

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS
HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING
AT 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, FEBRUARY 14, 2022 AT 5:30 P.M.

BOARD MEMBERS PRESENT: D. E. LYONS
L.E. AYERS
R. W. DAY

BOARD MEMBERS ABSENT: A.J. "JAY" LEWIS, II.
D.B. MCDANIEL

COUNTY ADMINISTRATOR: SPENCER H. SUTER

COUNTY ATTORNEY: VICKIE L. HUFFMAN

CALLED TO ORDER:

Vice-Chair Ayers called the meeting to order.

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

The Board then led in the Pledge of Allegiance.

Vice Chair Ayers offered an invocation for anyone who wished to participate.

Vice Chair Ayers advised of the following announcements:

"Per the Governor of the Commonwealth of Virginia Executive Order 72, persons who have been fully vaccinated for the COVID-19 virus are not required to wear a mask.

We will hold citizens comments near the beginning of the meeting.

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

- 1) To join by Telephone, you may dial in to one of the numbers listed on the County Website. Webinar ID and Password are there for your convenience. Citizens wishing to simply view the meeting live or after the fact can do so on the Rockbridge County Board of Supervisors YouTube Channel, also available on the County website.
- 2) If you wish to make a citizen comment as a Zoom meeting participant, you will use the "Raise your Hand" feature. You can press the "Raise Hand" button on the bottom of your Zoom window, or press *9 if you are calling in by telephone."

Changes to the Agenda:

Vice Chair Ayers called for changes to the agenda.

Mr. Suter asked to add consideration of a resolution to ratify a State of Emergency Declaration which occurred over the weekend.

Supervisor Day moved to add this item to the agenda. Supervisor Lyons provide the second, and the motion carried by the following roll call vote by the Board:

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

Recognitions and Presentations:

Mr. Suter advised that several new County employees would be introduced at the Boards next meeting.

Citizens Comments:

Vice Chair Ayers called for citizens comments. There were none.

Approval of the January 24, 2022 Minutes:

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

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

Consideration of the School Appropriation Resolution:

Mr. Suter presented the School Appropriation Resolution and recommended approval as presented.

Supervisor Lyons moved to adopt the resolution. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, FEBRUARY 14, 2022 AT 5:30 P.M.

On motion by Supervisor Lyons, seconded by Supervisor Day, the Board, by record vote adopted the following appropriation resolutions:

APPROPRIATION RESOLUTION

FUND 50: SCHOOL FUND

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby are made, for the period ending **June 30, 2022** in **FUND 50, SCHOOL FUND** and expended as follows:

Carryover Grant

Title IV 21st Century MRMS 2020

4-50-61100-1120-270-500-917	Teacher Salaries.....	\$6,496.00
4-50-61100-2100-270-500-917	FICA.....	\$6,037.00
4-50-61100-3160-270-500-917	Purchased Services.....	\$2,955.00
4-50-61100-4000-270-500-917	Internal Services.....	\$8,073.00
4-50-61100-5540-270-500-917	Travel/Mileage.....	\$1,215.00
4-50-61100-6030-270-500-917	Materials & Supplies.....	<u>\$447.00</u>
	Total	\$25,223.00

Title IV 21st Century NBES 2020

4-50-61100-1120-350-500-918	Teacher Salaries.....	\$103,760.00
4-50-61100-2100-350-500-918	FICA.....	\$7,960.00
4-50-61100-3160-350-500-918	Purchased Services.....	\$1,953.00
4-50-61100-4000-350-500-918	Internal Services.....	\$5.00
4-50-61100-6030-350-500-918	Materials & Supplies.....	<u>\$13,491.00</u>
	Total	\$127,169.00

TOTAL FUND 50 APPROPRIATIONS **\$152,392.00**

TOTAL APPROPRIATIONS **\$152,392.00**

Consideration of the County's Financial Package:

Mr. Suter presented the financial package to include the bills list and appropriation resolution. He commended John Montoro with VML/VACO finance who began assisting in Mr. Bolster's position as he transitioned out.

Supervisor Day moved to accept the bills list and adopt the resolution. Supervisor Lyons provided the second, and the motion carried by the following roll call vote by the Board:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING,
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,
ON MONDAY, FEBRUARY 14, 2022 AT 5:30 P.M.

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

APPROPRIATION RESOLUTION

GENERAL FUND

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby is made, for the year ending **June 30, 2022**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-32021-5101 Electricity.....	\$ 1,523.00
4-11-32021-5102 Water and Sewer.....	142.00
4-11-32021-5104 Heating.....	1,172.00
4-11-81090-5623 Cont-Horse Center Debt.....	109,705.00
4-11-42030-7001 Purchase of Containers.....	25,480.00
4-11-91010-3006 Revenue Sharing Pmt-Lexington.....	<u>104,109.00</u>
Total General Fund Appropriations	\$242,131.00

BILLS TO BE PAID

Current County

11 - General Fund	\$518,193.45
94 - Central Stores	8,141.87
205 - ARPA Fund	1,147.98
372 - Construction Project Fund	1,491.55
376 - Capital Purchases Fund	<u>30,170.39</u>
Total County Bills	\$559,145.24
Current Fiscal Agent	
80 - Jail Fund	\$150,470.21
241 - E-Summons Fees	1,088.24
736 - Sheriff Forfeiture Fund	<u>00</u>
Total Fiscal Agent	\$151,558.45
TOTAL ALL BILLS	\$710,703.69

Review of Natural Bride Speedway Annual Report:

Director of Community Development Chris Slaydon briefly reviewed the agenda item which included the following information:

"Per condition number one of the special exception permit, the Natural Bridge Speedway is required to present an annual report to the Board of Supervisors. The report is supposed to be presented to the Board of Supervisors before the second meeting in January. The property was transferred to the new owner, JCG Adventures LLC, on October 4, 2021. The new owner worked with the previous owner to obtain the 2021 racing schedule. There was a delay in obtaining the start and stop times from the 2021 season and therefore the Review of the annual report was placed on the February 14, 2022, Board of Supervisors Agenda." He then introduced Joseph Glassford with JCG Adventures LLC to further review the report and address any questions the Board may have.

Mr. Glassford explained that he obtained ownership of the speedway last year and has since had good feedback and support from the community. He advised that he plans to add tech and safety to the speedway. Mr.

Glassford briefly reviewed the 2022 schedule while noting that a very large race was scheduled the first weekend in September which conflicts with the Rockbridge Regional Fair. He stated that he scheduled this event without having affirmative dates of the fair, having left three weekends in August open for the fair weekend, and later found out from Mr. Slaydon the exact dates for the fair.

Mr. Slaydon advised that the last sentence in Condition #8 of the adopted ordinance prohibits racing the weekend of the fair. He stated that this has been problematic as the fair used to be held the last weekend of August, then first weekend of September, and this year the second weekend of September. Thus, with this conflict, Mr. Glassford will need to make an application to amend this condition, removing the last sentence of condition #8 that prohibits racing on the weekend of the fair, and the application will need to go through the special exception processes. In the meantime, Mr. Slaydon noted, staff recommends making the September 9th and 10th event on the speedways schedule tentative. He further advised that he was unaware of any other ordinance with a similar condition that prohibits activities during the fair or any other County event.

Mr. Glassford stated that the event at the speedway could bring more participants to the fair as it is a multi-day event and will also bring a lot of additional revenue to the County.

Supervisor Lyons proposed the Board conditionally accept this report and the season schedule pending the application of, and approval of, amendment of the existing special exception permit, which specifies that Natural Bridge Speedway will not operate on fair weekends. Supervisor Day

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

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

Consideration of Joint Resolution with Augusta County to Improve the I81/I64 Shared Corridor:

Mr. Suter presented the following information:

"In January, Augusta County Administrator Tim Fitzgerald and I discussed an initiative suggested by a member of his Board, to encourage improvement of the shared portion of interstates 81 and 64, between Lexington and Staunton. Specifically, the request would be made to the State and Federal governments to add a north and southbound lane to the corridor, to more adequately accommodate heavy interstate traffic. One section, between Timber Ridge and Fairfield has already been completed in Rockbridge County. The included, joint resolution, was adopted by the Augusta County Board of Supervisors on February 9th. It goes into some detail about the traffic levels, crash data and emergency responses provided by both our localities."

Supervisor Lyons moved to adopt the resolution. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

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

RESOLUTION

Resolution Encouraging the Commonwealth of Virginia to Utilize Infrastructure Funds to Improve the Interstate 81/64 Corridor in Rockbridge and Augusta Counties.

WHEREAS, US Interstates 81 and 64 intersect in Rockbridge County and share the same travel path north to Augusta County, where they diverge; and,

WHEREAS, this section of interstate highway (I81/I64), between mile markers 191 and 222 is among the most heavily travelled in the Commonwealth of Virginia; and,

WHEREAS, over 50,000 vehicles traverse I81/I64 each day; and,

WHEREAS, as the corridor is a major shipping artery for the eastern United States, a high percentage of the vehicles is comprised of semi-trucks; and,

WHEREAS, these trucks share the road with innumerable passenger vehicles containing families and business commuters; and,

WHEREAS, the density of traffic and varied size and travelling speeds of vehicles on I81/I64 often results in traffic crashes; and,

WHEREAS, Federal regulations require rest time for commercial drivers and parking availability along I81 / I64 is limited and often creates additional safety concerns; and,

WHEREAS, in the past five years (2017 – 2021) there have been more that 1000 vehicle crashes on this section of interstate highway; and,

WHEREAS, these crashes have resulted in 10 fatalities and nearly 400 injuries; and,

WHEREAS, Rockbridge and Augusta Counties provide Fire and EMS service response to assist crash victims; and,

WHEREAS the Virginia State Police (VSP), and the Virginia Department of Transportation (VDOT) provide law enforcement and traffic management during crash incidents; and,

WHEREAS, local law enforcement, to include the Rockbridge and Augusta County Sheriffs' Departments are often called upon to assist the Virginia State Police in crash response and traffic detours; and,

WHEREAS, over the past three years on fire and EMS responses alone, Rockbridge and Augusta Counties fire and EMS agencies have provided approximately 6,000 hours of response time, involving multiple stations, units and personnel; and,

WHEREAS, interstate traffic is routinely detoured around crashes, onto Virginia primary and secondary roads, as well as through the cities of Lexington and Staunton; and,

WHEREAS, these detours require additional local personnel to manage, and interrupt daily travel for our citizens and commerce of our businesses; and,

WHEREAS, the addition of one north and one south-bound lane for this highly traveled section of Interstates 81 and 64 would serve to reduce both the number of crash incidents and the necessity to detour traffic onto local roadways; and,

WHEREAS, the Commonwealth has and will be receiving federal funding designated for infrastructure improvements,

NOW, THEREFORE BE IT RESOLVED, we, The Board of Supervisors of Rockbridge County, and the Board of Supervisors of Augusta County, request and encourage the United States Congress, The Virginia General Assembly and The Governor of Virginia to designate such funding as would be needed to fully fund the construction of a third lane on the shared section of Interstate 81 and 64 through Augusta and Rockbridge Counties.

Consideration of a resolution to ratify a State of Emergency Declaration:

Mr. Suter advised of the following information:

"As you know, the Town of Goshen has been experiencing water pressure issues for the past week or more. The Town is currently under a boil water notice from the Virginia Department of Health. On Saturday at 9:45 a.m., at the request of Mayor Tom McCraw and with Chairman McDaniel's blessing, I declared a local state of emergency. That declaration is allowable under the Code of Virginia and serves to increase access to resources and relaxes procurement processes such that the emergency can be efficiently dealt with.

I am happy to report that, with the help of many groups and individuals, it appears that a resolution to the issue has been found, today. This morning the Rockbridge Road tank, which is has a 57' tall reservoir holding 127,000 gallons of water was essentially empty. We put plans in place over the weekend to fill that tank using tanker trucks.

Those trucks were on site, today, but a fix was discovered to flow water negating the need for tankers. As of 15 minutes before the meeting, that tank was probably well over half full and filling fast. It is my understanding from town leaders that all households which previously had no, or reduced water pressure were back in business. I'm sure the Town will be developing a list of all those who assisted, so I won't try to list all those who did because I know I will leave someone out. However, I think I would be remiss if I did not recognize our PSA, MSA, Department of Fire-EMS-Emergency Management, Goshen Fire Department, and our local Citizen Emergency Response Team (CERT) for having boots on the ground. Also, VDOT and VMI for their offers of assistance, and to Lowes, which donated pallets of bottled water to assist during the outage.

As described in the resolution I've provided for you, state code requires that the declaration of emergency be ratified by the Governing Body at its next regular meeting or by special called meeting within 14 days of the declaration. I'd ask that the Board consider adopting this resolution. Although all reports indicate that the initial emergency has passed but the Town has concern that the re-pressurization of the system could strain some of the older water lines creating additional issues. Thus, I would ask recommend that the emergency declaration stay in place until Town leadership and the Virginia Department of Health affirm that all systems are operational and stable. I can lift the local state of emergency at that time with no further need for ratification from the Board."

Supervisor Day moved to adopt the resolution. Supervisor Lyons provided the second, and the motion carried by the following roll call vote by the Board:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, FEBRUARY 14, 2022

RESOLUTION RATIFYING AND CONFIRMING THE DECLARATION OF A LOCAL EMERGENCY

WHEREAS, the Board of Supervisors of the County of Rockbridge, Virginia, does hereby find as follows:

- (1) That the Town of Goshen is experiencing significant and ongoing issues with its public water system, resulting in no or low water pressure for a large number of Town and County residents served by the system; and,
- (2) That the delivery of potable water is a primary health and human safety concern; and,
- (3) That the Director of Emergency Management deemed that a state of emergency existed at 9:45 AM on Saturday, February 12, 2022, and will continue until the resolution of this condition; and,
- (3) That the condition was of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused thereby, and the proclamation of the existence of an emergency was necessary to permit the full powers of government to deal effectively with this condition of peril; and,
- (4) That a State of Emergency was subsequently declared in accordance with Code of Virginia Section 44-146.21;
- (5) That circumstances at the time of the onset of the emergency did not permit the Rockbridge County Board of Supervisors to convene to consent to the declaration of a local emergency; and,

- (6) That a Board of Supervisors ratification of the declaration is required.

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

1. That a local emergency existed in the Town of Goshen and other areas within the County of Rockbridge and the declaration of a state of emergency by the Director of Emergency Management on February 12, 2022, at 9:45 a.m., is hereby RATIFIED and CONFIRMED; and,
2. That, during the existence of this emergency, the powers, functions, and duties of the Director of Emergency Management and the Emergency Services organization and functions of the County of Rockbridge as prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of the County of Rockbridge, were and will continue to be implemented in order to mitigate the effects of said emergency; and,
3. That the County Administrator/Director of Emergency Management undertake all possible efforts required in attempting to recover any emergency-related local expenditures from the Commonwealth of Virginia, the Federal Emergency Management Agency (FEMA), or any available, non-local source.
4. That this resolution shall be effective as of February 12, 2022.

Adopted this 14th day of February, 2022.

Appointments:

VASAP- Steve Bolster- Unexpired Term Set To Expire January 13, 2023:

Mr. Suter stated that he would be willing to serve in place of Mr. Bolster.

Supervisor Lyons moved to appoint Mr. Suter to the VASAP Board. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

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

Community Services Board Member Jade Knick no longer serving after December 2021/ and, / Community Services Board Member Malcolm Brownlee Resigned- Term Expires 12/31/2023:

These two (2) appointments were moved to the next agenda as applicants' information would need to be published on the agenda.

RARO Board of Directors- Fill unexpired term for David Hinty effective 01/06/2022 - 06/30/2025:

This appointment was moved to the next agenda.

Monthly Staff Reports:

Supervisor Lyons moved to accept the reports. Supervisor Day provided the second, and the motion carried by the following roll call vote by the Board:

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

Continued Meeting:

Vice-Chair Ayers stated that the previously scheduled joint meeting with the School Board for Thursday, February 17th was postponed and would be rescheduled at a later date. She advised that the next meeting would be

in the Board of Supervisors meeting room at 5:30 p.m. on February 24th to receive the first draft of the 2023 budget.

Adjournment:

Supervisor Lyons moved to adjourn this meeting at 5:54 p.m.

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

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