

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, JUNE 10, 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, JEREMY GARRETT, CHRIS SLAYDON,
BRANDY WHITTEN

Call to Order

Chairman Campbell called the meeting to order at 5:32 p.m.

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

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. There were none.

Approval of May 28, 2013 Minutes and FY13-14 Budget Minutes

The May 28, 2013 and seven (7) sets of FY13-14 Budget Minutes were provided for the Boards review. The Budget Minutes consisted of Budget Work Sessions 1-5, one public hearing, and the Budget adoption.

Supervisor Ford moved to adopt the May 28, 2013 minutes as well as the FY13-14 Budget Minutes. He then commended Finance Director Steve Bolster for capturing the essence, content, and spirit of each budget session. A second was provided by Supervisor Higgins, and approved by the following roll call vote:

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

Financial Report, Approval of Appropriations and Payment of Bills

Director of Finance Steven Bolster reviewed his monthly memorandum to the Board. Activities for the Commissioner of the Revenue included: completion of the first half of the Real Estate tax season; working on the monthly DMV report; preparing supplemental tax books for 2012 Personal Property and 2013 Real Estate; starting to work on the 2013 Personal Property tax book; auditing Business License files to ensure renewals were completed for the year; and working on Building Department CO's (Certificates of Occupancy) for new construction in order to generate a 2013 Supplemental Real Estate Ticket.

Mr. Bolster then listed the Activities of the Treasurer, which included sending the first half of Real Estate Tax Tickets on the updated bill layout [with positive feedback was received from tax payers], and receiving reimbursement for the QSCB interest payment. Mr. Bolster noted that 100% reimbursement was not received, but that this was expected. He confirmed that 91.3% reimbursement was received, with a shortfall of 8.7% or \$13,865.62. He then reported that collections for delinquent Real Estate tax increased due to letters sent in April, and that he expects to have auditors in the office the final two (2) weeks of the fiscal year, examining records.

Mr. Bolster presented the Revenues vs. Expenditures chart and explained that expenditures were originally projected to exceed revenues by \$288,212 in May, but that revenues actually exceeded expenditures by \$15,318.

Mr. Bolster then provided an update on the online auction results for surplus vehicles, indicating that of the 12 items listed for auction, there were 7,647 hits and 261 bids received over a 15 day period. Those bids came from Virginia, South Carolina, Georgia, Kentucky, and Maryland. He advised that the County will realize over \$20,000 from selling the 12 surplus items.

Mr. Bolster reiterated that there would be two (2) external auditors conducting preliminary fieldwork from June 18th to June 28th.

Mr. Bolster then presented the School Appropriation Resolution and explained that the Fund 70 appropriation in the amount of \$1,547,089 was associated with the expansion of Maury River Middle School.

After review, Supervisor Hinty made the motion to approve the School Appropriation Resolution and Supervisor Ford provided the second, and the motion carried by unanimous vote of the Board.

The following has been executed and recorded:

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, JUNE 10, 2013 AT 5:30 P.M.

On motion by Supervisor Hinty, 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, 2013** in **FUND 70, SCHOOL CONSTRUCTION FUND** and expended as follows:

4-70-66200-3160-950 Purchased Services.....	\$1,547,089.00
TOTAL FUND 70 APPROPRIATIONS	\$1,547,089.00

RECORDED VOTE:

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

Ronnie R. Campbell
Chairman

Attest: _____
Spencer H. Suter
County Administrator

Mr. Bolster presented the County Appropriation and provided extended details for several of the line items. The first line item he explained was "Other Professional Services" which was for Bond Council services associated with the Literary Loan refinancing. He noted that once the payment is made, he will send a requisition for reimbursement from the current escrow account. The second line item was "Gas, Oil, And Diesel" which was for the Maintenance Garages fuel line. He noted that YTD expenditures exceed the budget line by \$85,571. The third line item Mr. Bolster explained in detail was the "Contingency" line. He explained that in August 2012, the Board had approved an additional increase of 0.58% to assist with getting County personnel close to the same net pay as they had prior to the mandated VRS 5% contribution by employees. He noted that this appropriation represents the Board-approved amount and that the Fiscal Services Payroll will reprogram from this budget line into the applicable departments' the fringe benefits lines.

Supervisor Higgins requested that the budget separate each County Department to show the utility cost for individual departments instead of having one line item for all. An example would be for gas.

Mr. Suter indicated that Mr. Bolster was currently working closely with Jean Patterson to receive reports on each department and what that department uses monthly.

Mr. Bolster confirmed that this topic would be discussed among members of the Finance Committee.

Mr. Bolster then explained the Bills List noting that several items listed were double entries. He explained that under the Sheriff's Department, the BB&T charges listed with the budget codes 5401 in the amount of \$94.09 would need to be removed. Other items to be removed included a charge of \$94.08 from line 5410, \$1,100.48 removed from line 5501, and \$451.46 removed from line 7005. The total reduction would become \$1,740.11. He stated that a BB&T charge in the amount of \$33.15 would need to be added to the Garage Department in line item 5415. With these changes, the new total for the General Fund bills list is \$806,713.77. The new grand total for the total of all bills became \$1,134,812.81.

After review, Supervisor Hinty made the motion to approve the County Appropriation Resolution and the payment of bills, as amended. Supervisor Higgins provided the second, and the motion carried by unanimous vote of the Board.

The following has been executed and recorded:

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, JUNE 10, 2013, AT 5:30 P.M.

On motion by Supervisor Hinty, 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, 2013**, from the UNAPPROPRIATED SURPLUS

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

4-11-12190-3003 Other Professional Services.....	\$14,804.00
4-11-21010-5402 Technology Trust Fund.....	\$5,363.00
4-11-31030-7001 Homeland Security Grant.....	\$11,750.00
4-11-32080-3001 Contracted Services.....	\$129.00
4-11-44010-5415 Gas, Oil, & Diesel.....	\$85,571.00
4-11-81090-3002 Transportation Grant.....	\$7,138.00
4-11-81090-3004 Wayfinding Signage Grant.....	\$1,355.00
4-11-99010-6950 Contingency.....	\$31,164.00

Total General Fund Appropriations **\$157,274.00**

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, 2013**, from the UNAPPROPRIATED SURPLUS of the **SWA/LANDFILL FUND** and expended as follows:

4-19-19040-1001 Salaries.....	\$56,209.00
4-19-19050-3006 Seeding/Mowing/Erosion.....	\$2,392.00

Total SWA/Landfill Fund Appropriations **\$58,601.00**

Total Appropriations **\$215,875.00**

Current County

11 - General Fund	\$806,713.77
19 - SWA/Landfill	\$56,414.20
20 - SWA/Recycling	\$5,564.91
94 - Central Stores	\$2,968.56

Total County Bills **\$871,661.44**

Current Fiscal Agent

22 - RANA	\$166,789.65
80 - Regional Jail	\$96,066.65
93 - CSA Administration	\$295.07

Total Fiscal Agent **\$263,151.37**

TOTAL ALL BILLS

\$1,134,812.81

RECORDED VOTE:

AYES: Hinty, Higgins, Ford, Lewis, Campbell

NAYS: None

ABSTAIN: None

ABSENT: None

Ronnie R. Campbell
Chairman

Attest:

Spencer H. Suter
County Administrator

Consideration of Petroleum Product Bids

Director of Finance Steve Bolster explained that between May 13, 2013 and May 31, 2013 the County Advertised an Invitation for Bids on the FY13-14 Petroleum Products. He stated that five (5) vendors submitted bids and those bids were opened and read at 11:00 a.m. on May 31, 2013. He introduced the resolution and bid comparison sheet which was provided on BoardDocs. He then requested that the Board adopt the resolution declaring that the County Administrator be authorized to execute the respective contract documents on behalf of the Board of Supervisors of Rockbridge County, and to take such further actions as may be necessary and appropriate to accomplish these transactions, which shall be approved as to form by the County Attorney.

Chairman Campbell asked Mr. Bolster if he was aware of Maury River Middle School's (MRMS) having a petroleum tank. Mr. Campbell asked why a school that was supposed to be 100% geothermal needed such a tank.

Mr. Bolster indicated that he had not seen a petroleum tank at the facility.

Supervisor Hinty requested that Mr. Bolster contact the schools Superintendent John Reynolds to find out. He suggested that if there were a petroleum tank on the property, it could be for the VOTEC Department's use.

Supervisor Hinty moved to adopt the resolution authorizing award of fuel bids to and execution of the contract documents as presented. Supervisor Higgins provided the second, and the resolution was adopted by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON
MONDAY, JUNE 10, 2013

RESOLUTION AUTHORIZING AWARD OF FUEL BIDS TO AND EXECUTION OF THE CONTRACT DOCUMENTS WITH WHITING ROCKBRIDGE OIL COMPANY FOR THE PURCHASE OF AUTOMATIC TRANSMISSION FLUID; AND DIXIE GAS AND OIL CORPORATION FOR THE PURCHASE OF 87-OCTANE GASOLINE (LAKE ROBERTSON), BULK OIL, ANTI-FREEZE, PLUS L.P. GAS; AND FOSTER FUELS FOR THE PURCHASE OF HEATING OIL; AND JAMES RIVER SOLUTIONS FOR THE PURCHASE OF 87-OCTANE GASOLINE (COUNTY MAINTENANCE GARAGE) AND OVER-THE-ROAD/OFF-ROAD DIESEL

WHEREAS, the County has issued Invitations to Bid for the purchase of fuels for motor vehicles, buses, equipment and facilities; and,

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

WHEREAS, the lowest responsive and responsible bidders for the purchases are as follows: Whiting Rockbridge Oil Company for the purchase of automatic transmission fluid; and Dixie Gas and Oil Corporation for the purchase of 87-Octane gasoline (Lake Robertson), bulk oil, anti-freeze, and L.P. gas; and Foster Fuels for the purchase of heating oil; and James River Solutions for the purchase of 87-Octane gasoline (County Maintenance Garage) and over-the-road/off-road diesel; and,

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

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

1. That James River Solutions be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$2.8860 for the purchase of Regular No-Lead 87-Octane Gasoline delivered to the Rockbridge County Maintenance Garage.

2. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$2.9094 for the purchase of Regular No-Lead 87-Octane Gasoline delivered to Lake Robertson.

3. That James River Solutions be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$2.9072 for the purchase of over-the-road Diesel delivered to the Rockbridge County Maintenance Garage.

4. That James River Solutions be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$2.9617 for the purchase of over-the-road Diesel delivered to Natural Bridge Elementary School and Fairfield Elementary School.

5. That James River Solutions be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$2.9667 for the purchase of off-road Diesel delivered to the Rockbridge County Landfill.

6. That Foster Fuels be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$2.9311 for the purchase of Heating Oil delivered to Highland Bell School.

7. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid price of \$6.75 for the purchase of 5W-20 oil; \$6.25 for the purchase of 5W-30 oil; \$6.50 for the purchase of 10W-30 oil; \$7.75 for the purchase of 15W-40 oil; \$5.75 for the purchase of AW-30 hydraulic oil delivered to the Rockbridge County Maintenance Garage.

8. That Whiting Rockbridge Oil Company be and hereby is awarded the contract based on their bid price of \$7.17 for the purchase of automatic transmission fluid delivered to the Rockbridge County Maintenance Garage.

9. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid price of \$8.75 for the purchase of anti-freeze delivered to the Rockbridge County Maintenance Garage; \$1.16 for the purchase of L.P. gas delivered to Rockbridge Middle School and Mountain View Elementary School.

8. That upon receipt of the completed Contract Documents from each of the lowest responsive and responsible bidders specified herein, and compliance with all remaining requirements therefor, 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.

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

Adopted this 10th day of June, 2013.

Recorded Vote:

AYES: Hinty, Higgins, Ford, Lewis, Campbell

NAYES: None

ABSTAIN: None

ABSENT: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Consideration of Resolution transferring Court Community Corrections Services from the Roanoke Office to the Blue Ridge Court Services Office

Mr. Suter indicated that the Honorable Gordon Saunders, Judge of the Rockbridge General District Court, has requested that responsibility for community correction services be shifted to Blue Ridge Court Services. He reminded those present that in April 2013, the Board approved the shift of local VASAP representation from the Roanoke Regional Office to the Staunton Regional Office, and that the action requested during this

meeting would complete the transfer process begun by the Board in April. He advised that the Blue Ridge Criminal Justice Board unanimously voted to approve this transfer of the responsibilities for Rockbridge County to Blue Ridge Court Services on May 21, 2013 and that likewise, the Roanoke area Court Community Corrections Criminal Justice Board unanimously approved this transfer on May 23, 2013. He recommended approval of the resolution to authorize the County of Rockbridge's participation in the Blue Ridge Criminal Justice Board, to be followed by the appointment of two members to the Blue Ridge Criminal Justice Board. He noted that he and Supervisor Higgins currently represent the County on the Court Community Corrections Criminal Justice Board. He then commended Supervisor Higgins for his work related to these transfers and for working closely with the Judge Saunders.

Supervisor Higgins commended Mr. Suter for his work related to these transfers noting that because of his prior experience, this all worked out.

Supervisor Higgins moved to adopt the resolution authorizing the County of Rockbridge's participation in the Blue Ridge Criminal Justice Board. A second was provided by Supervisor Hinty, and the resolution was adopted by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
JUNE 10, 2013

**A RESOLUTION TO AUTHORIZE THE COUNTY OF ROCKBRIDGE'S PARTICIPATION IN THE
BLUE RIDGE CRIMINAL JUSTICE BOARD**

WHEREAS, on September 30, 1994, the Virginia General Assembly enacted the Comprehensive Community Corrections Act, which provided for the establishment of community criminal justice boards to serve as an advisory body for local criminal justice issues; and

WHEREAS, Virginia Code Section 53.1-183 provided for the localities of Staunton, Waynesboro, Highland and Augusta County to form the Blue Ridge Criminal Justice Board on July 1, 1995; and

WHEREAS, on July 1, 1995, Blue Ridge Court Services was established to provide local probation and pretrial services to the Courts of the cities of Staunton and Waynesboro and the Counties of Highland and Augusta; and

WHEREAS, the City of Staunton is the fiscal agent for the Blue Ridge Criminal Justice Board, and the administrator of the Blue Ridge Criminal Justice Board is the Director of Blue Ridge Court Services; and

WHEREAS, the Virginia General Assembly subsequently repealed the Comprehensive Community Corrections Act for Local-Responsible Offenders, §§ 53.1-180 — 53.1-185.3, and adopted the Comprehensive Community Corrections Act for Local-Responsible Offenders, §§9.1-173 — 9.1-183, effective October 1, 2001, with comparable provisions requiring in Virginia Code §9.1-181 that any city, county, or combination thereof, which elects to, or is required to establish services shall participate in a local community-based probation services agency by ordinance or resolution of its governing body; and

WHEREAS, the Blue Ridge Criminal Justice Board voted on May 21, 2013 to extend an invitation to Rockbridge County to join this multi-jurisdictional effort; and

WHEREAS, the County, as a member of the Court Community Corrections Board, and in consultation with the Rockbridge County Circuit and District Court Judges, has determined that the Blue Ridge Criminal Justice Board is more appropriately positioned to provide the most beneficial services to the County; and

WHEREAS, on May 23, 2013, the County notified the members of the Court Community Corrections Criminal Justice Board of its intentions to transfer services from the Court Community Corrections Board to the Blue Ridge Criminal Justice Board; and

WHEREAS, on May 23, 2013, the Court Community Corrections Board voted unanimously to support the County's request for this transfer.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Rockbridge County, Virginia, that Rockbridge County hereby agrees to transfer membership from and participation in the Court Community Corrections Board to the Blue Ridge Criminal Justice Board and appoints two representatives to the Blue Ridge Criminal Justice Board.

This Resolution shall be effective on July 1, 2013. The Clerk is hereby directed to provide certified copies of this Resolution to the Court Community Corrections Board of Roanoke and to the Blue Ridge Criminal Justice Board of Staunton.

Adopted this 10th day of June, 2013.

Recorded Vote:

AYES: Higgins, Hinty, Ford, Lewis, Campbell

NAYES: None

ABSENT: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Consideration of Draft Code Amendments to Chapter 16 of the County Code- Health and Safety Ordinance

Director of Solid Waste and Transportation Mr. Jeremy Garrett provided an update of the Health and Safety Ordinance, continuing discussions from the May 13, 2013 and April 22, 2013 Board meetings. As the Solid Waste Committee and staff were directed to draft code amendments to Chapter 16 of the County Cod, they agreed to move the Solid Waste portion in Chapter 16 of the code to its own section, entitled Chapter 23: Solid Waste. Mr. Garrett stated that the impetus for the suggested draft amendments was provided by the request by Buena Vista to terminate the existing Dumpster Use Agreement. The committee has also focused on the fiscal implications of the upcoming lined landfill construction, as well as changes to state and federal code. He noted that the County Sheriff and the County Attorney have both given considerable input on the amendments. Further, the Solid Waste Committee and staff continue to move forward with a comprehensive Solid Waste Plan - with an anticipated completion date of December 2013. Mr. Garrett requested that the termination date of the Buena Vista Dumpster Use Agreement be extended from July 1, 2013, as originally planned, to August 1, 2013, to allow for completion of all operational changes and adequate public notification. Mr. Garrett made two recommendations. 1) That the Board review and discuss the ordinance. 2) That the Board authorize scheduling a public hearing on the ordinance for the upcoming Board meeting.

Mr. Suter then commented that the draft ordinance provided on BoardDocs for the Board's review had been amended by the Board Solid Waste Committee since posting. He noted that he had hard copies of the revised draft available, should the Board wish to go through the amendments one by one.

Supervisor Higgins requested additional time to review the ordinance and newest amendments, before scheduling a public hearing.

Supervisor Hinty agreed to Supervisor Higgins' request.

Supervisor Lewis asked Mr. Suter if he had consulted with Buena Vista on extending the termination date of the Dumpster Agreement.

Mr. Suter confirmed that the Buena Vista City Manager was aware of the request and that he would follow up.

The Board unanimously agreed to bring the draft ordinance back for review at the June 24, 2013 Board meeting, at which time the Board could schedule a public hearing.

Update on Special Exception Permit for Helipad at College Square

Director of Community Development Sam Crickenberger introduced Susan Smith, representative for Carilion, which applied in April, 2012, for a Special Exception for a temporary helipad behind the College Square Shopping Center. Mr. Crickenberger indicated that the Special Exception Permit, issued to Med-Trans Corporation on April 23, 2012 for one (1) year, has expired. He updated the Board on the construction of a helipad

facility at Carilion Stonewall Jackson Hospital, noting that the project has yet to be completed.

Ms. Smith noted that the City of Lexington took longer than expected to review the master plan at the beginning of the project; therefore, the timeline to complete the project was shortened. She indicated that she believed that the construction project at Carilion Stonewall Jackson Hospital would be completed by September 30, 2013.

Mr. Crickenberger recommended that the Special Exception permit be extended through December 2013, should the Board approve another permit following a public hearing in July.

Supervisor Ford asked how many public hearings would be needed for this request.

Mr. Crickenberger answered that there would be two (2): one (1) for the Planning Commission and one (1) for the Board of Supervisors.

Supervisor Lewis mentioned that some citizens were not happy with the delays in relocating the helipad. He cautioned Ms. Smith that she should be prepared for those citizens to share their concerns at the public hearings.

Approval to proceed with vacation of plat for Round Top, Phase II

Director of Community Development Sam Crickenberger presented this item on the agenda stating that the request was to vacate a plat for phase two of Round Top Subdivision. This property is located off of Stoney Run

and was approved for 23 lots in 2008. He indicated that Mr. Keith Holland has been carrying a letter of credit on the project since, but has never developed the property.

The recommendation brought before the Board was approval to schedule a public hearing to vacate Round Top, Phase II, on June 24, 2013.

Supervisor Lewis moved to authorize scheduling a public hearing for June 24, 2013 on the ordinance to vacate the plat showing Round Top Phase II, recorded in plat cabinet 4, slide 327, located in the South River Magisterial District. Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

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

Appointments

Blue Ridge Court Community Corrections-2 appointments

Mr. Suter stated that he and Supervisor Higgins were still members on the Roanoke Court Community Corrections Board until the end of June, when the County will no longer be a participating locality on that Board. He recommended that he and Supervisor Higgins be appointed to the Blue Ridge Court Community Corrections.

Supervisor Ford moved to appoint Mr. Suter and Supervisor Higgins to the Blue Ridge Court Community Corrections Board. Their appointments will begin on July 1, 2013. A seconded was provided by Supervisor Hinty, and

approved by the following roll call vote:

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

Due to time restrictions, Chairman Campbell moved to the Public Hearing. Appointments to other Boards, Committees, and Authorities would continue after the Public Hearing.

Public Hearings

Maury Cliffs Subdivision, Phase II: Vacation of Right-of-Way

Director of Community Development Sam Crickenberger introduced this agenda item, stating that the request brought forth was to vacate the old right-of-way of Old Pond Drive in the Maury Cliffs Subdivision. He indicated that the roadway dedicated to the County was platted in 1994. The property has been sold and resold several times since. Current prospective purchasers have found that the road right-of-way was never properly vacated. Mr. Crickenberger introduced Mr. Fred Massey, Jr., current owner of the property.

Chairman Campbell opened the public hearing at 6:03 p.m.

Mr. Massey thanked the Board and Staff for taking up this matter and for working with him through this process. He stated that he is hopeful the Board will be act favorably on this matter.

Chairman closed the public hearing at 6:04 p.m.

Supervisor Lewis asked what would happen to the ownership of the property once it is vacated.

Mr. Crickenberger answered that the property is currently under ownership and that the right-of-way will just go away.

Supervisor Hinty asked if there were any utility easements on the property.

Mr. Crickenberger answered yes, that the utility easements were moved to the back of the new property line.

Supervisor Ford indicated that this was more of a housekeeping matter and then moved to adopt the ordinance vacating and closing an unimproved and unused street designated and named as Old Pond Drive in the Maury Cliffs Subdivision. A second was provided by Supervisor Hinty, and the ordinance was adopted by the following roll call vote:

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

The following has been executed and recorded:

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JUNE 10, 2013

ORDINANCE VACATING AND CLOSING AN UNIMPROVED AND UNUSED STREET DESIGNATED AND NAMED AS OLD POND DRIVE IN THE MAURY CLIFFS SUBDIVISION, CREATED ON PLAT SHOWING MAURY CLIFFS SUBDIVISION PHASE 2, RECORDED IN PLAT CABINET 2, SLIDE 289, AND SHOWN WITHIN THE BOUNDARIES OF LOT 40-A (TAX MAP #61D-A-40), ON PLAT SHOWING REDIVISION OF LOTS 25 AND 40 ...", OF RECORD IN PLAT CABINET 2, SLIDE 798, OWNED BY FRED H. MASSEY, JR., AND SUSAN E. WHITSITT, AND LOCATED IN THE KERRS CREEK MAGISTERIAL DISTRICT

WHEREAS, Petitioners Fred H. Massey, Jr., and Susan E. Whitsitt are the owners of Lot 40-A, as shown on the 'Plat Showing Redivision of Lots 25 and 40, and Other Shaner Property Into These Parcels

as Shown in Maury Cliffs Subdivision', recorded in the Clerk's Office of the Circuit Court of Rockbridge County, Virginia, in Plat Cabinet 2, Slide 798, and identified upon the Rockbridge County Land Records as Tax Map #61D-A-40; and,

WHEREAS, Petitioners have requested vacation of Old Pond Drive, located entirely within the boundaries of Lot 40-A (Tax Map #61D-A-40), originally created on the 'Plat Showing MAURY CLIFFS SUBDIVISION PHASE 2' recorded in the aforesaid Clerk's Office in Plat Cabinet 2, Slide 289; and,

WHEREAS, Old Pond Drive is an unused and unimproved street, is not within the state secondary road system, and has not been used by any surrounding property owners for access; and,

WHEREAS, §15.2-2272.2 of the Code of Virginia (1950, as amended) requires that such action be accomplished by the adoption of an ordinance by the governing body; and,

WHEREAS, notice has been given as required by §15.2-2204 of the Code of Virginia (1950, as amended), and the public hearing was held on June 10, 2013.

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

1. That Old Pond Drive, originally created on the 'Plat Showing MAURY CLIFFS SUBDIVISION PHASE 2' recorded in the aforesaid Clerk's Office in Plat Cabinet 2, Slide 289, and now being depicted entirely within the boundaries of Lot 40-A (Tax Map #61D-A-40), as shown on the 'Plat Showing Redivision of Lots 25 and 40, and Other Shaner Property Into These Parcels as Shown in Maury Cliffs Subdivision', recorded in the aforesaid Clerk's Office in Plat Cabinet 2, Slide 798, identified upon the Rockbridge County Land Records as Tax Map #61D-A-40, and situate in the Kerrs Creek Magisterial District of Rockbridge County, said lot being owned by the Petitioners, Fred H. Massey, Jr., and Susan E. Whitsitt, be, and hereby is, vacated and closed to the extent that any public or County interest may exist, pursuant to Section 15.2-2272 of the Code of Virginia (1950, as amended), subject to the following conditions:

a. That fee simple title to the subject street shall vest as provided by law; and,

b. That all costs and expenses associated herewith, including but not limited to publication, survey and recordation costs, shall be the responsibility of the Petitioners.

2. That the County Administrator or the County Subdivision Agent is hereby authorized to execute such documents and take such actions as may be necessary to accomplish the provisions of this ordinance, all of which shall be approved as to form by the County Attorney.

3. That this ordinance shall be effective on and from the date of its adoption, and a certified copy of this ordinance shall be recorded in the Clerk's Office of the Circuit Court of Rockbridge County, Virginia, in accordance with §15.2-2272.2 of the Code of Virginia (1950, as amended).

Adopted this 10th day of June, 2013.

Recorded Vote:

AYES: Ford, Hinty, Higgins, Lewis, Campbell

NAYES: None

ABSENT: None

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Appointments

Fire and EMS Director Advisory Committee

Mr. Suter reiterated the purpose and responsibility of this committee: to offer recommendations regarding the implementation of a Fire and Rescue Director position, with the target starting of January 1, 2014, as approved in the FY2014 budget process. Members on this committee will specifically examine the existing code to give recommendations on enabling the code for this position. The make-up of this committee will include one Board member; one Volunteer Fire representative selected by the Fire Association and one Volunteer Rescue representative selected by the RERG - both to be County residents; and a citizen representative selected by the Board of Supervisors. The County Administrator will act as an adjunct to assist the committee through the process. Ultimately this committee's task will be to recommend up to three (3) finalists for Fire and EMS Director to the County Administrator.

Supervisor Hinty asked Mr. Suter when the Fire Association would select a representative.

Mr. Suter confirmed that the Fire Association and RERG were requested to make their appointments by June 15, 2013.

Supervisor Higgins recommended the appointment of Bob Gilbert of the Natural Bridge Magisterial District as the citizen representative on the Fire and EMS Director Advisory Committee. A second was provided by Supervisor Ford, and the motion was approved by the following roll call vote:

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

Staff Reports

Supervisor Lewis moved to accept the Staff Reports as presented, seconded by Supervisor Higgins, and approved by the following roll call vote:

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

Board Comments

Chairman Campbell announced that he had been approached by citizens of Vesuvius who requested that the County take over the Vesuvius Community Center. This facility, assessed at around \$67,000, would be donated to the County.

Supervisor Lewis requested that the County Administrator contact the Parks and Recreation staff and ask them to take a look at the property.

Mr. Suter agreed. He noted that, should the County ultimately accept, it would be responsible for the maintenance of the facility, which would include such expenditures as roof replacements, grounds upkeep, etc. He also noted that the County would need to schedule use of the building by those in the community. Supervisor Higgins requested that the County Administrator gather information on the condition of the facility and estimated utility costs. He then requested that the agreement be "no strings attached", in order for the County to have all rights of the facility. Supervisor Higgins indicated that having "no strings attached" would allow the County to dispose of the facility should they feel the

need to do so.

Chairman Campbell confirmed that, should the County take responsibility of the facility and later decides to sell, the County would receive all profits.

Supervisor Hinty requested a copy of the plat.

Mr. Suter confirmed that he would provide the Board with the requested information.

Supervisor Ford requested that the County Attorney review the deed of the property. He then requested that the Board look at other Community Centers in the County to see how they are managed and operated.

Supervisor Higgins indicated that if the County could help out the Vesuvius community, then they should. However, he felt that County ownership of the property should be short term.

Closed Meeting as Permitted by Virginia Code §2.2-3711(A) (5), discussion concerning a prospective business or industry

At 6:13 p.m., Chairman Campbell announced that the Board would be entering into a Closed Meeting to discuss a prospective business or industry.

Supervisor Hinty made the motion to convene in closed session, as permitted by Virginia Code §2.2-3711(A) (5), to discuss a prospective business or industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. Supervisor Higgins provided the second and the motion was approved by the following roll call vote:

AYES: Hinty, Higgins, Ford, Lewis, Campbell

NAYES: None

ABSENT: None

Reconvene in Public Session

Supervisor Higgins moved to reconvene in open session and Supervisor Ford provided the second. The motion was approved by the following roll call vote:

AYES: Higgins, Ford, Hinty, Campbell

NAYES: Lewis

ABSENT: None

Supervisor Hinty moved that the Board certify that, in the closed meeting just concluded, to the best of each members knowledge, no matters were heard, discussed or considered, as specifically identified in the motion to convene in closed session (and lawfully permitted to be discussed) or otherwise. Supervisor Higgins provided the second and the motion carried by a unanimous roll call vote:

AYES: Hinty, Higgins, Ford, Lewis, Campbell

NAYES: None

ABSENT: None

Adjourn

With there being no further business to discuss, on a motion by Supervisor Higgins, seconded by Supervisor Hinty, the meeting was adjourned.

AYES: Higgins, Hinty, Ford, Lewis, Campbell

NAYES: None

ABSENT: None