

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, SEPTEMBER 9, 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: SAM CRICKENBERGER, CHRIS SLAYDON, ROBERT FORESMAN,
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.

County Administrator Spencer Suter recognized a successful Marine training exercise that took place in Arnolds Valley over the weekend. At the August 12th Board Meeting, NCIS Special Agent Justin Liu had presented plans for this event to the Board; these included coordination between the military and the County Sheriff's Department and Volunteer Fire and Rescue staff. Following the training, Agent Liu who commended all county staff who had supported the training. In an email, he also indicated that Rockbridge County was by far the easiest to work with of all the jurisdictions he has encountered. Special Agent Liu further stated that the residents of Arnolds Valley were very accommodating. One (1) marine was injured in a fall and was rescued by the Glasgow Fire Department with assistance from the Glasgow Rescue Squad. Mr. Suter then asked Supervisor Hinty, who was onsite for the culminating event, for his comments.

Supervisor Hinty stated that this was an event that everyone should see at least once, to see how our military trains to protect the nation.

Mr. Suter confirmed that Special Agent Liu has indicated that he would like to use Rockbridge County for future training areas.

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 added an item involving a presentation from the Virginia Tourism Corporation.

A second added item involved the Solid Waste Authority's new lined landfill and new regulations that may be required to protect the landfill. He briefly discussed recent changes in waste disposal regulation and dumpster locations, noting that it would be beneficial for the full board to discuss options in a work-session environment. After discussion, the Board agreed to conduct a work session at 5:00 p.m. on September 25th.

The third item he added was the need to reschedule the public hearing on Chapter 14 of the County Code [Fire & Rescue] until the September 23rd meeting. He noted that, in accordance with the County Code, the Board must advertise public hearings for two (2) consecutive weeks; however "News Gazette" inadvertently advertised the ordinance for Chapter 14 of the County Code for only one week. He stated that anyone present who would like to comment on the ordinance would have the opportunity to do so later in the meeting.

Approval of August 26, 2013 Minutes

Supervisor Ford moved to approve the August 26, 2013 minutes, seconded by Supervisor Higgins, and approved by unanimous roll call vote by the Board.

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

Outdoor Event Application for 540 Productions

Director of Community Development Sam Crickenberger introduced Josh Harvey, representative of 540 Productions, who was scheduling a production in Timber Ridge of the musical "Oklahoma". He noted that, should the Board approve the application, the event would take place September 19-21 at the residence of Mrs. James Tichenor on Timber Ridge Road.

Mr. Harvey shared with the Board that his wife and he were trying to attract as much interest as possible in bringing shows to different areas of the County, such as at the Farm in Timber Ridge next to the Timber Ridge Church, the Palma Recycling Center in Buena Vista, Hulls Drive-in and the Lime Kiln Theatre. He stated 27 actors will participate in the "Oklahoma" production, including Linda Gorman, theatre teacher at Rockbridge County High School, 15 Washington and Lee students, 5 Southern Virginia University students, and 5 Rockbridge County High School students. He stated that the bigger plan for the future would be to open a training center/school for actors and actresses. He noted that currently there are 15 individuals who are willing to participate in such a class. He wishes to fill the need to provide these students with instruction

beyond what they are learning at their schools.

Chairman Campbell shared his support of the performance.

Supervisor Lewis moved to approve the Outdoor Event Application for this event. A second was provided by Supervisor Ford, and the application was approved by unanimous roll call vote:

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

Item(s) Added to the Agenda

Virginia Tourism Corporation

Mr. Crickenberger introduced Wirt Confroy of the Virginia Tourism Corporation [VTC], who provided the Board (and several members of the Planning Commission who were in attendance) with a presentation on Tourism Zones. Mr. Crickenberger stated that the presentation relates to some issues that the Planning Commission is currently dealing with. He indicated that several parts the County could be identified as tourism zones, including the Raphine and I-81/US 60 interchanges and the Natural Bridge area.

Mr. Confroy indicated that VTC is an entity of the Department Commerce and Trade and creators the "Virginia is for Lovers" marketing slogan, in use since 1969. He stated that he enjoys working with Jean Clark, our regional Director of Tourism, who was present. He then introduced the Tourism Development Finance Program, a precursor to Tourism Zones.

Mr. Confroy went on to explain that, after Governor McDonnell took office, surveys taken throughout the State indicated a need for state

financial assistance to enhance the quality of tourism projects. During the recent economic downturn, many projects were abandoned due to lack of funding. He explained that a result of the Governor's initiative was the Tourism Development Finance Program, a gap-financing program. Two (2) benefits of this program are that it is a job creator and it can generate additional revenues. Under this program, tourism is defined as: "lodging, dining, retail, outdoor experiences, and attractions". He stated that businesses engaged in any of these activities are eligible for the gap-financing program.

He then explained how an entity would apply for gap-financing: projects in a tourism zone must have a financial performance agreement and a tourism development plan. The enabling legislation specifies that the gap-financing program help create more development in Virginia. He stated that the locality would work with a developer/partner on a project, whether it be new construction or refurbishing older structures. He explained how the "1-1-1" formula funding works, using the example of a hotel construction or remodeling project.

He advised that a locality could create an overlay zone (a zone on top of a previous zone) as long as the previous zone's regulations are still in effect and observed.

Fire and EMS Ordinance

As Chairman Campbell noted at the beginning of the meeting, this ordinance was removed from public hearing. Chairman Campbell asked if there were any citizen comments on the ordinance, noting that any comments would be taken under consideration at the next meeting, during which the

official public hearing would be conducted. There were no comments.

Financial Report

Director of Finance Steven Bolster reviewed his monthly memorandum. Activities for the Commissioner of the Revenue were: land-use re-validations to be mailed on September 16th; continuing reconciliation of delinquent business tax report; working on audit of meals and lodging taxes to ensure compliance; working on DMV report for August 2013; working on new construction assessments received from Building Department; and the personal property tax book presented to the Treasurer on August 27th for creation of tax tickets.

Activities for the County Treasurer were: sent letters out on July 25, 2013 to citizens who are severely delinquent on real estate taxes, with a response due date of September 16, 2013; personal property tax bills sent out on September 4, 2013, with payments due October 7, 2013; and third quarter estimated income tax due September 16, 2013.

Supervisor Lewis commended the Treasurer's department for allowing the payment of taxes to be done online or at local banks using a credit card, noting that in the not-too-distant past, the only way to pay was in person, with cash.

Mr. Bolster then provided an update on the consideration of a Financial Advisor RFP, stating that the Finance Committee met on August 29th to discuss the RFP options available and to consider solicitation of proposals for financial advisor services. The Committee sought and received input from the Board of Supervisors after the meeting concluded. The consensus was to move forward with advertising an RFP for financial

services in the near future.

Mr. Bolster then reviewed the School Appropriation Resolution. He noted that three (3) of the line items were for grants. Those items are the Adult Basic Education, General Adult Education, and RACE.

After review, Supervisor Higgins moved to approve the School Appropriation Resolution. A second was provided by Supervisor Hinty, and the Resolution was approved by unanimous roll call vote.

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

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

On motion by Supervisor Higgins, seconded by Supervisor Hinty, 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:

ABE 2013-2014

4-50-61100-1130-312-700-823 Grant Coordinator.....	\$2,750.00
4-50-61100-1321-312-700-823 Part-time Teachers.....	\$57,495.00
4-50-61100-2100-312-700-823 FICA.....	\$4,392.00
4-50-61100-3160-312-700-823 Purchased Services.....	\$1,891.00
4-50-61100-5510-312-700-823 Mileage.....	\$3,627.00
4-50-61100-6013-312-700-823 Materials & Supplies.....	\$4,249.00

4-50-61100-8000-312-700-823 Hardware Additions..... \$1,000.00

GAE 2013-2014

4-50-61100-1321-312-700-824 Part-time Teachers..... \$7,698.00

4-50-61100-2100-312-700-824 FICA..... \$592.00

RACE 2013-2014

4-50-61100-1321-312-700-825 Part-time Teachers..... \$8,819.00

4-50-61100-2100-312-700-825 FICA..... \$670.00

4-50-61100-3160-312-700-825 Purchased Services..... \$2,654.00

4-50-61100-5510-312-700-825 Mileage..... \$2,929.00

4-50-61100-6013-312-700-825 Materials & Supplies..... \$1,500.00

TOTAL FUND 50 APPROPRIATIONS **\$100,266.00**

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..... \$1,126,471.00

TOTAL FUND 70 APPROPRIATIONS **\$1,126,471.00**

Mr. Bolster then reviewed the County Appropriation Resolution, noting that all the items listed under Fund Code 11 have some form of reimbursement or revenue associated with them. He explained the "Payment for Planning Services" line by stating that Community Development had received seven (7) applications from AT&T to co-locate equipment on cell

towers throughout the County. This is a sizable increase from former years and affected previous reductions in this budget line. He also stated that the application fee collects \$1,000 per request. The application is then forwarded to our consulting engineer, Atlantic Technology Consultants, for review. He noted that this firm invoices the County \$850 per application.

After review, Supervisor Ford moved to approve the County Appropriation Resolution and the payment of bills. A second was provided by Supervisor Hinty, and the resolution was approved by unanimous roll call vote.

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

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

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

4-11-31020-7005 Police Equipment..... \$1,256.00
4-11-31030-7001 Homeland Security Grant..... \$120.00
4-11-43020-7003 Renovations-Admin Bldg..... \$237.00
4-11-81010-3202 Payment for Planning Services..... \$5,950.00

4-11-81090-3002	Transportation Grant.....	\$1,061.00
4-11-81090-3006	Greenhouse Village Grant.....	\$200.00
4-11-99010-6192	Transfer to Lined Landfill.....	\$10,277.00

Total General Fund Appropriations	\$19,101.00
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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:

4-19-19040-7007	Billing Hard/Software Purchase.....	\$13,178.00
4-19-19050-3006	Seeding/Mowing/Erosion Control.....	\$695.00
4-19-19070-7001	Construction-Lined Landfill.....	\$10,277.00

Total SWA/Landfill Fund Appropriations	\$24,150.00
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Total Appropriations	\$43,251.00
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Current County

11 - General Fund	\$759,491.72
19 - SWA/Landfill	\$50,700.15
20 - SWA/Recycling	\$4,317.80
94 - Central Stores	<u>\$3,127.36</u>

Total County Bills	\$817,637.03
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Current Fiscal Agent

80 - Regional Jail	\$41,847.23
93 - CSA Administration	<u>\$1,135.81</u>
Total Fiscal Agent	\$42,983.04
TOTAL ALL BILLS	\$860,620.07

Mr. Bolster then requested the Board authorize the County Administrator to approve the September BTOP bills list. He advised the Board that he and Mike Vellines, BTOP Project Manager, would confer after the meeting to ensure all the drawdown documentation is complete before moving forward with the final BTOP bills list.

The Board of Supervisors concurred with the request to authorize the County Administrator to approve the September BTOP list.

Consideration of Countywide EMS Response Plan

Mr. Suter explained that new state OEMS regulations require that each locality adopt "Local Emergency Response Agency Standards" which set minimum response standards for the time it takes from the receipt of a call for EMS service until a unit is on the scene of the emergency. He explained that the Fire and Rescue Commission had tasked a sub-committee with development of a draft response standard. The committee subsequently reviewed the previous year's response data to develop realistic response goals. Ultimately, the Fire and Rescue Commission approved a plan in which the target response times for suburban/rural areas is 19 minutes and that the target time for rural/remote areas is 26 minutes. Mr. Suter noted that all Rockbridge County EMS agencies are considered rural/remote for purposes on this plan. He further indicated that Lexington and Buena Vista EMS agencies would be governed by plans adopted by their respective councils. He then introduced Dr. John Sheridan, Chairman of the Fire and Rescue Commission.

Dr. Sheridan indicated that the standards were the product of the efforts of Ty Dickerson, Craig Campbell, and Colby Irvine - all Commission members.

Supervisor Lewis commended Dr. Sheridan. He shared his excitement that the Commission was making solid forward progress on important issues.

Supervisor Ford commended the Commission's efforts on retrieving the 911 Call Center data, now that this data can be consolidated and used productively.

Mr. Suter commended Messrs. Dickerson, Campbell, and Irvine for their help.

On a motion by Supervisor Lewis, seconded by Supervisor Ford, the Countywide EMS Response Plan was adopted as presented by unanimous vote by the Board.

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

Virginia Tech Foundation Bond Issue request

Mr. Bolster presented this agenda item stating that the Virginia Tech Foundation is planning to finance, among other projects, approximately \$1 million associated with the prior purchase of two farms in Rockbridge County to be used by the university's Shenandoah Valley Agricultural Research and Extension Center. The Economic Development Authority of Montgomery County will serve as the issuer of taxable and tax-exempt bonds for these projects. Since part of financing project is located in Rockbridge County, the Foundation is requesting that the Board of Supervisors of Rockbridge County approve the issuance of the bonds for the Rockbridge County project following a public hearing. Federal tax law and Virginia law require the governing body of the jurisdiction in which a project is located (Rockbridge County) to concur with the inducement resolution of the Montgomery County Authority and approve the bonds. As required, joint public hearing is scheduled for 11:30 AM on September 17th

at the Montgomery County Administration Center, located at 755 Roanoke Street, Suite 2H, Christiansburg, Virginia 24073. The hearing will be conducted by the Montgomery County EDA on behalf of the Rockbridge and Montgomery County Boards of Supervisors and others.

There was no specific action requested. Supervisor Ford enquired as to whether the debt associated with this bond would be counted towards toward the county's total debt load in future audits, as GASB standards evolve. Mr. Bolster answered in the negative.

RARO CIP

Mr. Suter briefed the Board on the agenda item: "The Rockbridge Area Recreation Organization (RARO) receives operational support from both the County and the City of Lexington under the Joint Services agreement. Costs are shared based on annual participation rates. However, there has never been a mechanism for sharing of capital improvement costs. Earlier this year, the Board approved the formation of a regional committee, comprised of representatives from the County, the City and RARO, to begin looking at the capital improvement needs of RARO. County representatives appointed to the committee were Supervisor Lewis and Spencer Suter. At its regular August 24 meeting, the Board received an update of work completed by the committee, which has met on multiple occasions and ultimately developed draft amendments to the joint services agreement. The amendments include an addition to the section dealing with RARO and amendments to the referenced definition of "capital costs". On August 28th, the committee met again and agreed on an addition to the previous

draft. Placed at the end of the RARO section of the joint services agreement, the additional suggested language is as follows: "It is the intention of both parties that RARO will continue to utilize any capital improvements resulting from this agreement, and if such use is limited or eliminated over the effective life of the improvement, the parties will negotiate an equitable financial settlement." This addition is intended to provide guidance for the unlikely situation wherein both localities contribute to a capital improvement and RARO subsequently loses beneficial use of the improvement."

Mr. Suter recommended that the Board schedule a public hearing on September 23, 2013.

Supervisor Hinty asked what the participation rate has been.

Mr. Suter replied that it varies from year to year, and that last year's ratio was around 80%-County / 20%-City.

Supervisor Higgins indicated that he had not had the chance to present suggestions to Supervisor Lewis nor Mr. Suter and would need more time.

Supervisor Ford requested that the Finance Committee take a look at this and bring it back to the Board at a later time. Mr. Suter noted that the Finance Committee would be meeting soon.

No public hearing was set.

Consideration of Fire/Rescue Audit/AUP Proposals

Mr. Suter explained that the Request for Proposals was advertised in an effort to help save money on required annual audits of Fire and Rescue agencies. Per the Board's previous recommendation, the County advertised for proposals and received 4 responses. The proposals were subsequently ranked by members of a staff and volunteer committee, based on pre-determined evaluation criteria. The firm of Robinson, Farmer, Cox was ranked first, and Brown-Edwards was second.

Supervisor Lewis indicated that he had heard that some of the agencies did not plan to use the proposed auditing services.

Mr. Suter confirmed that no agency would be required to use the proposed service but could give provide its own audits from other firms. He further noted that the potential exists that negotiations may result in a finding that none of the proposers offer a cost savings over the current audit arrangement, resulting in abandonment of the initiative.

Supervisor Higgins moved to authorize Mr. Suter to enter into negotiations based on the ranking provided. A second was provided by Supervisor Ford, and the motion was approved by unanimous roll call vote.

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

Appointments

Rockbridge Area Community Services Board

This appointment was moved to the September 23rd meeting.

TAP (Total Action for Progress)

Supervisor Lewis indicated that he thought he had found a candidate for this appointment but that due to health reasons this person was not able to fill the appointment, based on having to attend the meetings in Roanoke. He asked that the Board keep this appointment in mind because it has been vacant for some time.

Cardinal Committee

Mr. Suter explained that the requested makeup of this committee will include county staff as well as Board, EDA, schools and citizen representatives. Chairman Campbell noted that John Whitesell (EDA), Keith Holland (citizen) and John Morris (schools) had agreed to serve. He then noted that three Board members had expressed an interest in participating. He asked for suggestions from the Board.

Supervisor Hinty made a motion to appoint Supervisor Higgins to serve on this committee. A second was provided by Supervisor Lewis, and the motion was approved by unanimous roll call vote.

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

Supervisor Higgins made a motion to appoint Supervisor Lewis to serve on this committee. A second was provided by Supervisor Hinty, and the motion was approved by unanimous roll call vote.

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

Staff Reports

Supervisor Lewis moved to accept the Staff Reports as presented. A second was provided by Supervisor Higgins, and the reports were approved by unanimous roll call vote.

Supervisor Ford commended Robert Foresman, Emergency Management Coordinator, and all EMS agencies who worked at the USMC Training Exercise over the weekend.

Supervisor Hinty commended the Parks and Recreation department for their work.

Mr. Suter also commended the Parks and Recreation department for their work, stating that they are a small staff but do a tremendous amount of work in keeping up with two parks and a very busy mowing season.

Board Comments

Supervisor Higgins asked for clarification on the source of the tax revenue estimated to be generated by the Appalachian Power Transmission Line Improvements, on which the Board was briefed at its last meeting.

County Attorney Vickie Huffman stated that the estimated \$50,000 per year in increased tax revenue is expected to result from assessment of the additional or replacement business property added by the project. The assessed value of APCO's property is set by the State Corporation Commission and furnished to the local Commissioner of the Revenue for taxation at the real estate tax rate. The estimate has been generated based on the anticipated investment in the project.

Supervisor Lewis noted that the Tourism Zone discussion came about because Buena Vista City and Lexington's Main Street Group are both looking into creating a Tourism Zone.

Supervisor Lewis then advised that Lexington City Council adopted the RARO Joint Services Agreement as presented during its last meeting.

Adjourn

With there being no further business to discuss, Supervisor Hinty moved to adjourn. A second was provided by Supervisor Ford, and the motion was accepted by unanimous roll call vote.

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