

AT A WORKSESSION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY VIRGINIA, AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT), HELD IN THE COUNTY ADMINISTRATION BUILDING, 150 SOUTH MAIN STREET LEXINGTON, VIRGINIA, ON MONDAY, MAY 13, 2013, AT 4:00 P.M.

PRESENT: CHAIRMAN R.R.CAMPBELL  
MEMBERS: A.W.LEWIS, JR, J.M.HIGGINS, R.S.FORD,  
LATE: D.W.HINTY, JR. (ARRIVED AT 5:04 P.M.)  
CLERK TO BOARD: SPENCER H. SUTER  
COUNTY ATTORNEY: VICKIE L. HUFFMAN  
FISCAL DIRECTOR:  
STAFF: SAM CRICKENBERGER, BRANDY WHITTEN

### Call to Order

Chairman Campbell called the Work Session to order at 4:07 p.m.

Ms. Susan Hammond provided the Board with handouts of the Six (6) Year Plan. She reviewed the amount of money available for FY2014 through FY 2020, as well as each project included in the Six-Year Plan. She noted that two (2) projects are available for STATE funds. Routes 675 and 700 are the two in which meet the threshold for 200 vehicles per day making them federally eligible for those funds.

Supervisor Higgins indicated that several citizens questioned as to why years ago routes were added to the plan but then removed.

Ms. Hammond answered that those projects may have been removed at that time due to not enough funds being available or because the Board removed that project from the list for a specific reason; or, there could have been right-of-way issues.

Mr. Crickenberger added that, years ago, the Rural Rustic Road program did not exist, making it necessary to add right-of-way to many proposed paving projects.

Supervisor Higgins asked if there were any way a road that was not on the 6 year plan could be added to the plan, and moved ahead of the other projects listed, without setting back all the projects.

Ms. Hammond explained that there is such a possibility, by using improvement funds that are set aside.

Supervisor Higgins gave an example of a road that was not on the plan but felt should be looked at. He explained that Jacobs Ladder Road has a sharp turn in which in that turn there is no room to pull off because of a large rock.

Ms. Hammond advised the Board of a hydraulic study that had taken place on the small bridge on Country Club Road due to flooding issues. After the study was completed, it was realized that the road project could be completed with less money.

Supervisor Ford advised that it was brought to his attention that citizens wanted to petition to have Bird Forest Road added to the Six-Year Plan.

Ms. Hammond recommended that that road be added to the plan later on in order to keep the projects already on the plan in line.

### **Break**

Chairman Campbell announced that the regularly scheduled Board Meeting would be called to order at 5:30 p.m.

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, MAY 13, 2013, AT 5:30 P.M.

PRESENT: CHAIRMAN R.R.CAMPBELL  
MEMBERS: A.W.LEWIS, JR, J.M.HIGGINS, R.S.FORD, D.W.HINTY, JR.  
CLERK TO BOARD: SPENCER H. SUTER  
COUNTY ATTORNEY: VICKIE L. HUFFMAN  
FISCAL DIRECTOR: STEVEN BOLSTER  
STAFF: SAM CRICKENBERGER, JEREMY GARRETT, ROBERT FORESMAN,  
BETTY TROVATO, 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 announced the Work Session that was previously held at 4:00 p.m. between the Board of Supervisors and VDOT to discuss the Six-Year Improvement Plan, for which Ms. Susan Hammond of VDOT was present.

### Recognitions/Presentations

County Administrator Spencer Suter introduced a proclamation honoring Rockbridge County High School Student Kellie Nicely, one of 130,000 youths nationwide who entered the national "Doodle for Google" contest; her artwork was selected as the best entry for the state of Virginia. He further noted that her entry would go on to compete for the top award, as one of the 50 national finalists.

He then introduced a Proclamation for National Police Week to recognize all local law enforcement officers and a Proclamation for National EMS Week, recognizing all local EMS Providers.

## **Proclamation for Kellie Nicely**

Supervisor Ford read aloud the Proclamation expressing recognition and congratulations from the Rockbridge County Board of Supervisors to Rockbridge County High School student Kellie Nicely on her achievement in becoming a finalist in the National "Doodle for Google" contest, by submitting the winning entry for the Commonwealth of Virginia.

Each Board member left the Dais to shake the hand of Ms. Nicely and then all grouped together for a photo.

### **PROCLAMATION EXPRESSING RECOGNITION AND CONGRATULATIONS FROM THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS TO ROCKBRIDGE COUNTY HIGH SCHOOL STUDENT KELLIE NICELY ON HER ACHIEVEMENT IN BECOMING A FINALIST IN THE NATIONAL "DOODLE FOR GOOGLE" CONTEST, BY SUBMITTING THE WINNING ENTRY FOR THE COMMONWEALTH OF VIRGINIA**

**WHEREAS**, the Rockbridge County Board of Supervisors holds dear the education of our children; and,

**WHEREAS**, the Board understands the importance of creativity expressed through art in our educational system; and,

**WHEREAS**, the multi-billion dollar company Google™ has annually commissioned a national competition entitled "Doodle 4 Google"; and,

**WHEREAS**, the intent of the competition is to encourage America's youth to express their creativity through art; and,

**WHEREAS**, the theme of the 2013 contest was "My Best Day Ever"; and,

**WHEREAS**, one winner from each state is selected from the approximately 130,000 entries; and,

**WHEREAS**, the 50 winners at the state level go on to compete at the national level for scholarships and the privilege of having their artwork prominently displayed on one of the most widely-viewed sites on the World Wide Web; and,

**WHEREAS**, Rockbridge County High School Student Kellie Nicely entered the national contest; and,

**WHEREAS**, Kellie's exceptional artwork reflected that her "Best Day Ever" was the day that she learned to read; and,

**WHEREAS**, as a result of her amazing talent, dedication to excellence, and creativity, Kellie's entry was judged to be the winner for the Commonwealth of Virginia; and,

**WHEREAS**, Google™ representatives travelled from New York City to unveil her artwork and present her award in the Rockbridge County High School Auditorium, in front of the entire school body, faculty, staff and guests; and,

**WHEREAS**, the Board of Supervisors and the entire community are eminently proud to call Kellie one of our own;

**NOW, THEREFORE, BE IT PROCLAIMED**, by the Board of Supervisors of Rockbridge County, Virginia, that Kellie Nicely be roundly applauded for her hard work and creativity and for bringing such outstanding attention to her home and community; and the Board offers heartfelt wishes for success in all her future endeavors.

**AND BE IT FURTHER KNOWN** that the Board of Supervisors congratulates and expresses sincere appreciation to Kellie's family and all educators who have provided support during her creative journey.

Adopted this 13th day of May, 2013.

### **Proclamation for Law Enforcement Officers**

Supervisor Lewis read aloud the Proclamation expressing the appreciation of the Board of Supervisors of Rockbridge County to local Law Enforcement Officers and support staff.

Sheriff's Department Captain Larry Conner accepted the Proclamation.

### **PROCLAMATION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO LOCAL LAW ENFORCEMENT OFFICERS AND SUPPORT STAFF**

**WHEREAS**, The Congress and President of the United States have designated May 15<sup>th</sup> as Peace Officers' Memorial Day, and the week in which May 15<sup>th</sup> falls as National Police week; and,

**WHEREAS**, the men and women of the law enforcement agencies serving Rockbridge County, the City of Lexington, and the City of Buena Vista provide a vital public service by safeguarding the rights and freedoms of citizens in the Rockbridge area; and,

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our local law enforcement agencies recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and,

**WHEREAS**, safety of our citizens is a primary goal of local, state, and national government; and,

**WHEREAS**, the ability to exercise the rights and freedoms as set forth by our Forefathers depends upon law and order; and,

**WHEREAS**, Law Enforcement is one of the few chosen professions that require the willingness to lay down one's life to protect others; and,

**WHEREAS**, the daily performance of a Law Enforcement Officer's normal duty is dangerous, stress filled, often unappreciated and requires a special person with a supportive family; and,

**WHEREAS**, the Rockbridge County Sheriff's Department, Lexington Police Department, Buena Vista Police Department, Buena Vista Sheriff's Department, Glasgow Police Department, Virginia State Police, Virginia Conservation Police, Virginia Military Institute Police Department, the Rockbridge Regional Jail and other law enforcement agencies serving our region are comprised of the finest officers, supervisors, administrative and support staff that can be found.

**NOW, THEREFORE,** We, the Rockbridge County Board of Supervisors, call upon all citizens of Rockbridge County to observe the week of May 12-18, 2013, as Police Week during which all of our residents may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens and we urge all citizens to take the time to thank those in law enforcement for the important service they provide to all of us.

**AND BE IT FURTHER KNOWN** that all County flags will be flown at half-staff on Wednesday, May 15, 2013, in honor of all peace officers killed in the line of duty.

We further call upon all citizens of Rockbridge County, to observe Wednesday, May 15<sup>th</sup>, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice to their community or have become disabled in the performance of duty, and let us recognize and pay respects to the survivors of our fallen heroes.

Adopted this 13<sup>th</sup> day of May 2013.

### **Proclamation for EMS Providers**

Supervisors Lewis read aloud the Proclamation expressing the appreciation of the Board of Supervisors of Rockbridge County to Local Emergency Medical Service (EMS) agencies and providers.

President of the Rockbridge Emergency Rescue Group (RERG), Mr. Robert Hickman, accepted the Proclamation from Supervisor Hinty.

### **PROCLAMATION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO LOCAL EMERGENCY MEDICAL SERVICE (EMS) AGENCIES AND PROVIDERS**

**WHEREAS,** The Congress and President of the United States have designated May 19<sup>th</sup> - 25<sup>th</sup> as National Emergency Medical Services (EMS) Week; and,

**WHEREAS,** the men and women of the EMS agencies serving Rockbridge County, the City of Lexington, and the City of Buena Vista provide a vital public service by responding to the EMS needs of our residents and visitors; and,

**WHEREAS,** it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their local EMS providers; and,

**WHEREAS,** safety of our citizens is a primary goal of local, state, and national government; and,

**WHEREAS,** EMS providers are often among the first to arrive upon the scene of emergencies and disasters, be they medical, natural or manmade, to provide immediate and often life-saving assistance while fulfilling their mission to provide the best pre-hospital care; and

**WHEREAS**, EMS providers participate in numerous hours of rigorous training and continuing education in order to enhance their life-saving skills and thereby dramatically improve the survival and recovery rate of their patients; and

**WHEREAS**, EMS providers and agencies demonstrate a high level of commitment and dedication to their communities and fellow citizens by providing training, health screenings and other life-safety awareness programs in their respective localities;

**NOW, THEREFORE**, We, the Rockbridge County Board of Supervisors, call upon all citizens of Rockbridge County to observe the week of May 19<sup>th</sup> – 25<sup>th</sup>, 2013, as Emergency Medical Services week, during which all of our residents may join in celebrating the dedication of our local EMS Providers, past and present, and their families, whose support allows them to serve our community.

Adopted this 13<sup>th</sup> day of May, 2013.

### **Citizen Comments**

Chairman Campbell called for citizen comments. There were none.

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

Supervisors Higgins added an item involving the Public Service Authority (PSA), to be discussed later in the meeting.

### **Approval of April 22, 2013 Minutes**

Supervisor Lewis moved to adopt the April 22, 2013 minutes, seconded by Supervisor Ford, and approved by the following roll call vote:

AYES: Lewis, Ford, Higgins, 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: prepared and presented the Land Book to the Treasurer; completed another busy State income tax season; worked on the monthly DMV report; prepared and mailed out late notices for Business License renewals; audited Schedule C's against Business License files; and prepared a report for property values for the Department of Taxation.

Mr. Bolster then listed the Activities of the Treasurer, which included: no longer collecting State income taxes; mailing out Real Estate tax forms which are due June 5<sup>th</sup>; and continuing to collect delinquent taxes for real estate, personal property, and Business Licenses.

Mr. Bolster presented the Revenues vs. Expenditures chart and explained that revenues have exceeded the estimate by \$657,871 and expenditures by \$589,145.

Mr. Bolster explained the IFB for Petroleum Products which includes vehicle fuels. Bids are due May 31, 2013, by 11:00 a.m. He noted that changes from last year include moving the 1,000 gallon fuel tank from Rockbridge Middle School to Fairfield Elementary School for over-the-road diesel fuel. In addition, the amount of L.P. gas needed to heat Rockbridge Middle will be significantly less (due to the closing of that school).

Mr. Bolster then presented the School Appropriation Resolution noting that the first category, entitled E-Rate Funds, was a commonly used name for the Schools and Libraries program of the Universal Service Fund. He then explained the MRMS School Construction Fund appropriation and asked for adoption of the School Appropriation Resolution.

After review, Supervisor Higgins made the motion to approve the School Appropriation Resolution and Supervisor Hinty 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, MAY 13, 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, 2013** in **FUND 50, SCHOOL FUND** and expended as follows:

**E-Rate Funds**

4-50-61100-6012-910 Textbooks.....	\$23,378.00
4-50-61100-8201-910 Instructor Equipment.....	\$36,121.00
4-50-66400-3160-910 Construction.....	\$12,237.00
4-50-68200-6050-910 Non-Capital Technology.....	\$34,265.00

**TOTAL FUND 50 APPROPRIATIONS** **\$106,001.00**

**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, 2013** in **FUND 70, SCHOOL CONSTRUCTION FUND** and expended as follows:

4-70-66200-3160-950 Purchased Services.....	\$1,930,219.00
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**TOTAL FUND 70 APPROPRIATIONS** **\$1,930,219.00**

RECORDED VOTE:

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

Mr. Bolster presented the County Appropriation Resolution, noting that the majority of the listed items were associated with reimbursements. He noted several examples, including: the Fiscal Services budget was used earlier in the FY to pay for the County Administrator's Search. That portion, \$17,474.76, is combined with other professional services fees in line item 4-11-12190-3003. He then explained that line items 4-11-51020-5605 and 4-11-71010-3005 were for projects approved earlier in the fiscal year, but which were now being submitted for appropriation. He recommended approval of the County Appropriation Resolution.

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, MAY 13, 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 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.....	\$4,615.00
4-11-31020-1008	DMV ADEP Grant.....	\$5,460.00
4-11-31020-7005	Police Equip (Select Enforce Grant)....	\$4,015.00
4-11-31030-7001	Homeland Security Grant.....	\$94.00
4-11-32050-5609	DMV Fee Remittance CS EMS Council.....	\$4,394.00
4-11-32080-3001	Contracted Services.....	\$906.00
4-11-32080-3005	HazMat Disposal.....	\$1,538.00
4-11-32080-5402	Equipment & Supplies.....	\$959.00

4-11-34015-3002	Contracted Services.....	\$4,665.00
4-11-51020-5605	Contribution-RACSB.....	\$17,425.00
4-11-71010-3005	Pmt under Joint Services-Recreation...	\$10,224.00
4-11-81090-3002	Transportation Grant.....	\$6,623.00
4-11-81090-3004	Wayfinding Signage Grant.....	\$1,115.00
4-11-81090-5699	RANA Expense.....	\$5,861.00
4-11-99010-6192	Transfer to Lined Landfill.....	\$64,583.00

**Total General Fund Appropriations** **\$132,477.00**

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:

4-19-19040-3050	Tire Shredding.....	\$14,025.00
4-19-19070-7001	Construction-Lined Landfill.....	\$64,583.00

**Total SWA/Landfill Fund Appropriations** **\$78,608.00**

**Total Appropriations** **\$211,085.00**

**Current County**

11 - General Fund	\$674,476.07
19 - SWA/Landfill	\$47,125.63
20 - SWA/Recycling	\$5,280.35
94 - Central Stores	<u>\$3,084.63</u>

**Total County Bills** **\$729,966.68**

**Current Fiscal Agent**

22 - RANA	\$368,068.53
80 - Regional Jail	\$43,784.21
93 - CSA Administration	<u>\$741.92</u>

**Total Fiscal Agent** **\$412,594.66**

**TOTAL ALL BILLS** **\$1,142,561.34**

RECORDED VOTE:

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

## **Declaration of Surplus Resolution**

Mr. Bolster presented this agenda item noting that 11 of the 12 items listed as surplus were vehicles that were returned to the County Maintenance Garage, and the 12<sup>th</sup> item listed was an old trailer used to haul dumpsters.

Chairman Campbell asked if all County departments were asked if they had any surplus items.

Mr. Suter confirmed that those departments had been contacted and were given the opportunity to declare items as surplus. He stated that there were no additional items added by departments.

Supervisor Higgins suggested that this routine of declaring items as surplus should be taken annually to prevent clutter at the Maintenance Garage and in County offices. Mr. Suter agreed and noted that, since the County began utilization of the online surplus disposal service of "Govdeals.com", it has become clear that the more frequent disposition of property is both efficient and profitable.

Supervisor Ford moved adoption of the Resolution to approve designation of the items on the supplied list as surplus and to authorize disposal through a public sale or auction, including online public auction. A second was provided by Supervisor Lewis, and the resolution was approved by the following roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, MAY  
13, 2013

**RESOLUTION TO DECLARE VEHICLES FROM SHERIFF DEPARTMENT AS  
SURPLUS AND TO AUTHORIZE DISPOSAL THROUGH PUBLIC SALE OR  
AUCTION, INCLUDING ONLINE PUBLIC AUCTION**

**WHEREAS**, the Sheriff Department has turned in vehicles formerly used in law enforcement operations to the Rockbridge County Maintenance Garage and these vehicles are the property of the County of Rockbridge; and,

**WHEREAS**, staff has evaluated the need for use of the former Sheriff vehicles by other County departments or agencies, and recommends that the items be declared as surplus and sold through public sale or auction, including public auction;

NOW, THEREFORE, be it RESOLVED by the Board of Supervisors of Rockbridge County, Virginia, as follows:

1. That the former Sheriff vehicles be, and hereby are, declared surplus property.
2. That the County Administrator or the Fiscal Services Director, as the County Purchasing Agent, is hereby authorized to dispose of said surplus property through public sale or auction, including online public auction, and to sell said property to the highest competitive bid.
3. That the proceeds of the sale be paid into the General Fund of the County.
4. That the County Administrator or the County Purchasing Agent is hereby authorized to execute such documents and take such actions on behalf of the County as are necessary and appropriate to accomplish the sale of said property, all of which shall be on form approved by the County Attorney.
5. That this resolution shall be effective on and from the date of its adoption.

Adopted this 13th day of May, 2013.

<b>Year</b>	<b>Make/Model</b>	<b>Mileage</b>	<b>VIN# (last 5)</b>
1995	GMC Sonoma	249,911	16766
2004	Ford CVPI	154,020	40405
2004	Ford CVPI	135,910	40406
2005	Ford CVPI	154,919	37076
2005	Ford CVPI	167,755	37077
2006	Ford CVPI	162,722	56803
2006	Ford CVPI	134,158	56804

2008	Ford CVPI	119,151	61066
2008	Ford CVPI	138,468	45307
2008	Ford CVPI	125,343	02421
2008	Ford CVPI	140,069	02420
1972	Kaylor Dumpster Trailer	n/a	title # 32658

**Recorded Vote:**

**AYES:** Higgins, Lewis, Ford, Hinty, Campbell

**NAYES:** None

**ABSTAIN:** None

**ABSENT:** None

**Convene Solid Waste Authority**

There was no need to convene the Solid Waste Authority.

**VDOT Six-year Plan draft review**

Mr. Suter announced the Work Session held at 4:00 p.m. prior to the 5:30 meeting. He noted that the Board seemed to agree with what VDOT had presented. He recommended that the Board have any discussion regarding the proposed 6-Year Plan followed by scheduling a public hearing for May 28, 2013.

Supervisor Lewis happily announced that, during the Work Session, VDOT informed the Board that the Country Club Road project could be completed with less than anticipated funds. He noted that this was the first year in several that additional funds were expected to be available to help complete some of the rural rustic road projects.

Supervisor Lewis then moved to advertise for a public hearing on the 6-Year Plan for May 28, 2013, seconded by Supervisor Higgins, and approved by unanimous vote by the Board.

## **Recommendations regarding dumpster agreement release request from Buena Vista**

Director of Landfill Operations Jeremy Garrett presented this agenda item, indicating that a letter from Buena Vista City Manager Jay Scudder had been received several months past, requesting that Buena Vista be released from the current Dumpster Use Agreement. If the request were honored, Buena Vista residents would no longer be able to use the following dumpster sites: 501, Old Drive In; 60 East, Boat Lock; and the Landfill Gates site. Mr. Garrett noted that, after being directed by the Board at the previous Board meeting, the Solid Waste Committee had met and discussed all issues and options related to the B.V. request. He indicated that there would be an immediate financial impact should the Board agree to release B.V. from the Agreement. That impact is an annual payment received by B.V. in the amount of \$23,400. He then took a moment to go over the key points of each of the three sites, as follows.

### **Site #1 501 / Old Drive in**

- The site is unable to be policed by the County Sheriff's Office due to its location within Buena Vista City limits.
- Although willing to assist, Buena Vista police are unable to police the site due to the City's not having an ordinance addressing dumpster use.

- The site has an estimated direct annual cost of \$60,295 (tipping fee and trucking). These figures do not include any maintenance concerns, lease agreements, or other basic investment in the site.
- This site is currently under an annual lease agreement of \$200 per month (\$2,400 annually).

### **Site #2 Boat Lock (60 East)**

- The site directly adjoins a public recreation and tourism landmark.
- There are ingress / egress concerns due to the posted speed limit of 55 MPH. He noted that there is no turning lane to enter this site.
- Site fencing is in need of repair.
- The site has an estimated direct annual cost of \$46,048 (tipping fee and trucking). These figures do not include any maintenance concerns, lease agreements, or other basic investment into the site.

### **Site #3 Landfill Gates**

- The site is maintained solely by County Solid Waste staff and is not part of the existing private hauling contract.
- The site requires an average of 2.5 man hours each day, in addition to two pieces of equipment to pull cans and clean the landfill property and the VDOT Right of Way.
- The site has a long history of misuse and issues, including piling of trash in the roadway at the gate after hours, as well as deposit of

illegal items. Staff has had a hard time keeping this site clean, primarily on Mondays.

- The site has an actual direct annual cost of \$32,720 (tipping fee only). These figures do not include any maintenance concerns, hauling costs, or other basic investment into the site.

Mr. Garrett then reviewed the following information, which was included in the Agenda Item: "While considering Buena Vista's request, the Board's Solid Waste Committee and staff took the opportunity to broaden the discussion to consider the larger issue of the entire solid waste collections program, to include costs and potential efficiencies which could be realized. The discussion resulted in the following committee conclusions":

With regard to the Buena Vista agreement under consideration:

- The Board should be made aware that under the existing agreement, the County is and has always been responsible for all costs related to the dumpster sites, including all tipping fees (paid to the Solid Waste Authority), hauling, and site maintenance.
- These costs have been partially offset by contractual payments from Buena Vista which total \$23,400 annually.
- The only obligation that currently exists with Buena Vista is contained within the use agreement in question. Under the existing agreement, neither the County nor the City of Buena Vista has made any of the listed capital improvements.

- Of the three locations listed in the agreement, the 501/Drive In and landfill gate offer the greatest opportunity for short term action.

With regard to solid waste collection issues in general:

- The current private hauling contract incentivizes the County to reduce the number of dumpster locations, as this was one of the stated goals under the County's Comprehensive Plan, prior to the execution of private hauler contracts.
- The County has a growing need to monitor and control the intake of its waste stream for both operational and financial reasons as we move forward.
- Sections of County Code dealing with solid waste should be revisited in the near future in order to ensure proper handling and disposal of solid waste, to include enforcement of regulations.
- The County should develop a more detailed overall solid waste plan in order to address growing costs and issues associated with waste disposal. This plan should include detailed work on dumpster locations and finding efficiencies in the interest of keeping costs down."

Mr. Garrett then read aloud the recommendations by the Solid Waste Committee. The recommendations are as follows:

- 1) Grant the City of Buena Vista's request, and terminate the existing agreement effective June 30, 2013.
- 2) Direct staff to take the following actions, with an effective date of June 30, 2013:
  - o Close the "501 / Old Drive In" dumpster site and restore the site to natural conditions.
  - o Relocate the dumpsters at the landfill gate to the inside of the gate and ensure that all trash coming into the gate is weighed and charged appropriately (if applicable).
  - o Direct staff to extend open gate hours at the landfill on Saturdays from 12:00 p.m. (currently) to 3:30 p.m. (extended hours)  
Note: this action will require additional staff time and should be funded by the SWA, as it is a direct use made available equally to each of the three locality members (will require additional authorization of modified hours and funding by the SWA).
  - o Advertise these changes in the local news media and on the County's website so that residents have adequate notice of the closures / actions.
- 3) Direct staff to draft and present ordinance modifications that would allow for proper policing and posting of all dumpster sites, with a schedule which would enable an effective date no later than June 30, 2013. (Any code amendments would require a public hearing.)
- 4) Direct staff to begin work on a comprehensive solid waste study for presentation to the Board's Solid Waste Committee, with a target

completion date for presentation to the full Board in December, 2013. The plan should include review of all dumpster locations, to include the Boat Lock location.

Supervisor Higgins recommended that photos of the Landfill gate site be published in the local paper to show citizens just how bad the site gets and why it is beneficial to move those dumpsters inside the gate. He then requested that the Solid Waste Committee look into extending the hours of the Landfill, especially on Friday afternoons.

Mr. Garrett agreed with both of Supervisor Higgins' requests.

Supervisor Ford confirmed that the Solid Waste Committee had already looked into extending the Landfill hours. He stated that, at this point, it was just a matter of paying staff to work extended hours.

Chairman Campbell noted that any garbage that goes through the gates of the Landfill has to be buried that same day.

Supervisor Higgins indicated that he had spoken with several contractors who have finished a job around 5:30 or 6:00 p.m. and have had to wait until the next morning to throw their materials away at the Landfill in order to begin a new job.

Mr. Garrett noted that, in accordance with the current ordinance, all dumpster sites, including the Landfill dumpster outside of the gates, are restricted for residential use only.

Mr. Garrett indicated that this is one of the many reasons that there is a dire need for a comprehensive view of the entire dumpster network, in order to best serve the citizens of Rockbridge. He also noted that removing Buena Vista from the agreement would not impact citizens' ability

to use the Landfill.

Supervisor Hinty indicated that he would like to see the 501 site monitored after closure, and if it became apparent that trash was being dumped there, that perhaps we could put a dumpster back at the site. He also expressed a desire to ensure that the public is forewarned of the decision to remove the dumpsters. Mr. Suter confirmed that media would be notified of the closure of the 501 site and that he certainly hoped that citizens would respect the community and not dump trash on the ground at the site after closure.

Supervisor Ford indicated that surrounding counties such as Botetourt and Augusta had already gone through the process of gaining more adequate control of the intake of solid waste.

Mr. Garrett indicated that he had met with Botetourt, Augusta, and Bedford Counties' Solid Waste staff to gain insight on their solid policies.

Supervisor Ford moved for the Board to act on the recommendations, to work on a comprehensive Solid Waste Study, and to draft and present ordinance modifications. A second was provided by Supervisor Higgins, and approved by unanimous vote by the Board.

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

**Approval of Local Emergency Management Performance Grant and appropriation of funds**

Emergency Management Director, Robert Foresman, presented the agenda item, noting that the appropriation in the amount of \$5,000 was not included in the current fiscal year budget. He stated that this grant was a 50/50 grant offered by the State of Virginia. He introduced the items in which would be purchased with the project total of \$10,000 (including \$5,000 of grant funding and \$5,000 of local funding.: GPS units for Sheriff's vehicles; Video Display of live interstate traffic feeds; IPAD for office of EM; Response Vehicle lights & lettering; Triage Tags for Mass Casualty Events; Mobile Data Terminal- Sheriff. He noted that there is still some discussion on state approval of Triage Tags for Mass Casualty Events. He stated that there is a back-up item to be purchased instead should the State not approve the Triage Tags. He confirmed that the annual appropriation is included in the budget for the upcoming year in the amount of \$7,500, which is what is expected to be awarded in fiscal year 2014.

Supervisor Higgins questioned if the funds are available in the current budget.

Mr. Suter confirmed that the funds are available in the General Fund and that the County would provide the full amount (\$10,000) initially, with \$5,000 due back from the State upon expenditure of the funds.

The recommendation brought forth was to authorize an additional appropriation in the amount of \$10,000 for procurement of the items, with the understanding that \$5,000 would be returned to the County by the Grant.

Supervisor Higgins moved to approve the recommendation, seconded by Supervisor Ford, and the motion was approved by unanimous vote by the Board.

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

### **Resolution to accept Broadband Easements**

County Attorney Vickie Huffman introduced the agenda item noting that the resolution accepts the final two easements.

Supervisor Higgins commended Chairman Campbell and the Raphine Fire Department for their efforts in obtaining signatures for the final two easements.

Supervisor Lewis moved to approve the resolution accepting the easements associated with the Broadband Project, seconded by Supervisor Higgins, and approved by unanimous vote by the Board.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,  
MAY 13, 2013

RESOLUTION 051313-9 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 deeds of easement set forth herein have been executed by the specified property owners to donate the easements necessary for the Project; and,

WHEREAS, the Board of Supervisors agrees to the acceptance of said easements, with the understanding that said easements will be transferred to the Rockbridge Area Network Authority at such time as operation of the Network is assumed by the Authority.

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

1. That the acquisition and acceptance of the following donated easements, 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>
Charlotte L. Jones	28B-4-9 28B-A-18	Raphine Road (aerial)
Patrick E. Graves Carol J. Graves	28-A-14E	Raphine Road (underground & aerial)

2. That the sum of \$34.00, 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 deeds 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 donations 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 13<sup>th</sup> day of May, 2013.

Recorded Vote:

AYES:

NAYES:

ABSENT:

#### **Rockbridge Area Habitat for Humanity - Habitat Jam Event Application**

Mr. Crickenberger introduced Lynn Leech, Director of Habitat, and explained the event application. He noted that Habitat had submitted an application to hold their fund raiser at the Devils Backbone Brewery. This event is scheduled for May 18<sup>th</sup>. There will be several bands playing throughout the day from off of the rear loading dock.

Ms. Leech noted that six (6) bands would be present.

Supervisor Lewis moved to approve the Event Application for Habitat Jam Event, seconded by Supervisor Higgins, and approved by unanimous vote by the Board.

AYES: Lewis, Higgins, Ford, Hinty, Campbell

NAYES: None  
ABSENT: None

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

Mr. Crickenberger explained the following information that was provided in the Agenda Item Report:

"When Maury Cliffs, Phase II, the Shaners' subdivision off Furr's Mill Road, was originally platted in 1994, the plat showed a proposed road right-of-way for Old Pond Drive. In 1999, a boundary line adjustment plat was approved that eliminated this right-of-way, and the affected lots have been sold and resold since then. As new owners are now looking to purchase these lots, it has come to light that the Old Pond Drive right-of-way was never properly vacated." He recommended that the Board schedule a public hearing to formally vacate this right-of-way.

Supervisor Ford moved to schedule a public hearing on this matter for May 28, 2013. A second was provided by Supervisor Higgins, and approved by unanimous vote by the Board.

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

**Appointments**

**RARO Board**

Supervisor Hinty made a motion to appoint Paige Owens to represent the Natural Bridge District, seconded by Supervisor Higgins, and the motion was approved by unanimous vote by the Board.

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

Supervisor Ford made a motion to reappoint Chris Cartwright to represent the Kerrs Creek District, seconded by Supervisor Lewis, and the motion was approved by unanimous vote by the Board.

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

Supervisor Higgins that he would nominate a candidate for the Buffalo District RARO position before expiration of the current term. He then requested that the Board begin advertising for the vacant positions on Boards, Committees, and Authorities beginning January 1 annually.

### **Staff Reports**

Mr. Suter reported that future staff reports would be slightly different due to the reorganization of some departments. He reported that the recent changes included creation of the Department of Solid Waste and Transportation, to be headed by Jeremy Garrett, and that Soil and Erosion Control / Stormwater Management would now come under the purview of the Building Department and Kenny Wilson.

Supervisor Ford moved to accept all staff reports, seconded by Supervisor Higgins, and approved by the following roll call vote:

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

### **Public Hearings**

There were no advertised public hearings.

### **Board Comments**

Supervisor Higgins made a motion for Mr. Suter to encourage the PSA, during their upcoming meeting, to conduct a study on extending water and sewer on route 60 to Interstate 81, and for the County to pay ½ the cost of the study via forgiveness of a portion of PSA debt to the County. A second was provided by Supervisor Lewis, and the motion carried by the following roll call vote:

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

### **Adjourn**

With there being no further information to discuss, Supervisor Hinty moved to adjourn, seconded by Supervisor Ford, and approved unanimously by the Board.