

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 TUESDAY, OCTOBER 15, 2013, AT 5:30 P.M.

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  
FISCAL DIRECTOR: STEVEN BOLSTER  
STAFF: BETTY TROVATO, ROBERT FORESMAN, JEREMY GARRETT,  
BRANDY WHITTEN

#### **Call to Order**

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

Supervisor Lewis delivered the invocation and led in the Pledge of Allegiance.

Chairman Campbell acknowledged that a Washington and Lee University journalism class was present with their professor, Douglas Cumming. He thanked them for attending the meeting.

#### **Recognitions/Presentations**

Chairman Campbell called for recognitions and presentations. There were none.

#### **Citizen Comments**

Chairman Campbell called for citizen comments. There were none.

#### **Items to be added to the Agenda**

Chairman Campbell called for items to be added to the agenda. He noted that, later in the meeting, he would discuss a clarification regarding the fire and EMS presentation from the previous meeting of the Board on September 23rd.

## **Approval of Minutes**

Supervisor Hinty moved to approve the September 23, 2013, minutes, and the September 25, 2013, minutes. A second was provided by Supervisor Ford, and the minutes were approved by unanimous roll call vote by the Board.

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

## **Financial Report**

Director of Finance Steven Bolster reviewed his monthly memorandum. Activities for the Commissioner of the Revenue were: working on adjustments to personal property accounts; preparing supplemental book for 2013 personal property; continuing efforts on the December 2013 real estate tax book; and working on land-use revalidations.

Activities for the County Treasurer were: wrapped up final week of collecting personal property taxes, due October 7, 2013; beginning work on delinquent notifications for personal property; initiating effort on delinquent real estate (2008 and earlier) through Taxing Authority Consulting Services attorney; decree of sale hearing date is set for October 17<sup>th</sup>; and auditors on site to complete final fieldwork for FYE 2013 - October 17 - 31, 2013.

Mr. Bolster then presented the Patient Protection and Affordable Care Act (ACA) section of the Financial Package. He explained that the County had recently complied with a requirement from the ACA that County employees receive an Office of Management and Budget form which provided

notification on some of the basic information about the new Health Insurance Marketplace and employment- based coverage offered by the County. He noted that the information was provided to County employees before October 1<sup>st</sup> ; there was no action required by current full-time employees. He also noted that there is a direct link to the Affordable Care Act on the County's main web page and that open enrollment began October 1<sup>st</sup> and will extend through March 31<sup>st</sup>.

Mr. Bolster then presented the expenditures versus revenues chart, stating that year-to-date, revenues have come in short of estimate by \$71,775 and that expenditures were less than projected by \$367,594.

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

Supervisor Ford moved to approve the School Appropriation Resolution. A second was provided by Supervisor Lewis, and the resolution was adopted by unanimous roll call by the Board.

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

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

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 TUESDAY, OCTOBER 15, 2013 AT 5:30 P.M.

On motion by Supervisor Ford, seconded by Supervisor Lewis, 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:

**ESOL 2013-2014**

4-50-61100-1130-312-700-826	Grant Coordinator.....	\$1,600.00
4-50-61100-1321-312-700-826	Part-time Teachers.....	\$36,900.00
4-50-61100-2100-312-700-826	FICA.....	\$2,998.00
4-50-61100-3160-312-700-826	Purchased Services.....	\$700.00
4-50-61100-5510-312-700-826	Mileage.....	\$2,226.00
4-50-61100-6013-312-700-826	Materials & Supplies.....	\$5,575.00

**Perkins 2013-2014**

4-50-61100-3160-910-300-827	Purchased Services.....	\$5,325.00
4-50-61100-4000-910-300-827	Internal Services.....	\$200.00
4-50-61100-5800-910-300-827	Miscellaneous.....	\$3,750.00
4-50-61100-6013-910-300-827	Equipment.....	\$39,727.00

**TOTAL FUND 50 APPROPRIATIONS** **\$99,001.00**

**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.....	\$655,908.00
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**TOTAL FUND 70 APPROPRIATIONS** **\$655,908.00**

Mr. Bolster then presented the County Appropriation Resolution noting that all but two (2) items have revenue associated with them such as a

grant, future revenue, or carry-over from the previous fiscal year. He explained that line item 4-11-21020-5201 Telephone (Circuit Court) is for future costs associated with bringing video teleconferencing capability to the Circuit Courtroom. He stated that this technology will save on transporting trial-awaiting inmates from the jail and other jurisdictions to the Courthouse. He then explained that line item 4-11-99010-6192, Transfer to Lined Landfill, is for a General Fund transfer to pay for lined landfill costs in Fund Code 19. Mr. Bolster added a BTOP invoice, associated with the Broadband project, to the bills list in the amount of \$4,500. He then recommended approval of the County Appropriation Resolution.

Supervisor Lewis moved to approve the County Appropriation Resolution with the amendment of adding a BTOP invoice in the amount of \$4,500. Supervisor Higgins provided the second, and the motion was approved by unanimous roll call vote by the Board.

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

*\*\*The following has been amended, adding the BTOP invoice in the amount of \$4,500, and executed. A copy of the executed resolution is on file in the office of the County Administrator.\*\**

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 TUESDAY, OCTOBER 15, 2013, AT 5:30 P.M.

On motion by Supervisor Lewis, 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:

4-11-21020-5201 Telephone (Circuit Court).....	\$4,380.00
4-11-31020-1008 Overtime (Sheriff).....	\$3,000.00
4-11-31020-7002 Capital Outlay (Sheriff).....	\$4,799.00
4-11-31030-7001 Homeland Security Grant.....	\$18,383.00
4-11-34015-3002 Contracted Services (E&S).....	\$2,645.00
4-11-81010-3202 Payment for Planning Services.....	\$850.00
4-11-81090-3002 Transportation Grant.....	\$5,485.00
4-11-81090-3902 County Economic Incentive.....	\$15,604.00
4-11-99010-6192 Transfer to Lined Landfill.....	\$200,811.00
<b>Total General Fund Appropriations</b>	<b>\$255,957.00</b>

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:

4-19-19040-7002 Purchase of Capital Equipment.....	\$137,750.00
4-19-19050-3002 Professional Services.....	\$14,675.00
4-19-19050-3006 Seeding/Mowing.....	\$1,264.00
4-19-19050-3013 Fees, License, Permits.....	\$3,650.00
4-19-19050-5402 Tools & Equipment.....	\$1,480.00
4-19-19070-3001 Engineering Services.....	\$77,213.00
4-19-19070-3003 Well Development.....	\$123,598.00
<b>Total SWA/Landfill Fund Appropriations</b>	<b>\$359,630.00</b>

**Total Appropriations** **\$615,587.00**

**Current County**

11 - General Fund	\$684,061.76
19 - SWA/Landfill	\$420,130.44
20 - SWA/Recycling	\$6,883.06
94 - Central Stores	<u>\$2,864.95</u>

**Total County Bills** **\$1,113,940.21**

**Current Fiscal Agent**

22 - RANA - BTOP Construction	\$229,974.08
80 - Regional Jail	\$57,253.66
93 - CSA Administration	<u>\$390.74</u>

**Total Fiscal Agent** **\$287,618.48**

**TOTAL ALL BILLS** **\$1,401,558.69**

RECORDED VOTE:

AYES: Lewis, Higgins, Ford, Hinty, Campbell

NAYS:

ABSTAIN:

ABSENT:

**Convene Solid Waste Authority**

Chairman Campbell moved the Solid Waste Authority agenda item entitled "Consideration of Solid Waste Management Plan amendment public hearing request" to the first item under General Items on the Agenda. There was no business to discuss under the Solid Waste Authority. County Administrator Spencer Suter explained that the Solid Waste Management Plan is submitted by the County and therefore would need to be discussed by the Board of Supervisors, not the Solid Waste Authority.

**Consideration of Solid Waste Management Plan amendment public hearing request**

Director of Solid Waste and Transportation Jeremy Garrett explained that, during the previous meetings with DEQ regarding a second extension of the existing landfill, they discussed the need to complete and submit a major amendment to the existing Solid Waste Management plan for permit 075. The amendment comes as a result of the County's ability to identify additional capacity within the existing landfill footprint. He explained that this was made possible due to the following four key factors: increase in slope to a 3:1 from the existing 4:1; improved compaction rates; better management of daily cover operations; and an overall reduction in average annual tonnage from approximately 47,500 per year to 39,700 per year over the past three years. He noted that, although the current Solid Waste Management Plan does not list a maximum capacity, the need to modify the closure grade from a 4:1 to a 3:1 constitutes a major amendment. He also noted that the closure modifications do not affect the final landfill footprint or elevation. Mr. Garrett stated that in accordance to state code, the County is required to hold a public hearing, but does not require any action from either Lexington or Buena Vista. He confirmed that, instead, the Rockbridge County Solid Waste Authority staff has sent each of the member localities a letter to make them fully aware of the need to submit the major plan amendment to DEQ. He indicated that this action is solely intended to maximize existing assets, thus helping to curb any undue financial burden on any of the participating localities. He requested that the Board authorize staff to advertise for a public

hearing on October 28, 2013 at 6:00 p.m.

Supervisor Ford asked Mr. Garrett if he had received responses from the two cities.

Mr. Garrett indicated that he had not received any feedback and that Mr. Suter had spoken directly to the two City Managers.

Mr. Suter stated that, while speaking with the City Managers, it was explained that any extension will represent at least a 50% savings to all participating localities.

Supervisor Ford moved to authorize staff to advertise for a public hearing for 6:00 p.m. on October 28, 2013. A second was provided by Supervisor Hinty, and the motion carried by unanimous roll call vote by the Board.

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

Supervisor Lewis added that he would like to ensure that the two cities receive adequate notice of the public hearing. He asked Mr. Suter to follow-up with the City Managers once more.

Mr. Suter confirmed that he would notify the two City Managers a second time.

#### **Consideration of Maury Express (RADAR) Contract Renewal**

Mr. Suter explained that for the past several years, the County, on behalf of its regional partners, has contracted with Unified Human Services Transportation System to provide a mass transportation service to

the Rockbridge County area. He stated that funding for the program is shared among multiple partners. Mr. Suter explained that, in the proposed contract, the State and Federal governments combine to provide approximately 2/3 of the operation costs, while the other 1/3 is covered via local cost share and rider fares. He stated that, per year, the County and two (2) Cities contribute \$18,000 each and W&L and VMI contribute \$10,000 each. He advised that, currently, there is a surplus in the account which covers any shortfall in the local contribution and that this year there is a shortfall of \$5,210. However, he advised that he anticipates receiving additional state funds this year, which should cover the shortfall. He noted that, given the amount of federal finding, the budget and contract run concurrently with the Federal fiscal year, which is why the contract request is being considered in the month of October. He then introduced Nathan Sanford and Jim Adkins, who were present to answer questions on behalf of RADAR.

Nathan Sanford, Maury Express Supervisor, thanked the Board for the opportunity to present information. He introduced Jim Adkins, Finance Director for the Maury Express. He provided a brief history on RADAR, sharing the following information: a feasibility study was conducted for public transportation in the Rockbridge County area by the Virginia Department of Rail and Public Transit; a selection process then took place; RADAR was selected; public transportation began in March of 2011; the Maury Express runs two (2) routes Monday through Saturday; hours of operation are Monday through Friday from 8:00 a.m. to 6:00 p.m. and Saturday from 10:00 a.m. to 4:00 p.m.; the Maury Express runs 300 route miles on weekdays and 180 route miles on Saturday; the system is overseen

by an advisory committee which includes a representative from each of the five (5) partners; the fare is .50 cents one way; free fare for children under the age of six (6); free fare for those who require an escort; and free fare for both W&L and VMI students.

Supervisor Lewis asked if there is a stop at the Southern Virginia University in Buena Vista.

Mr. Sanford indicated that the Maury Express stops at the bottom of the Southern Virginia University's hill. He confirmed that RADAR is still asking Southern Virginia University to partner.

Supervisor Ford asked what effect the federal government shutdown will have on the Maury Express as 50% of the operating budget is federal funding.

Mr. Sanford stated that passengers and drivers of the Maury Express have been warned that, should the federal government shutdown not be resolved by the end of October, the Maury Express may shut down until the federal government reopens.

Chairman Campbell asked if services could be reduced instead of fully shutting down.

Mr. Sanford indicated that 50% of the operational funds would still be missing. He advised that the Commonwealth Transportation Board would be meeting on October 16<sup>th</sup> to discuss additional state funds.

Supervisor Lewis moved to approve the resolution authorizing and approving a contract extension with Unified Human Services Transportation Systems, Inc., for operating services through September 30, 2014.

Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Supervisor Hinty asked if the \$79,210, the amount included in the contract, would be split among the five (5) participants.

Mr. Sanford confirmed.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON TUESDAY, OCTOBER 15, 2013

**RESOLUTION AUTHORIZING AND APPROVING CONTRACT EXTENSION AGREEMENT WITH UNIFIED HUMAN SERVICES TRANSPORTATION SYSTEMS, INC., FOR OPERATING SERVICES FOR THE ROCKBRIDGE AREA PUBLIC TRANSPORTATION SYSTEM THROUGH SEPTEMBER 30, 2014**

**WHEREAS**, pursuant to Board approval on March 14, 2011, Unified Human Services Transportation Systems, Inc., ("System") and the County of Rockbridge, Virginia, ("County") entered into a Contract, as of the 1<sup>st</sup> day of December, 2010, for operating services for the Rockbridge area public transportation system through September 30, 2011; and,

**WHEREAS**, the System and the County have entered into Contract Extension Agreements dated October 1, 2011, and October 1, 2012, providing for one-year extensions to expire on September 30, 2012, and September 30, 2013, respectively; and,

**WHEREAS**, public transportation grant funds have been awarded for the next fiscal year and the participating localities, namely the City of Lexington, the City of Buena Vista, and the County of Rockbridge, have budgeted the local match funds for continuation of the public transportation services; and,

**WHEREAS**, the System and the County have agreed to an extension of the contract through September 30, 2014.

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

1. That extension of the existing Contract, dated as of December 1, 2010, with the System to operate the Rockbridge area public transportation system and provide related services as set forth therein, to September 30, 2014, at a cost not to exceed a total of \$79,210.00 for the October 1, 2013 through September 30, 2014 fiscal year, is hereby authorized and approved.

2. That the County Administrator is hereby authorized to execute a Contract Extension Agreement, dated October 1, 2013, on behalf of the Board of Supervisors of the County of Rockbridge and to execute such other documents and take such further actions 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 on and from the date of its adoption.

Adopted this 15th day of October, 2013.

Recorded Vote:

AYES: Lewis, Ford, Higgins, Hinty, Campbell

NAYES:

ABSENT:

**Virginia Local Disability Program (VLDP) Opt-out consideration/decision**

Mr. Bolster read aloud the following information from the agenda item that was presented to the Board: "During its 2012 session, the Virginia General Assembly adopted changes to the state's retirement system. These changes created a mandatory Virginia Retirement System (VRS) Hybrid Retirement Plan, which applies to all local government employees hired on or after January 1, 2014 (with the exception of hazardous duty employees

such as police, firefighters and rescue workers). In addition, current employees under Plan 1 and Plan 2 will have an opportunity to opt into the hybrid plan during a special election window (January 1 through April 30, 2014). The Hybrid Retirement Plan will replace the standard defined benefit plan (Plan 1 and Plan 2) currently provided by VRS for applicable employees.

School division and political subdivision employees in Plan 1 and Plan 2 will continue to be eligible for VRS Disability Retirement. However, employees covered under the Hybrid Retirement Plan are not eligible for disability retirement.

The 2012 legislation also created the Virginia Local Disability Program (VLDP), a disability benefit for political subdivision and school division employees who will be covered under the Hybrid Retirement Plan beginning January 1, 2014.

VLDP provides:

- Income protection if an employee cannot work because of a non-work related or work-related illness, injury or other condition such as surgery, pregnancy, complications from pregnancy or a catastrophic or major chronic condition
- Short-term and long-term disability coverage of Hybrid Retirement Plan employees is automatic under VLDP unless the local governing body opts out of VLDP by November 1, 2013 and provides comparable employer-paid program. The decision to participate or opt out of VLDP is irrevocable.

Comparable Alternative Identified by VACORP:

Local governments throughout the Commonwealth have traditionally looked to VACo to either provide direct alternatives to state-run benefit programs or take the lead in identifying alternative options through the private sector. VACo Group Self-Insurance Risk Pool (VACORP) is not authorized by the Commonwealth of Virginia to offer this type of disability product at this time (to do so would require amendment of the Code of Virginia). However, working in conjunction with subject matter expert Digital Benefit Advisors, VACORP issued a Request for Proposals and awarded a contract to Standard Insurance to provide a viable alternative to VLDP. The RFP includes cooperative purchasing language that will allow Virginia public entities to purchase this coverage, based on this award, without going through the formal RFP process.

In comparison, the rates for the Standard Insurance plan are:

- Teachers: 0.37 percent of Hybrid Retirement Plan covered payroll\*\*
- Political Subdivisions: 0.79 percent of Hybrid Retirement Plan covered payroll
- Optional Lifetime Security Benefit: add 0.04% of Hybrid Retirement Plan covered payroll
- Rates are guaranteed for a period of three years

\*\*School divisions will pay teacher rate for all employees.

Note: an estimate on a complete staff turnover for County employees and Constitutional Officers and their staff would equate to ~\$41,500 in additional premiums using the Standard Insurance coverage rate of .083%

(includes optional Lifetime Security Benefit that equates to \$2,000 of the estimate above).

Options available:

1. Opt into the VLDP
2. Opt out of the VLDP and select a comparable plan that meets the *Code of Virginia* (excluding the optional Lifetime Security Benefit)
3. Opt out of the VLDP and select a comparable plan that meets the *Code of Virginia* (including the optional Lifetime Security Benefit)

Staff's recommendation is to adopt the attached resolution electing not to participate in the VRS Virginia Local Disability Program. Again, this action is irrevocable.

By opting out of VLDP, the County will guarantee a lower rate with Standard Insurance for a period of three years. In contrast, the VRS rates are valid January 1 to June 30, 2014 and VRS maintains complete authority in setting future rates. Once the three-year rate with Standard Insurance expires, the County is free to consider other carriers that may offer this type of plan at better rates. The free-market environment should naturally provide the best opportunity for the most competitive rates.

In addition, VLDP is trending towards having a shrinking membership pool as local governments choose to opt out of the VRS-managed plan. This leaves fewer members to absorb potential cost increases and gives opportunity for considerable price escalations in the future. This reality came to fruition for the limited number of localities that opted to remain in the state pool for the Line of Duty Act.

Fifty-eight public entities have officially opted out of VLDP as of September 30th. The expectation is that more and more public entities and school divisions will decide to opt-out as the deadline approaches (November 1, 2013).

Note: Rockbridge County Public Schools selected to opt out of the VLDP during a School Board meeting on October 2, 2013 and Rockbridge County Public Service Authority opted out on October 8, 2013."

Supervisor Higgins moved to approve County staff's recommendation to approve the resolution of irrevocable election not to participate in the Virginia Local Disability Program. A second was provided by Supervisor Ford, and the motion carried by unanimous roll call vote by the Board.

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

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

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 TUESDAY, OCTOBER 15, 2013, AT 5:30 P.M.

**RESOLUTION OF IRREVOCABLE ELECTION NOT TO PARTICIPATE IN THE  
VIRGINIA LOCAL DISABILITY PROGRAM**

**WHEREAS**, by enacting Chapter 11.1 of Title 51.1 of the *Code of Virginia*, the Virginia General Assembly has established the Virginia Local Disability Program ("VLDP") for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code Section 51.1-169; and

**WHEREAS**, for purposes of VLDP administration, an employer with VLDP eligible employees may make an irrevocable election on or before November 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the *Code of Virginia*, with the exception of long term care coverage, by January 1, 2014; and

**WHEREAS**, it is the intent of the County of Rockbridge to make this irrevocable election to request that its eligible employees not participate in VLDP;

**NOW THEREFORE, BE IT RESOLVED** by the Rockbridge County Board of Supervisors that the County of Rockbridge irrevocably elects not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees; and it is further

**RESOLVED** that, as an integral part of making this irrevocable election, the County of Rockbridge certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

Adopted 15<sup>th</sup> day of October, 2013

Recorded Vote:

AYES: Higgins, Ford, Lewis, Hinty, Campbell

NAYES:

ABSTAIN:

ABSENT:

#### **Acceptance of Cabinet Easement**

County Attorney Vickie Huffman recommended approval of an underground easement on Route 11 North from the property of George H. and Marilyn H. McCurdy to the Route 11 North DSL Cabinet.

Supervisor Lewis moved to adopt the resolution authorizing acceptance of the easement. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call vote by the Board.

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

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON TUESDAY, OCTOBER 15, 2013

**RESOLUTION 101513-11 TO AUTHORIZE THE ACQUISITION AND ACCEPTANCE OF EASEMENTS FOR CONSTRUCTION AND OPERATION OF A FIBER OPTIC TRANSMISSION LINE AND RELATED IMPROVEMENTS DONATED TO THE COUNTY OF ROCKBRIDGE FROM PROPERTY OWNERS ALONG THE ROUTE OF FIBER DEPLOYMENT 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 construction and operation of the Network, including installation of the fiber optic transmission lines and related improvements; and,

WHEREAS, the deed of easement set forth herein has been executed by the specified property owners to donate the easement necessary for the Project; and,

WHEREAS, the Board of Supervisors agrees to the acceptance of said easement, with the understanding that said easement will transfer to the Rockbridge Area Network Authority pursuant to the Operations, Management and Lease Agreement, with an effective date of August 1, 2013.

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 donated easement, 10 feet in width, for construction and operation of a fiber optic transmission line and related improvements be, and hereby is, authorized and approved:

<b><u>Property Owners</u></b>	<b><u>Tax Map #</u></b>	<b><u>Fiber Route</u></b>
George H. McCurdy	62-6-1B	Route 11 North DSL Cabinet
Marilyn H. McCurdy		

2. That the sum of \$17.00, from funds allocated to the Broadband Project, is hereby appropriated and approved from Fund 22, Line Number 4-22-51300-3100-100, for recordation of the deed of easement in the Clerk's Office of the Circuit Court of Rockbridge County, Virginia.

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 15th day of October, 2013.

Recorded Vote:

AYES: Lewis, Higgins, Ford, Hinty, Campbell

NAYES:

ABSENT:

## **Appointments**

### **Local Board of Building Code Appeals**

Supervisor Ford moved to reappoint Grigg Mullen to serve an additional five (5) year term on the Local Board of Building Code Appeals. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

AYES: Ford, Hinty, Higgins, Lewis, Campbell

NAYES: None

ABSENT: None

### **Board of Trustees of the Rockbridge Regional Library**

Supervisor Lewis moved to appoint Paul Leonhard to serve on the Board of Trustees of the Rockbridge Regional Library. (Mr. Leonhard will replace Joe Shaner, Jr., who resigned from his position on this Board.) A second was provided by Supervisor Higgins, and the motion was adopted by unanimous roll call vote by the Board. Supervisor Ford noted that Mr. Shaner had stepped into the role during a critical time with the library and did an excellent job working through financial difficulties. He thanked Mr. Shaner for his service.

AYES: Lewis, Higgins, Ford, Hinty, Campbell

NAYES: None

ABSENT: None

## **Staff reports**

Supervisor Lewis move to accept the staff reports with thanks to all the departments. Supervisor Ford provided the second to the motion, and the reports were approved by unanimous roll call vote by the Board.

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

## **Public Hearings**

There were no public hearings scheduled for this meeting.

## **Board Comments**

### **Solid Waste Sub-Committee**

Chairman Campbell announced that the Solid Waste Committee is looking into forming a sub-committee to include two (2) new members, one from the Sheriff's Department and the other a citizen representative. This committee will be known as the Solid Waste Sub-Committee. The Committee will consist of the Solid Waste Committee members: Chairman Ronnie Campbell; Board member Rusty Ford; Country Administrator Spencer Suter; Director of Solid Waste and Transportation Jeremy Garrett; the citizen representative; a representative of the Sheriff's Department; County Attorney Vickie Huffman (as needed); Director of Community Development Sam Crickenberger (as needed); and Finance Director Steven Bolster (as needed). Chairman Campbell indicated that the citizen representative will be a Rockbridge Area Conservation Council member and that the Sheriff will

appoint its representative.

Supervisor Ford moved to appoint Jennifer DeHart as the citizen representative on the Solid Waste Sub-Committee. A second was provided by Supervisor Higgins, and the motion carried by unanimous roll call vote by the Board.

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

**Fire and Rescue Commission Staffing and Recruiting/Retention Sub-Committee request**

Chairman Campbell stated that, during the September 23 meeting, the Board was presented with a recommendation from the Fire and Rescue Commission Staffing and Recruiting/Retention Sub-Committee. He stated that the recommendation contained multiple options for paid EMS service for citizens of Rockbridge County. He stated that the Board is very serious about providing services for its citizens. He then entertained a motion from the Board to direct the County Administrator to work with the subcommittee to develop a request for proposals for 3<sup>rd</sup> party contracted ambulance services in the Glasgow and Fairfield Volunteer Rescue/First Aid stations and utilizing those stations' equipment and apparatus. He also made a request that the subcommittee develop more detailed proposals for volunteer recruiting and retention measures to include specific procedures, costs, and benefits so that those items can be considered in the FY14/15 budget process.

Chairman Campbell asked the Board for their comments.

Supervisor Higgins indicated that it was a good idea for Mr. Suter to utilize the sub-committee to help him with the contracted ambulance RFP..

In response to a question by Supervisor Hinty, Mr. Suter indicated that the purpose of the motion is to make very clear that the Board intends to move forward with these matters.

Supervisor Ford made a motion to instruct staff to prepare an RFP for 3<sup>rd</sup> party contacted ambulance services in the Glasgow and Fairfield Rescue stations and to develop proposals for volunteer recruiting and retention measures. Supervisor Higgins seconded the motion adding that this is a timely matter that will need to go before the Finance Committee for review. The motion was approved by unanimous roll call vote by the Board.

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

### **Adjourn**

The Supervisors concurred to adjourn the meeting at 6:20 p.m.