeting, also in Richmond. She noted that the VEDP Lunch and Learn meeting involved an "RFI" [Request for Information from a new business prospect] exercise during which members of SVP highlighted the Shenandoah Valley's ability to fulfill supply chain needs. Ms. Flint advised that the VEDA annual meeting revolved around Business Retention and Expansion (BRE). She stated the County does not have a BRE program and she would like to implement one.

Supervisor Ford commended the two Supervisors who were a part of the Cardinal Committee.

Public Hearings

Consideration of Proposed Tourism Zones

Mr. Crickenberger reviewed standards that are necessary in order to qualify for incentives under the Tourism Zones as follows:

- New investment of \$250,000 for an existing business and \$500,000 for a new business
- New employee creation of five full time jobs for an existing business and ten full time jobs for a new business
- Development or expansion of a regional artisan center
- Development or expansion of a lodging establishment
- Development or expansion of a seated restaurant
- Development or expansion of a music center
- Development or expansion of outdoor recreational or sporting goods business
- Development or expansion of an antique merchandising shop or museum

He then explained that, during the previous meeting, it was suggested to change language in the ordinance pertaining to business that are and are not qualified. The ordinance first read "Business concerns that are not affiliated with the above opportunities will not qualify for the incentives offered in the Tourism Zone Ordinance." The proposed ordinance reads "Business concerns that are not affiliated with the above opportunities may qualify for the incentives offered in the Tourism Zone Ordinance."

Chairman Campbell suggested removing both sets of language from the ordinance.

Chairman Campbell opened the public hearing at 6:07 p.m. With there being no public comments, Chairman Campbell closed the public hearing and asked for the Boards comments.

Supervisors Ford and Higgins agreed with Chairman Campbell's suggestion.

Chairman Campbell noted that Supervisor Hinty could not attend the meeting due to power outages elsewhere in the Commonwealth; he asked that action on the ordinance be postponed until Supervisor Hinty could be present.

Supervisor Lewis noted that it was his idea to add the language that has been suggested be removed. He clarified that he was only trying to make the qualifying process easier.

Chairman Campbell postponed action on the ordinance until the January 13, 2013 Board Meeting.

General Items (continued)

Update on Stormwater Management Requirements

Erosion and Sediment Technician Paul Owen presented the following information to the Board:

- The first stormwater management law in the Commonwealth was passed around 1990. Closely linked to similar laws and regulations involving Erosion and Sediment Control (ESC), stormwater management has become an increasing concern for the Commonwealth and surrounding states.
- In 2007, the state handed ESC enforcement off to localities. Now, it is doing the same with stormwater management by requiring each locality to implement and operate a stormwater management program.

- Currently the VA Stormwater management permit is being operated by the Department of Environmental Quality (DEQ), but localities have been charged with the task of implementing and adopting a Virginia Stormwater Management Program (VSMP) by July 1, 2014.
- The ESC division of the building department has been assigned the task of developing a new stormwater ordinance and program implementation. For more than a year now, DEQ has been working on a draft ordinance for localities to follow.
- Early editions of the draft have been reviewed locally, but we will not have a final version until later this month when DEQ approves their final draft. However, we have been tracking the DEQ document closely and revising our own draft so that we can move as quickly as possible when their final draft is available.
- Our initial submittal package to DEQ will include a copy of the draft ordinance, policies and procedures manual, and a funding and staffing plan. No new staffing is required or requested.
- The new responsibility will be folded into the ESC program, under the Building Department.
- Once the draft is approved by DEQ, it will need to be returned to the Board for consideration of adoption.

He explained the important milestones in the planned schedule which included:

- December 17, 2013- DEQ adopts final revisions to draft ordinance and sends to localities.
- January 13, 2014- Draft ordinance presented to Board for review.
- January 15, 2014- Delivery of Rockbridge County VSMP application package to DEQ.
- April 14, 2014- Final plan and ordinance submitted to the Board for Consideration (Assuming DEQ approves our draft)
- May 15, 2014- Submittal of VSMP application with adopted ordinance, assuming Board approval.
- June 13, 2014- Deadline for DEQ approval of local VSMP
- July 1, 2014- Stormwater program implementation deadline.

He then explained the two costs associated with the State Mandate as follows:

- Permit/plan review/construction oversight- Most of the direct cost for the state mandated requirements would be passed on to the permit applicants. The state will set a basic fee schedule and will require that 28% of that be returned to the state. The remaining 72% plus any additional fees charged by locality will remain with the locality. As with our ESC reviews, larger commercial reviews will be sent out to a 3rd party for review. Ultimately, our plan is to try to reduce costs passed on to owners/developers by increasing our in-house reviews. As it stands, most of our single family dwelling reviews are completed in house.
- Ongoing costs- with this new mandate the stormwater inspector (Paul Owen) will be required to revisit each permanent facility

every two years for inspection and enforcement of maintenance agreements. Funding for each inspection can be drawn from fees issued upon each inspection, or from County's general fund.

He stated that he would be returning to the Board in January with a preliminary draft for the Boards consideration.

Mr. Suter noted that there is a tight time frame because the final draft from DEQ has not been received yet. He advised that some localities are advocating for an extension.

Supervisor Ford commended Mr. Owen for keeping up with these updates. He stated that this program was only given to DEQ in July. Mr. Owen explained that the regional DEQ stormwater manager was previously with the program at DCR, so there has been continuity of oversight.

No action was necessary on this agenda item.

Update to the Proposed Source Water Protection Overlay Zone

Assistant Director of Community Development Chris Slaydon reviewed the Agenda Item which included the following information: " The purpose of this overlay zone is to better regulate land uses up-drainage from the Maury Service Authority's water intake on the Maury River in order to better protect this critical water supply. This initiative started in 2002 with a study and recommendation from the Virginia Rural Water Association. Staff drafted a proposed ordinance for Planning Commission review and began to discuss the associated land area that would be impacted as well as a strategy for implementation. The Maury Service Authority has been

involved as well as some members of the Land Use Committee of the Rockbridge Area Conservation Council. The Planning Commission was concerned that the initial mapping proposed by the Virginia Rural Water Association was too arbitrary, so Mr. Slaydon met with the Geology Department at W&L to discuss a scientific approach to identifying the required overlay zone that would protect our public water supply. During the process, staff learned that there were monies available through the Virginia Department of Health, Drinking Water Division, to develop and implement source water protection overlay zone. TetraTech, an engineering firm under contract with the Health Department, was on call to assist localities with developing such an ordinance. The purpose of the agenda item is to ensure that the Board is in agreement with the purpose and concept of developing the overlay zone, and the Community Development Office wanted to take the opportunity to bring the Board up to date.

Mr. Slaydon introduced Joey Fagan, Source Water Protection Specialist with the Rural Water Association. He also introduced Ms. Sandra Stuart, an interested citizen.

Mr. Fagan confirmed that there will be many more opportunities for input into the makeup of the overlay zone.

No action was necessary on this agenda item.

Prescott Trail Road Acceptance

Mr. Crickenberger explained that the Meadow Subdivision located off Bunker Hill Mill Road consists of six lots ranging in size from two to

three acres; it is served by Prescott Trail. He advised that the road now meets the "three dwellings" occupancy requirement as well as construction standards for acceptance into the state road system.

Supervisor Higgins moved to approve the resolution. Supervisor Ford made the second, and the motion carried by the following roll call vote, with Supervisor Hinty absent:

AYES: Higgins, Ford, Lewis, Campbell
NAYES: None
ABSENT: Hinty

The following has been executed and filed in the office of the Clerk to the Board of Supervisors

The Board of Supervisors of Rockbridge County, in a regular meeting on the 9th day of December, 2013, adopted the following:

RESOLUTION

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, is shown on the 'Plat Showing THE MEADOW', dated February 10, 2005, recorded in the Clerk's Office of the Circuit Court of Rockbridge County in Plat Cabinet 3, at Slides 666 and 666A; and,

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and,

**Street Name and/or
Route Number**

Prescott Trail, State Route 1024
From: Route 700 – Bunker Hill Mill Road
To: 0.10 Mile east of Route 700
Recordation Reference: PC 3/666 & 666A
Right of Way Width (feet) = 50 Feet

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Adopted this ____ day of December, 2013.

Recorded Vote

Moved By: Mr. Higgins

Seconded By: Mr. Ford

Yeas: Higgins, Ford, Lewis, Campbell

Nays:

Absent: Hinty

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Consideration of Personnel Policy Amendments

County Administrator Spencer Suter explained that a Personnel Policy Review Committee had been formed earlier in the year to review and amend the current Personnel Policy, which was adopted in 1998. Since then, the Committee has been working closely to finalize a draft of a new Personnel Policy for Board Consideration. He noted that, while a Board work session is scheduled for January 2nd, 2014, there are two items which should be addressed immediately. He explained the two items in the following manner:

- 1) Internal promotion - The current policy does not leave room for internal promotion. He feels that a standard business practice should allow for flexibility in promoting from within, in instances where the County's best interests would be served. This also provides incentive for employees to strive for upward mobility within

the organization.

2) Payout of accrued sick leave - One proposed change in the draft employee manual update involves payment for accrued sick leave for retiring or voluntarily separating employees. Such a policy encourages judicious use of sick leave and provides the employee with incentive to build a bank of personal sick leave, for use during short or long-term illnesses. The payout amount would be capped to avoid excessive County liability.

Supervisor Higgins advised that he had received similar policies from other agencies for comparison, but had not had time to review and compare policies prior to the meeting. He stated that he had a concern about the amount of liability the County might be shouldering with regard to sick leave payout. He asked for more time to review.

Supervisor Ford agreed with Supervisor Higgins and suggested removing section 4.00 from the Amendment resolution, and acting on section 2.00 alone.

Supervisor Higgins agreed. Chairman Campbell then observed that, with regard to accrued sick leave, he received a maximum payout of \$5,000 when he retired from the Virginia State Police.

Supervisor Ford moved to approve the resolution, minus section 4.00. Supervisor Higgins provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty absent:

AYES:	Ford, Higgins, Lewis, Campbell
NAYES:	None
ABSENT:	Hinty

The following has been amended, executed and filed in the office of the Clerk to the Board of Supervisors

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY
BOARD OF SUPERVISORS HELD AT THE
ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES
ON MONDAY, DECEMBER 9, 2013

RESOLUTION AMENDING THE PERSONNEL GUIDELINES AND POLICIES FOR THE EMPLOYEES OF ROCKBRIDGE COUNTY, VIRGINIA

WHEREAS, the Rockbridge County Board of Supervisors has determined that it is in the best interest of the County to amend the Personnel Guidelines and Policies for the Employees of Rockbridge County, Virginia.

NOW, THEREFORE, BE IT RESOLVED that the Rockbridge County Board of Supervisors hereby adopts the following:

SECTION 2.00 RECRUITMENT AND EMPLOYMENT OF STAFF PERSONNEL

2.02 Position Advertisements. When a vacancy occurs, the County Administrator shall determine whether the position shall be filled by promotion within, internal advertisement or recruitment from outside the existing County workforce.

This Resolution shall be effective on and from the date of its adoption.

Adopted this 9th day of December, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Ronnie R. Campbell, Chairman

Attest: _____

Spencer H. Suter, Clerk

**Resolution for First Day Introduction Requirements for Bills with
Local Fiscal Impacts**

Mr. Suter explained the Agenda Item: "Attached, please find a standard resolution which is being considered by localities throughout the Commonwealth. This comes to you as a result of a message received on November 27, via e-mail, from Fairfax County Board of Supervisors member Patrick Herrity. Supervisor Herrity serves as Chair of the Governor's Task Force for Local Government Mandate Review. Briefly, the resolution is designed to encourage reinstatement of a provision which would require sufficient analysis by the Commission on Local Government, of any bill enacting a local mandate, prior to that bill's being considered by the General Assembly. This provision was removed in 2010."

Supervisor Lewis moved to approve the resolution. A second was provided by Supervisor Higgins, and the motion carried by the following roll call vote, with Supervisor Hinty absent:

AYES: Lewis, Higgins, Ford, Campbell
NAYES: None
ABSENT: Hinty

***The following has been executed and filed in the office of the Clerk to
the Board of Supervisors***

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA,
HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, DECEMBER 9, 2013

FIRST DAY INTRODUCTION REQUIREMENT FOR BILLS WITH LOCAL FISCAL IMPACTS

WHEREAS, many local governing bodies in Virginia have an ever-growing concern about the impact on localities of state mandates and cost shifting; and

WHEREAS, Section 30-19.03 of the Code of Virginia states that the Commission on Local Government shall prepare and publish a statement of fiscal impact for “any bill requiring a net additional expenditure by any county, city, or town, or...any bill requiring a net reduction of revenues by any county, city, or town, is filed during any session of the General Assembly”; and

WHEREAS, numerous bills fitting this criteria have been submitted and gone through the legislative process without review for local fiscal impacts due to limited time and resources to review these bills during the General Assembly session; and

WHEREAS, it is also recognized that a need exists for additional time and resources to provide such information during the tight procedural confines of the current legislative process; and

WHEREAS, we believe it is critical that lawmakers have better and timelier information on the fiscal impact to localities when they consider bills and budget items; and

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNTY OF ROCKBRIDGE HEREBY: Requests that the General Assembly support measures that require its members to file bills with local fiscal impacts as early as possible and no later than the first day of session.

Adopted this 9th day of December, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Resolution of Approval of Contract for Fire and EMS Audit and/or AUP

Finance Director Steve Bolster explained the Agenda Item: "The County of Rockbridge, Virginia requested sealed proposals from qualified firms of certified public accountants to perform audit and/or Agreed Upon Procedures [AUP] for various volunteer fire and EMS agencies receiving County funding. The agencies include County of Rockbridge Volunteer Fire and Rescue Organizations, with an option for same or similar services to be procured by the Buena Vista Fire Department and Buena Vista Rescue Squad. These audits are to be performed in accordance with Statements on Auditing Standards and the AUP's are to be in accordance with Statements on Standards for Attestation Engagements.

Four CPA firms submitted proposals in accordance with RFP #2013-07-001. On September 9, 2013, the Board authorized the County Administrator to enter into negotiations based on the final ranking of the received proposals on behalf of the Board of Supervisors of Rockbridge County. The following recommendation was brought forth: "Discuss as necessary. If in agreement, adopt the attached resolution declaring the County Administrator is hereby authorized to execute the respective 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 these transactions, which shall be approved as to form by the County Attorney."

Supervisor Ford questioned whether the County has any schedule on doing AUP's versus audits.

Mr. Suter replied that no decision has yet been made with regard to future audit requirements for agencies who elected for AUP's this year.

Supervisor Ford moved to approve the resolution. Supervisor Higgins provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty absent:

AYES: Ford, Higgins, Lewis, Campbell
NAYES: None
ABSENT: Hinty

The following has been executed and filed in the office of the Clerk to the Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, DECEMBER 9, 2013

RESOLUTION TO APPROVE CONTRACT BETWEEN THE COUNTY OF ROCKBRIDGE AND ROBINSON, FARMER, COX ASSOCIATES, P.L.L.C., FOR FIRE AND EMS AGENCY AUDITS OR AGREED UPON PROCEDURES

WHEREAS, on July 31, 2013, the County of Rockbridge issued a Request for Proposals from qualified firms of certified public accountants (CPA) to perform audit and/or agreed upon procedures (AUPs) for various volunteer fire and emergency medical service (EMS) agencies that receive County funding, and including the option for the same or similar services to be procured by the Buena Vista Fire Department and the Buena Vista Rescue Squad; and,

WHEREAS, four CPA firms submitted proposals in accordance with RFP#2013-07-001 by the August 15th response date and time; and,

WHEREAS, the members of an evaluation committee independently ranked each proposal and Robinson, Farmer Cox Associates (RFC) received the highest average score; and,

WHEREAS, at its meeting on September 9, 2013, the Board of Supervisors took action to approve the ranking and authorized the County Administrator to enter into negotiations for a professional services contract based upon and in the order of the ranking provided; and,

WHEREAS, staff has negotiated an agreement dated as of October 31, 2013, presented herewith to the Board for approval.

NOW THEREFORE, BE IT RESOLVED as follows:

1. That the Professional Services Agreement, dated as of October 31, 2013, with Robinson, Farmer, Cox Associates, P.L.L.C., to perform audits and/or agreed upon procedures for Fire and EMS agencies receiving County funding, for the fiscal years ended June 30, 2013 through June 30, 2016, with reservation of the right to renew for up to two (2) one-year periods, is hereby authorized and approved with the following terms:

a. The Work is to be commenced on or before October 31st of each year and to be substantially completed by each succeeding January 31st for the previous fiscal year.

b. The fee payable to the RFC for each cash basis audit of an Agency shall not exceed Two Thousand Seven Hundred Dollars (\$2,700.00).

c. The fee payable to RFC for each AUP engagement shall not exceed One Thousand Nine Hundred Dollars (\$1,900.00).

d. The fees will be increased Two Percent (2%) annually.

2. That the County Administrator is hereby authorized to execute the Agreement and such other documents and take such further actions, on behalf of the Board of Supervisors, as are necessary to accomplish this transaction, all of which shall be upon form and subject to the conditions approved by the County Attorney.

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

Adopted this _____ day of December, 2013.

Recorded Vote:

AYES:
NAYES:
ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Acceptance of Broadband Easements

County Attorney Vickie Huffman explained that the proposed resolution is for acceptance of one cabinet easement associated with the Broadband Project.

Supervisor Lewis moved to approve the resolution, adding that this was a crucial and much needed cabinet easement. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty absent:

AYES: Lewis, Ford, Higgins, Campbell
NAYES: None
ABSENT: Hinty

The following has been executed and filed in the office of the Clerk to the Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, DECEMBER 9, 2013

RESOLUTION 092613-6 TO AUTHORIZE THE ACQUISITION AND ACCEPTANCE OF EASEMENTS FOR INSTALLATION, OPERATION AND MAINTENANCE OF ACTIVE TELECOMMUNICATIONS CABINET SITES AND RELATED IMPROVEMENTS FROM PROPERTY OWNERS FOR THE NETWORK IN CONNECTION WITH THE BROADBAND GRANT PROJECT

WHEREAS, County of Rockbridge (the "County"), a political subdivision of the Commonwealth of Virginia, is the recipient of grant funds ("Grant") from the United States Department of Commerce National Telecommunications and Information Administration's ("NTIA") Broadband Technology Opportunities Program ("BTOP") to be administered by the County in conjunction with and on behalf of the Grant partners (all as specified in the Grant) to construct, acquire, maintain, equip and operate an advanced communications network ("Network") within the County and the Rockbridge region (collectively, the "Rockbridge Broadband Initiative Project", or "the Project"); and,

WHEREAS, easements are required from property owners in the County for the installation, operation and maintenance of the Network, including active telecommunications cabinet sites and related improvements; and,

WHEREAS, the deed of easement set forth herein has been executed by the specified property owner to sell a cabinet site easement necessary for the Project; and,

WHEREAS, the Board of Supervisors agrees to the acquisition and acceptance of said easement, with the understanding that said easement has been or will be transferred to the Rockbridge Area Network Authority for operation of the Network by the Authority.

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

1. That the acquisition and acceptance of the following cabinet site easement, being 100 square feet in area, for installation, operation and maintenance of an active DSL telecommunications cabinet and related improvements, be, and hereby is, authorized and approved:

<u>Property Owner(s)</u>	<u>Tax Map #</u>	<u>Location</u>	<u>Consideration</u>
John C. Fencer	38-3-1	Sterrett Road	\$1,000.00
Dorothy M. Fencer			

2. That the sum of \$17.00 for recordation of the deed of easement in the Clerk's Office of the Circuit Court of Rockbridge County, Virginia, is hereby appropriated and approved from the funds allocated to the Broadband Project.

3. That the County Administrator or the Director of Community Development is hereby authorized to execute such documents and take such actions, on behalf of the Board of Supervisors, as are necessary to accomplish the acquisition and acceptance of the easement set forth herein, all of 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 ____ day of December, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Appointments

Rockbridge Regional Jail Commission

Supervisor Higgins left the dais.

Supervisor Lewis moved to reappoint David Hinty, Jr. and Spencer Suter to serve on the Regional Jail Commission. Supervisor Ford seconded the motion; Supervisor Higgins abstained; and Supervisor Hinty was absent. The motion carried by the following roll call vote:

AYES:	Lewis, Ford, Campbell
NAYES:	None
ABSENT:	Hinty
ABSTAIN:	Higgins

Following the vote, Supervisor Higgins returned to the dais.

Rockbridge Area Community Services Board

Supervisor Lewis moved to reappoint Ann-Ashby McKissick and John Higgins to serve on the Community Services Board. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty absent:

AYES:	Lewis, Ford, Higgins, Campbell
NAYES:	None
ABSENT:	Hinty

Regional Tourism Board

Supervisor Ford moved to reappoint A.W. Lewis, Jr. to serve on the Regional Tourism Board. A second was provided by Supervisor Higgins, and the motion carried by the following roll call vote by the Board, with Supervisor Hinty absent:

AYES: Ford, Higgins, Lewis, Campbell
NAYES: None
ABSENT: Hinty

VASAP Appointments

Supervisor Higgins moved to appoint Sheriff Blalock and Steven Bolster to serve on the VASAP Board. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty absent:

AYES: Higgins, Ford, Lewis, Campbell
NAYES: None
ABSENT: Hinty

Library Board

Supervisor Higgins moved to appoint Linda Wood on the Library Board in the place of Zac Jarvis, who recently resigned from his position on this Board. Supervisor Ford provided the second, adding his thanks to Mr. Jarvis for his service. The motion carried by the following roll call vote, with Supervisor Hinty absent:

AYES: Higgins, Ford, Lewis, Campbell
NAYES: None
ABSENT: Hinty

Staff Reports

Supervisor Higgins moved to accept the staff reports as presented. Supervisor Lewis provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty absent:

AYES: Higgins, Lewis, Ford, Campbell
NAYES: None
ABSENT: Hinty

Board Comments

Chairman Campbell announced that there would be no 2nd meeting in December.

The Board unanimously agreed to continue this meeting until January 2, 2014, for a work session in the Extension Office Meeting Room located on the 2nd floor of the County Administrative Office Building. This meeting will be held to discuss and review the draft Personnel Policy revisions. The meeting will begin at 5:00 p.m.

AT A CONTINUED MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING, IN THE EXTENSION OFFICE MEETING ROOM, AT 5:00 P.M.ON THURSDAY, JANUARY 2, 2014.

**PRESENT: CHAIRMAN R.R.CAMPBELL
MEMBERS: J.M.HIGGINS, R.S.FORD, D.W.HINTY, JR., A.W.LEWIS, JR
CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN
STAFF: CHRIS SLAYDON
OUTSIDE STAFF: ELIZABETH DILLON**

Call to Order

Chairman Campbell called the continued meeting to order at 5:10 p.m.

Personnel Policy Discussion

County Administrator Spencer Suter introduced the topic of the continued meeting, which was to present the draft personnel policy manual.

He noted that the purpose of a policy manual is to provide clear communication to employees and supervisors as to the overall expectations. He advised that this is a 2 way street, defining what management expects of staff and what staff can expect of management. He went on to describe the background and process which included the following highlights:

- Current policy dates to 1998.
- Work has started on the manual on several occasions over the past 5 years, but has not yet been completed.
- In November 2012, a staff committee was formed. He noted the importance of gaining input across the range of impacted employees.

Committee members are:

i. Chris Slaydon - Chair

ii. Jeremy Garrett

iii. Julie Whitesell

iv. John Martin - Recreation

- The Board of Supervisors selected Ronnie Campbell and John Higgins to serve as Board representatives.
- Work began in earnest in February, 2013, and continued through the summer.
- The staff team looked at multiple representative plans from across the state before settling on an example from Botetourt County as a template to follow.
- This template contained our existing policy; the team began to make revisions, with input from Elizabeth Dillon, the County's contracted legal counsel for personnel matters.

- After many lengthy meetings and revisions, the staff team produced a final draft to provide to the BOS committee.
- The committee highlighted certain areas of the manual, where they felt that BOS committee should make decisions/recommendations (ie: number of holidays, leave accrual, etc.)
- The committee met on two occasions to review and offer input, which ultimately resulted in the draft now presented to the Board.

Mr. Suter then reviewed the manual, section by section, with the Board.

While reviewing Section 2.6.6, entitled "Personal Appearance Standards", Supervisor Lewis questioned why tattoos, piercings, and hair length were not part of the policy.

Ms. Dillon replied that it is best to keep those issues out of the manual due to religions issues, and suggested it would be better to keep the language vague.

While reviewing Section 2.6.7.2, entitled "Equipment", Supervisor Hinty questioned why the County would prohibit loaning out equipment.

Mr. Suter replied that it was a liability issue.

Supervisor Higgins questioned tool money allotment at the County garage, as to who would own and/or have free use of mechanic's tools bought with county stipends.

After some discussion, it was agreed that an additional policy should be developed to address the tool money allotment/ownership of those tools.

While reviewing Section 2.6.8, entitled "Standards of Conduct", Supervisor Higgins asked if County Attorney Vickie Huffman had had a chance to review this document.

In response, Ms. Huffman indicated that she had only seen a draft in November.

Mr. Suter clarified that the draft being presented was the same one that was sent to all in November, and that no changes had been made since then.

While reviewing Section 2.11.1, entitled "County Vehicles", Supervisor Lewis commented that he felt this section was well written and looked good.

Supervisors Ford and Higgins commented that take-home vehicle usage was a common complaint with constituents.

While reviewing Section 2.13, entitled "Nepotism", Mr. Suter questioned whether or not to add aunts and uncles to this section. It was discussed and determined that, in a small community, this potential for co-workers so related could occur and might be acceptable.

While reviewing Section 2.1.7, entitled "Grievance Policy", Mr. Suter noted that he would add aunts and uncles to the list of prohibited panel members.

Supervisor Higgins asked Ms. Huffman if she felt like the new grievance process was in order.

Ms. Huffman replied that it likely wasn't much different than the current policy, largely set by state code.

While reviewing Section 5.1, entitled "Holidays", Supervisor Lewis stated that many of his constituents felt the County provided too many

holidays, and that employees in the private sector do not get that many days off.

In response to a question as to whether or not part time and seasonal employees receive holiday, Mr. Suter replied that they do not.

While reviewing Section 5.3.2, entitled "Sick Leave Accrual", the Board agreed that this should be 8 hours per month rather than 10 hours per month and discussed how much sick leave could be accrued. There was additional discussion on how the hybrid VRS program will affect the way localities handle sick leave. It appears that all potential impacts of the hybrid options on sick leave policy are not yet fully known. The option of Paid Time Off (PTO) was also considered. After more discussion, the Board instructed staff to present alternatives to the proposed language and present their findings at the next time the policy is discussed.

While reviewing Section 5.14.4, entitled "Payments", the word "reasonability" was changed to "responsibility".

With no further business to discuss, the meeting was adjourned at 7:45.