

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, APRIL 8, 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.
ABSENT:
CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN
FISCAL DIRECTOR: STEVE BOLSTER
STAFF: ROBERT FORESMAN, JEREMY GARRETT, FRED DUDLEY
BRANDY WHITTEN

Call to Order

Chairman Campbell called the meeting to order.

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

Recognitions/Presentations

Chairman Campbell called for recognitions or presentations.

County Administrator Spencer Suter announced that the week of April 14th is National Public Safety Telecommunicators' week. He noted that a Proclamation had been prepared in recognition of public safety dispatch personnel of both the Sheriff's Office and the Regional Emergency Communications Center. He indicated that the full Board had expressed support for the signed proclamation. He introduced Craig Sheets, Director of Regional Emergency Communications Center and Sergeant Hugh Ferguson, representing the Rockbridge County Sheriff's Office.

Supervisor Lewis read aloud the Proclamation below:

PROCLAMATION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO PUBLIC SAFETY TELECOMMUNICATORS IN RECOGNITION OF PUBLIC SAFETY TELECOMMUNICATOR WEEK

WHEREAS, the health and safety of all citizens are important to our great community; and

WHEREAS, the availability of 9-1-1 assistance is integral to the peace of mind of each individual and the security of all communities; and

WHEREAS, hundreds of dedicated telecommunicators daily serve the citizens of Virginia by answering their request for law enforcement, fire and emergency medical services by dispatching the appropriate assistance as quickly as possible; and

WHEREAS, the professional public safety telecommunicator is that vital link between the citizen or victim and the public safety provider; and

WHEREAS, the dedicated public safety telecommunicators throughout Virginia handle over four million calls to 9-1-1 each year; and

WHEREAS, it is important for the public to be aware of the responsibility to properly use 9-1-1 services by calling only when lives or property are in peril thus increasing the efficiency of the system and improving the chances that lives will be saved;

NOW, THEREFORE, The Rockbridge County Board of Supervisors does hereby recognize April 14-20, 2013 as PUBLIC-SAFETY TELECOMMUNICATOR WEEK in our community, and we call this observance to the attention of all our citizens and offer our appreciation to the Rockbridge Regional Public Safety Communications Center and Rockbridge County Sheriff's Office Communications Center for their dedication and service to our community.

Chairman Campbell, followed by each Board member, shook the hands of Mr. Sheets and Sgt. Ferguson and presented each with an executed copy of the Proclamation expressing the appreciation of the Board of Supervisors of Rockbridge County to Public Safety Telecommunicators, in recognition of Public Safety Telecommunicator week.

Mr. Sheets thanked the Board of Supervisors for the recognition, stating that it meant a lot to his staff. He added that he and his staff will continue to strive to do the best they can.

Items to be added to the agenda

Chairman Campbell called for items to be added to the agenda.

Mr. Suter advised that, just before the meeting, an item was added to the Agenda under the Solid Waste Authority entitled "Request to Initiate Lease/Purchase of a new Caterpillar 963D Track Loader".

Chairman Campbell added a Closed Meeting as permitted by Virginia Code §2.2-3711 (A) (1), a personnel matter involving performance evaluation, job assignments or salaries of specific officers, appointees or employees.

Supervisor Ford requested that Chairman Campbell comment in regards to the editorials in the local newspapers concerning possible school consolidations. In response, Chairman Campbell indicated that the Board of Supervisors had made it clear last year that the County was ready to pay its portion for a study to be conducted on future school consolidation possibilities. He shared his hopes of having Lexington and Buena Vista agree to do the same.

Citizen Comments

Chairman Campbell called for citizen comments.

There were none.

Approval of Minutes for March 25, 2013

Supervisor Higgins moved to adopt the March 25, 2013 minutes, seconded by Supervisor Ford, and approved by the following roll call vote:

AYES: Higgins, Ford, 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: reconciling DMV report with local records to confirm actual registered vehicles, and finalizing the real estate book in preparation for any changes in tax rates. He called for questions or comments by the Board to be relayed to the Commissioner of the Revenue. Supervisor Hinty asked that he thank Mr. Whitesell for his work.

Mr. Bolster then listed the Activities of the Treasurer which included: county decals continuing on sale through April 15, 2013, and continued processing of debt set-off transactions. The largest debt set-off transaction is scheduled for April 17th in the amount of \$155,588, associated with 1,020 filings. State tax season ends May 1. The treasurer is also sending out letters to citizens who have not paid real estate tax if they are part of the Land-Use and Tax Relief programs.

Supervisor Higgins asked County Attorney Vickie Huffman, "Should a citizen who is on the Land-Use program not pay his/her taxes on time, is he/she still eligible to continue being on that program or would they be removed."

Ms. Huffman confirmed that any citizen who is on the Land-Use program and is not current on their taxes could be removed from the program. Ms. Huffman confirmed that she would look further into this, as to how long a citizen could be delinquent on taxes and remain on the Land-Use program.

Supervisor Ford asked Mr. Bolster where the \$155,588 associated with the debt set-off transaction would be placed in the budget. Mr. Bolster confirmed that this amount would be placed into the General Fund. He then called for questions or comments by the Board to be relayed to the Treasurer. Supervisor Hinty asked that he thank Ms. Trovato for her work.

Mr. Bolster presented the Revenues vs. Expenditures chart and explained that revenues have exceeded the estimate by \$429,708. He noted that, in just the past month alone, delinquent real estate tax collections were \$91,081 higher than anticipated. The Business, Professional and Occupational License [BPOL] tax collections are \$58,904 higher than anticipated. EMS Revenue Recovery continues to come in; for this fiscal year, \$74,567 has been collected so far -- \$48,000 higher than anticipated. He noted that the County received a Fire Programs Receipt reimbursement, which included reimbursement for the current fiscal year and 90% of the next FY, which was \$49,000 more than anticipated. On the expenditure side, the numbers are also higher than anticipated, by \$658,587.

He then presented the proposed School Appropriations Resolution for the month. He explained that a set of appropriations entitled "English for speakers of other languages (ESOL)" were included. There was one additional School Appropriation relating to the Maury River Middle School expansion. He recommended Board approval of the School Appropriation Resolution.

After review, Supervisor Ford made the motion to approve the School Appropriation Resolution and Supervisor Lewis 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, APRIL 8, 2013 AT 5:30 P.M.

On motion by Supervisor Ford, seconded by Supervisor Lewis, the Board, by record vote adopted the following appropriation resolutions:

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby are made, for the period ending **June 30, 2013** in **FUND 50, SCHOOL FUND** and expended as follows:

ESOL

4-50-61100-1321-312-700-820	Part-time Teachers.....	\$7,200.00
4-50-61100-2100-312-700-820	FICA.....	\$554.00
4-50-61100-3160-312-700-820	Purchased Services.....	\$800.00
4-50-91100-5540-312-700-820	Travel.....	\$1,250.00
4-50-61100-6013-312-700-820	Materials & Supplies.....	\$5,200.00

TOTAL FUND 50 APPROPRIATIONS **\$15,004.00**

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.....	\$1,633,549.00
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TOTAL FUND 70 APPROPRIATIONS **\$1,633,549.00**

RECORDED VOTE:

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

Mr. Bolster then presented the proposed County Appropriation Resolution and bills, explaining several of the line items. He noted the following change under the Solid Waste Authority Appropriation: removing

line item 4-19-19050-5401 "Closure-Materials & Supplies" for \$199. With this change, the Total SWA/Landfill Fund Appropriations became \$7,180.00, and the Total Appropriations became \$128,308.00. Mr. Bolster asked for questions or comments on the County Appropriation Resolution or any bills.

Related to the line item entitled "Emergency Response Request", which Mr. Bolster explained, was the last payment to Emergency Response providers during the Rich Hole Fire, Supervisor Hinty asked if the County would be expecting any reimbursement from the state or federal government.

Mr. Suter explained that he and Chairman Campbell had recently worked on a letter to Congressman Goodlatte's office requesting assistance. Because the fire started in a federal "wilderness area", response teams were prohibited from extinguishing it before it got out of control. Mr. Suter further explained that the fire then jumped I-64 and subsequently threatened the Waterloo area of Kerrs Creek, at which point there was no choice but to call in help from around the State of Virginia. Ultimately, the County of Rockbridge was left with the bill.

Mr. Bolster recommended Board approval of the County Appropriations Resolution, as amended, and the payment of bills.

Supervisor Ford moved to approve the County Appropriations Resolution, as amended, and the payment of bills. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by 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, APRIL 8, 2013, AT 5:30 P.M.

On motion by Supervisor Ford, seconded by Supervisor Hinty, the Board, by record vote adopted the following appropriation resolutions and payment of bills for the month as follows:

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation/s are, and the same hereby is made, for the period ending **June 30, 2013**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-31030-7001	Homeland Security Grant.....	\$3,414.00
4-11-32040-5604	Contrib-Fire Program Funds.....	\$14,480.00
4-11-32080-3003	LEMPG.....	\$29,310.00
4-11-32080-3007	Local Emergency Response.....	\$425.00
4-11-32080-3502	Emergency Response Request.....	\$23,901.00
4-11-44010-5415	Gas, Oil, & Diesel.....	\$21,309.00
4-11-81090-3002	Transportation Grant.....	\$6,867.00
4-11-81090-3004	Wayfinding Signage Grant.....	\$1,950.00
4-11-81090-3006	Greenhouse Village Grant.....	\$8,693.00
4-11-81090-5699	RANA Expense.....	\$10,645.00
4-11-99010-6191	Transfer to Transfer Station.....	\$134.00

Total General Fund Appropriations **\$121,128.00**

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:

4-19-19050-5401	Closure-Materials & Supplies.....	\$199.00
4-19-19050-8001	Closure-Rental of Equipment.....	\$7,046.00
4-19-19060-7001	Construction-Transfer Station.....	\$134.00

Total SWA/Landfill Fund Appropriations **\$7,180.00**

Total Appropriations **\$128,308.00**

Current County

11 - General Fund	\$621,670.09
19 - SWA/Landfill	\$35,666.21

20 - SWA/Recycling	\$4,886.85
94 - Central Stores	<u>\$2,735.46</u>
Total County Bills	\$664,958.61

Current Fiscal Agent

22 - RANA	\$273,854.50
80 - Regional Jail	\$48,734.80
93 - CSA Administration	<u>\$300.59</u>
Total Fiscal Agent	\$322,889.89

TOTAL ALL BILLS	\$987,848.50
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RECORDED VOTE:

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

Mr. Suter noted that Emergency Management Coordinator Robert Foresman had provided him with an update on retrieving Revenue Recovery funds from Medicare. EMS/MC [the county's billing agent] advised the County that on April 8th, they released the first batch of bills to Medicare for reimbursement. The first batch will contain calls dated back to January 7, 2013. He noted that EMS/MC was in the process of seeking approval to submit the remaining 2 years of Medicare bills, dating back to January 1, 2011.

Convene Solid Waste Authority

Chairman Campbell convened the Solid Waste Authority at 5:49 p.m.

Request to Initiate Lease/Purchase of a new CAT 963D Track Loader

Mr. Suter indicated that, as a requirement by DEQ, the landfill must have suitable equipment on site to handle daily activities. He stated that for the past year, the Solid Waste Authority has leased a track loader from Staunton Tractor and Supply. The rental fee included maintenance on the equipment, but due to repeated repairs, Staunton Tractor and Supply removed the equipment from the Landfill and cancelled the lease, leaving the Landfill without a major piece of equipment. He indicated that Mr. Garrett has located another track loader on a lease-to-own basis at Carter Machinery. Mr. Suter recommended approval of a lease agreement with Carter Machinery Company, at monthly cost of approximately \$5,600. These monthly payments will be absorbed in the current FY13 budget and are accounted for in the proposed FY14 payments budget. He noted that this lease had been reviewed and approved by the Solid Waste Committee, which includes: Lexington City Manager Jon Ellestad; Buena Vista City Manager Jay Scudder; Finance Director Steven Bolster; Director of Landfill Operations Jeremy Garrett; and himself.

Mr. Garrett confirmed that he had researched other opportunities that were not beneficial for the County. He indicated that this option was the best way to go. In response to a question by Supervisor Ford, Mr. Garrett confirmed that during the time the equipment was picked up and until a new piece of equipment is delivered, the landfill is using a bulldozer that is already on site. He confirmed that this dozer is a short-term replacement of what is actually required for handling everyday jobs.

In response to a question by Supervisor Hinty, Mr. Garrett confirmed that the equipment, if approved by the Board, could be delivered to the Landfill in less than two (2) weeks.

Supervisor Higgins thanked staff for working so quickly at finding another piece of equipment.

Mr. Garrett commended Fred Dudley, Landfill Manager, for helping him look for the best deal.

Supervisor Hinty thanked Mr. Dudley for his day-to-day work.

Supervisor Higgins moved to approve the resolution authorizing emergency purchase of a new 2012 Caterpillar 963D Loader for the Landfill from Carter Machinery Company and to authorize a lease/purchase financing agreement through Caterpillar Financial Services Corporation. Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

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

The following has been executed and filed in the office of the Clerk to the Board of Supervisors:

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, APRIL 8, 2013

RESOLUTION AUTHORIZING EMERGENCY PURCHASE OF A NEW 2012 CAT 963D LOADER FOR THE LANDFILL FROM CARTER MACHINERY COMPANY AND TO AUTHORIZE A LEASE PURCHASE FINANCING THROUGH CATERPILLAR FINANCIAL SERVICES CORPORATION

WHEREAS, the Landfill loader has been leased on a month-to-month basis from Staunton Tractor and Supply, said lease having been terminated by the owner of the equipment at the end of March, and the loader having been removed from the Landfill on April 1, 2013; and,

WHEREAS, the back-up plan to lease a loader on a temporary basis from another company has been unsuccessful due to the unavailability of any loaders for rent; and,

WHEREAS, staff has determined that, since loaders are typically built in response to order and take 24-26 weeks for delivery, only one loader is currently available for purchase on the east coast, offered by Carter Machinery for a purchase price of \$309,136.00, which includes a 25% discount; and,

WHEREAS, DEQ regulation 9VAC20-81-140 requires that “[a]dequate numbers and types of properly maintained equipment shall be available to a landfill for operation” and the currently available machinery is neither adequately equipped, safe, nor in compliance with DEQ regulations; and,

WHEREAS, staff recommends emergency acquisition of the new loader, and has also found that the loader can be purchased through cooperative procurement, pursuant to Va. Code §2.2-4304, under a publicly procured contract of National Joint Powers Alliance (NJPA), of which Rockbridge County is a member; and,

WHEREAS, the Board of Supervisors has determined upon staff recommendation that an emergency exists due to the actual disruption of essential services at the Landfill, and the Loader is needed at the earliest possible date; and,

WHEREAS, the Board of Supervisors has determined that use of the publicly procured contract of NJPA has provided reasonable competition under the circumstances.

NOW THEREFORE, BE IT RESOLVED by the Rockbridge County Solid Waste Authority as follows:

1. That an emergency purchase of a new 2012 CAT 963D Loader from Carter Machinery Company for landfill operations is deemed necessary to the essential functions of the Landfill, and is

hereby authorized and approved, for a purchase price of \$309,136.00, with lease-purchase financing through Caterpillar Financial Services Corporation for a period of five (5) years and payments of \$5,600.00 per month.

2. That purchase through cooperative procurement under a publicly procured contract of National Joint Powers Alliance (NJPA), of which Rockbridge County is a member, and ensuring reasonable competition for the circumstances, under the Virginia Public Procurement Act and the Rockbridge County Procurement Policy, is also authorized and approved.

3. That upon receipt of the appropriate documentation, the County Administrator is hereby authorized to execute the Lease Purchase Agreement on behalf of the Rockbridge County Solid Waste Authority, and to take such other and further actions, and execute such other documents, as may be necessary and appropriate to accomplish this transaction, 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 8th day of April, 2013..

Recorded Vote:

AYES: Higgins, Hinty, Ford, Lewis, Campbell

NAYES: None

ABSENT: None

Landfill Reimbursement Resolution

Mr. Bolster read aloud the Agenda Item: "The Board of Supervisors and the Solid Waste Authority have decided to pursue the potential of providing for future solid waste disposal by expanding the operations at the existing landfill through a new lined landfill. The County is moving forward with due diligence in assessing the viability of this proposed solid waste disposal option. The financing of this project is anticipated

to be completed through the Virginia Resource Authority in the spring of 2014." He recommended Board adoption of the attached Reimbursement Resolution to declare its official intent to reimburse itself with the proceeds from the issuance of revenue bonds.

Supervisor Lewis asked Mr. Bolster what the need was for adoption of the resolution.

Mr. Bolster explained that the need to adopt the reimbursement resolution is associated with the County's initial costs to begin moving forward with a lined landfill. He further explained that the drilling, installation, and testing of monitoring wells will start soon and until the results of the wells are received, the County is unable to move forward with the majority of the project. He noted that in addition, there are other smaller pieces of the project that need to be paid for. At this time, the County does not anticipate being ready to seek financing from the Virginia Resource Authority's (VRA) Fall, 2013 bond sale. He indicated that the reimbursement resolution allows the County to pay itself back once a bond has been obtained in the Spring, 2014 sale.

County Attorney Vickie Huffman indicated that this reimbursement is a requirement under the Treasury Regulations.

Supervisor Higgins moved to approve the Resolution declaring official intent to reimburse expenses for the Landfill Expansion Project. The second was provided by Supervisor Ford, and the motion carried by the following roll call vote:

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

The following has been executed and filed in the office of the Clerk to the Board of Supervisors:

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY BOARD OF SUPERVISORS HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, APRIL 8, 2013

A RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENSES FOR THE LANDFILL EXPANSION PROJECT

WHEREAS, the Rockbridge County Solid Waste Authority (the "SWA"), as owner, and the County of Rockbridge (the "County"), as current operator, have determined that solid waste disposal for county citizens and the region is a vital public service; and,

WHEREAS, the SWA and the County have determined that expansion of the existing Landfill (the "Landfill Expansion Project") is the preferred means of providing for future solid waste disposal in the County; and,

WHEREAS, the SWA and the County are proceeding with their due diligence in evaluating the feasibility of the proposed Landfill Expansion Project, including but not limited to design, engineering, studies, exploration and monitoring, financing, and permitting of the Landfill Expansion Project, significant aspects of which will be incorporated into the permitting process, and construction and operation, of the new facilities; and,

WHEREAS, the SWA and the County (either or both, the "Issuer") propose to finance the Landfill Expansion Project through proceeds from the issuance of revenue bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Rockbridge County, Virginia, and the Rockbridge County Solid Waste Authority pursuant to the requirements of the United States Treasury Regulations Section 1.150-2, that the Board and the SWA intend this Resolution to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

BE IT FURTHER RESOLVED that:

1. Expenditures to be incurred. The Issuer anticipates incurring expenditures (the "Expenditures") for the Landfill Expansion Project's acquisition, construction, reconstruction, expansion and equipping of the public facilities.
2. Plan of Finance. The Issuer intends to finance the costs of the Landfill Expansion Project with the proceeds of debt to be issued by the Issuer (the "Borrowing") the interest on which is to be excluded from gross income for Federal income tax purposes.
3. Maximum Principal Amount of Debt to be Issued. The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the expansion is \$\$6,525,000.
4. Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for the Expenditures made on and after the date that is no more than 60 days prior to the date hereof. The Issuer reasonably expects on the date hereof that such Expenditures will be reimbursed with the proceeds of the Borrowing.

- 5. Allocation Matters. Each of the Expenditures have been (and will be) of a type properly chargeable to a capital account under general federal income tax principles. The Issuer will make a reimbursement allocation to evidence the use of proceeds of the Borrowing to reimburse any Expenditures no later than 18 months after the later of the date on which the Expenditures are paid or the Landfill Expansion Project is placed in service or abandoned, but in no event more than three years after the date on which each of the Expenditures is paid.

- 6. Immediate Effect. This Resolution shall take effect immediately.

Adopted this 8th day of April, 2013.

Recorded Vote:
AYES:
NAYES:
ABSENT:

ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY

By: _____
Chairman

Attest: _____
Secretary

Recorded Vote:
AYES:
NAYES:
ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Chairman Campbell closed the Solid Waste Authority at 5:59 p.m. and returned to the Board session.

Landfill Reimbursement Resolution

Mr. Suter explained that the Board, in addition to the Solid Waste Authority, would need to approve the Landfill Reimbursement Resolution.

Supervisor Higgins moved to approve the Resolution declaring official intent to reimburse expenses for the Landfill Expansion Project. The second was provided by Supervisor Hinty, and the motion carried by the following roll call vote:

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

Resolution to shift VASAP from Roanoke to Staunton regional office

Mr. Suter explained that the Virginia Alcohol Safety Program is a mandated service which provides the Courts with the option to assign those persons convicted of an alcohol-related crime an option of rehabilitative training. The Rockbridge area has traditionally been served by the Roanoke Area VASAP office; recently, in an effort at more efficient administration, the Honorable Gordon Saunders, Judge of the Rockbridge General District Court, requested that the program be shifted to the Valley VSAP office, based in Staunton.

Mr. Suter further explained that the Commonwealth Commission on VASAP approved the change through an official vote on February 14, 2013, at its quarterly meeting and noted that a proposed ordinance had been prepared for the Board's consideration. He then introduced Miles Bobbitt, Director of VASAP in Staunton, Virginia, who stated that Mr. Suter had described the situation well.

Supervisor Higgins stated that, after speaking with Judge Saunders, he felt this was the right thing to do and that in the future there is a possibility that the Court Community Corrections facility will also be moved to the same location as the VASAP office in Staunton. He respected and concurred with Judge Saunders' request.

Supervisor Ford noted that he was glad to hear Supervisor Higgins's positive report but wondered if any problems could arise from the move. In response, Mr. Suter confirmed that the new group would utilize the same space and that the transition should be seamless.

Supervisor Higgins moved to approve scheduling a public hearing for April 22, 2013, for an Ordinance that authorizes the County of Rockbridge's participation in the Valley Alcohol Safety Action Program. 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

Supervisor Higgins thanked Mr. Bobbitt for his attendance and added that he looks forward to working with him.

Consideration of the Bryant Property Lease on South River

Ms. Huffman introduced the agenda item, stating that the subject property is located on the South River and is leased to Mr. & Mrs. R. Coleman Bryant through the South River Flood Mitigation Project. She noted that the previous five (5) year lease expired on March 31, 2013. The Bryant's have requested a new lease for an additional five (5) years. She

indicated that this would require adoption of an ordinance following a public hearing. She then requested Board approval to schedule a public hearing for April 22, 2013.

Supervisor Lewis asked if a lease could be written so that it did not need Board approval every five (5) years.

Ms. Huffman confirmed that such a lease could be formed. That lease could be continued until the Board felt a review was necessary. She noted that initially, the South River Property leases continued for five (5) years after which time the Board reapproves or denies the lease.

Supervisor Higgins moved to approve scheduling a public hearing on this matter for April 22, 2013. A second was provided by Supervisor Hinty, and the motion carried by the following roll call vote:

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

Public Hearings

VPSA Literary Loan Refinancing Resolution

Mr. Bolster read aloud the Agenda Item: "In July of 2001, the County and the Rockbridge County School Board entered into a \$4,000,000 Literary Fund Loan to provide funds for capital improvements to Fairfield Elementary School. County staff has received information that a refinancing of this debt, currently at less than \$2,000,000, could result in significant debt service savings. Initially, staff explored opportunities to refinance this loan through the Virginia Resource Authority (VRA), in conjunction with a portion of the 2006 Courthouse debt. More favorable arrangements have since been found through the

Virginia Public School Authority (VPSA). On March 11, 2013, the Board of Supervisors, at the request of the School Board, authorized filing the application with the VPSA for refinancing of the Literary Fund loan. The most recent financial analysis projects a reduction of the existing interest rate from 4% down to 1.65%. The analysis also indicates an additional savings of \$24,848 by refinancing the Literary Loan through VPSA rather than VRA. The anticipated annual savings over the final nine (9) years of the refinanced debt will average \$23,425 annually (\$210,830 savings overall)."

Chairman Campbell opened the public hearing at 6:09 p.m.; with there being no public comments, Chairman Campbell closed the public hearing.

Supervisor Lewis noted that, when our refinancing efforts were presented, citizens felt that the County should not be pledging properties for the purpose of refinancing the Courthouse loan. He asked Mr. Suter to repeat his analysis on this topic.

Mr. Suter indicated that using local government properties as collateral will help save the County money through reduced interest rates. He attributed it to refinancing a home at a lower interest rate. He noted that we are not putting up collateral for a risky venture - rather that we are paying our bills and that this action would simply help save taxpayer dollars in the long run.

Ms. Huffman added that this refinancing resolution is not the resolution that dealt with holding school buildings as collateral -- rather, that was the VRA Courthouse refinancing that was approved at the Board's last meeting. She noted that the Fairfield Elementary School was pledged in the original loan and is not pledged in this refinancing loan.

Supervisor Ford asked if the "unused" equity from Fairfield and or Central Elementary Schools will be used to secure the refinancing of the Courthouse.

Ms. Huffman clarified. She noted that the literary fund loan that was entered into by the Board for capital improvements to Fairfield Elementary in July of 2001 will be paid off out of the proceeds of the VPSA refinancing, most likely leaving no lien against the Fairfield school once this is complete.

Supervisor Ford moved adoption of the resolution authorizing the issuance of a "not to exceed \$2,000,000" General Obligation Refunding School Bond of the County of Rockbridge, Virginia, to be sold to the Virginia Public School Authority, and providing for the form and details thereof. A second was provided by Supervisor Higgins, and the motion carried by the following roll call vote:

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

April 8, 2013
Board of Supervisors of the County of Rockbridge
VPSA Pooled Spring Sale - 2013

RESOLUTION AUTHORIZING THE ISSUANCE OF A NOT TO EXCEED \$2,000,000 GENERAL OBLIGATION REFUNDING SCHOOL BOND OF THE COUNTY OF ROCKBRIDGE, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board of Supervisors (the "Board") of the County of Rockbridge, Virginia (the "County") has determined that it is necessary and expedient to borrow an amount not to exceed \$2,000,000 and to issue its general obligation refunding school bonds for the purpose of refinancing certain capital projects for school purposes; and

WHEREAS, the County held a public hearing, duly noticed, on April 8, 2013, immediately prior hereto, on the issuance of the Refunding Bonds (as defined below) in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "Virginia Code"); and

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Refunding Bonds and consented to the issuance thereof; and

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that up to \$1,850,000 is the amount of proceeds requested (the "Proceeds Requested" from the Virginia Public School Authority (VPSA)" in connection with the sale of the Refunding Bonds; and

WHEREAS, V objective B to pay the County a purchase price A for the Refunding Bonds which, ins V judgment, reflects the S market value of the Refunding Bonds (the "VPSA Purchase Price Objective"), taking into consideration of such factors as the amortization schedule the County has requested for the Refunding Bonds relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA for its bonds and other market conditions relating to the sale of the VPSA's bonds; and

WHEREAS, such factors may result in the Refunding Bonds having a purchase price other than par and consequently (i) the County may have to issue a principal amount of Refunding Bonds that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Refunding Bonds set forth in section 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

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

1. **Authorization of Refunding Bonds and Use of Proceeds.** The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation refunding school bonds in an aggregate principal amount not to exceed \$2,000,000 (the "Refunding Bonds") for the purpose of refinancing certain capital projects for school purposes, including payment of issuance costs, all as described in Exhibit B. The Board hereby authorizes the issuance and sale of the Refunding Bonds in the form and upon the terms established pursuant to this Resolution.

2. **Sale of the Refunding Bonds.** It is determined to be in the best interest of the County to accept the offer of VPSA to purchase from the County, and to sell to VPSA, the Refunding Bonds at a price, determined by VPSA to be fair, and accepted by the Chairman of the Board and the County Administrator, or either of them, that is substantially equal to the Proceeds Requested, except that the Refunding Bonds may be sold for a purchase price not lower than 95% of the Proceeds Requested if issuing the Refunding Bonds in the maximum principal amount authorized by Section 1 of this Resolution is insufficient, given the VPSA Purchase Price Objective and market conditions, to generate an amount of proceeds substantially equal to the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into a Bond Sale Agreement, dated as of April 12, 2013, with VPSA providing for the sale of the Refunding Bonds to VPSA. The agreement shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved (the "Bond Sale Agreement").

3. **Details of the Refunding Bonds.** The Refunding Bonds shall be dated the date of issuance and delivery thereof; shall be designated "General Obligation Refunding School Bonds, Series 2013"; shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15 beginning January 15, 2014 (each an "Interest Payment Date"), at the rates established in accordance with Section 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts set forth on Schedule I attached hereto (the "Principal Installments"), subject to the provisions of Section 4 of this Resolution.

4. **Interest Rates and Principal Installments.** The County Administrator is hereby authorized and directed to accept the interest rates on the Refunding Bonds established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the bonds to be issued by VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Refunding Bonds, and provided further that the true interest cost of the Refunding Bonds does not exceed 3.5%. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. The County Administrator is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA, provided that the aggregate principal amount of the Refunding Bonds shall not exceed the amount authorized by this Resolution. The execution and delivery of the Refunding Bonds as described in Section 8 hereof shall conclusively evidence such interest rates established by VPSA and Interest Payment Dates and the Principal Installments requested by VPSA as having been so accepted as authorized by this Resolution.

5. **Form of the Refunding Bonds.** The Refunding Bonds shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6. **Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to the Refunding Bonds:

(a) For as long as VPSA is the registered owner of the Refunding Bonds, all payments of principal, premium, if any, and interest on the Refunding Bonds shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Refunding Bonds.

(c) U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Refunding Bonds.

7. **Prepayment or Redemption.** The Principal Installments of the Refunding Bonds are not subject to prepayment or redemption prior to their stated maturities.

8. **Execution of the Refunding Bonds.** The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Refunding Bonds and to affix the seal of the County thereto.

9. **Pledge of Full Faith and Credit.** For the prompt payment of the principal of, premium, if any, and the interest on the Refunding Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any of the Refunding Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Refunding Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. **Use of Proceeds Certificate and Certificate as to Non-Arbitrage.** The Chairman of the Board, the County Administrator, the Director of Fiscal Services, and such other officer or officers of the County as either

may designate are hereby authorized and directed to execute a Certificate as to Non-Arbitrage and a Use of Proceeds Certificate each setting forth the expected use and investment (if any) of the proceeds of the Refunding Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Refunding Bonds and on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Refunding Bonds will be invested (if at all) and expended as set forth in such Certificate as to Non-Arbitrage and such Use of Proceeds Certificate and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Refunding Bonds and on the VPSA Bonds will remain excludable from gross income for Federal income tax purposes.

11. **State Non-Arbitrage Program; Proceeds Agreement.** The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer and the Director of Fiscal Services to participate in the State Non-Arbitrage Program in connection with the Refunding Bonds. The Chairman of the Board, the County Administrator, the Director of Fiscal Services, and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment (if at all) of proceeds of the Refunding Bonds by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

12. **Continuing Disclosure Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by the VPSA to be a MOP (as defined in the Bond Sale Agreement).

13. **Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County as required under the provisions of the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia 1950, as amended.

14. **Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Refunding Bonds and any such action previously taken is hereby ratified and confirmed.

15. **Effective Date.** This Resolution shall take effect immediately.

Adopted: April 8, 2013

Chairman of the Board of Supervisors of
County of Rockbridge, Virginia

CERTIFICATE OF VOTES

The undersigned Clerk of the Board of Supervisors of the County of Rockbridge, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of the foregoing Resolution adopted by the Board at a duly called regular meeting on the date hereof, after the holding of a duly noticed public hearing therefor, and that the record of the roll-call vote is as follows:

NAME	AYE	NAY	ABSTAIN	ABSENT
John M. Higgins Buffalo District	X			
Russell S. Ford Kerrs Creek District	X			
David W. Hinty, Jr. Natural Bridge District	X			
Ronnie R. Campbell South River District	X			
Albert W. Lewis, Jr. Walkers Creek District	X			

Date: April 8, 2013

[SEAL]

Clerk, Board of Supervisors of
County of Rockbridge, Virginia

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TR-1

\$ _____

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKBRIDGE

General Obligation Refunding School Bond

Series 2013

The **COUNTY OF ROCKBRIDGE, VIRGINIA** (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY** the principal amount of _____ DOLLARS (\$_____), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 2014 and annually on July 15 thereafter to and including July 15, 2021 (each a "Principal Payment Date"), together with interest from the date of this Refunding Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on January 15, 2014 (each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Both principal of and interest on this Refunding Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Refunding Bond, U.S. Bank National Association, as bond registrar (the "Bond Registrar"), shall make all payments of principal, premium, if any, and interest on this Refunding Bond, without the presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal, premium, if any, or interest on this Refunding Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next succeeding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Refunding Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Refunding Bond to the extent of the payment so made. Upon final payment, this Refunding Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Refunding Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of this Refunding Bond provides, and Section 15.2-2624, Code of Virginia 1950, as amended, requires, that there shall be levied and collected an annual tax upon all taxable property in the County

subject to local taxation sufficient to provide for the payment of the principal, premium, if any, and interest on this Refunding Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Refunding Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia 1950, as amended, and resolutions duly adopted by the Board of County Supervisors of the County and the School Board of the County on April 8, 2013, and March 5, 2013, respectively, to provide funds to (i) refinance and currently refund all or a portion of that certain Literary Loan, dated on or around July 11, 2001, the proceeds of which were used to finance and refinance capital costs for school purposes to construct and equip improvements at the Fairfield Elementary School located in the County at 20 Fairfield School Road, Fairfield, Virginia 24435, and (ii) pay issuance costs in connection with this Refunding Bond.

This Refunding Bond may be exchanged without cost, on twenty (20) days written notice from the Virginia Public School Authority, at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, and having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Refunding Bond then unpaid. This Refunding Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Refunding Bond may be effected by the registered owner of this Refunding Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Refunding Bond, the Bond Registrar shall exchange this Refunding Bond for definitive Bonds as hereinabove provided, such definitive Bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Refunding Bond are not subject to prepayment or redemption prior to their stated maturities.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Refunding Bond have happened, exist and have been performed in due time, form and manner as so required, and this Refunding Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

[THIS SPACE IS LEFT BLANK INTENTIONALLY.]

IN WITNESS WHEREOF, the Board of Supervisors of the County of Rockbridge has caused this Refunding Bond to be issued in the name of the County of Rockbridge, Virginia, to be signed by its Chairman or Vice Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Refunding Bond to be dated May 9, 2013.

COUNTY OF ROCKBRIDGE, VIRGINIA

(SEAL)

ATTEST:

Clerk, Board of Supervisors of
the County of Rockbridge, Virginia

Chairman, Board of Supervisors of
the County of Rockbridge, Virginia

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE, OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE: _____

the within Refunding Bond and irrevocably constitutes and appoints

_____ attorney to exchange said Refunding Bond for
definitive bonds in lieu of which this Refunding Bond is issued and to register the transfer of such definitive bonds
on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

Registered Owner

Signature Guaranteed:

(NOTICE: The signature above
must correspond with the name
of the Registered Owner as it
appears on the front of this
Refunding Bond in every particular,
without alteration or change.)

(NOTICE: Signature(s) must be
guaranteed by an "eligible guarantor
institution" meeting the requirements
of the Bond Registrar which
requirements will include Membership or
participation in STAMP or such other "signature
guarantee program" as may be determined by
the Bond Registrar in addition to, or in substitution for,
STAMP, all in accordance with the Securities Exchange
Act of 1934, as amended.)

Exhibit B

DESCRIPTION OF PROJECT

Proceeds of the Refunding Bonds will be used by the County on or about the date of issuance on the Refunding Bonds to refund all or a portion of that certain \$4,000,000 Loan from the Virginia Board of Education to the School Board of the County, dated on or around July 11, 2001 (the "Literary Loan"), and to pay costs of issuance in connection with the Refunding Bonds. Pursuant to authorization set forth in Section 22.1-153 of the Code of Virginia, 1950, as amended, and the concurrent approval of the Board, among other things, the Literary Loan was issued in the name of the School Board to the Commonwealth of Virginia for the benefit of the Virginia Literary Fund. Proceeds of the Literary Loan were used to finance and refinance capital costs for school purposes to construct and equip improvements at the Fairfield Elementary School located in the County at 20 Fairfield School Road, Fairfield, Virginia 24435

Consideration of Central Dispatch Agreement Ordinance

Mr. Suter introduced this item. He informed the Board that the Lexington City Council has adopted the agreement by ordinance and Buena Vista City Council has approved advertisement for public hearing on the ordinance.

Chairman Campbell opened the public hearing at 6:14 p.m.; with there being no public comments, he closed the public hearing.

Supervisor Hinty moved to approve the Ordinance to Authorize and Approve a New Rockbridge Regional Central Dispatch Agreement among the City of Buena Vista, the City of Lexington, and the County of Rockbridge - - to Further Consolidate Emergency Dispatch Services in the Region, to Improve Levels of Service, to Achieve Long Term Cost Savings, to Provide for Equitable Representation for the Funding Localities, to Maintain Input from the System Stakeholders, and to Provide a Regionally Equitable Mechanism for Funding of Radio System Upgrades. A second was provided by

Supervisor Higgins, and the ordinance was adopted by the following roll call vote:

AYES: Hinty, Higgins, Ford, Lewis, 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, APRIL 8, 2013

Ordinance to Authorize and Approve a New Rockbridge Regional Central Dispatch Agreement Between the City of Buena Vista, the City of Lexington, and the County of Rockbridge to Further Consolidate Emergency Dispatch Services in the Region, to Improve Levels of Service, to Achieve Long Term Cost Savings, to Provide for Equitable Representation for the Funding Localities, to Maintain Input from the System Stakeholders, and to Provide a Regionally Equitable Mechanism for Funding of Radio System Upgrades

WHEREAS, by Agreement dated July 1, 1997 (the "1997 Agreement"), the City of Buena Vista, the City of Lexington, and the County of Rockbridge (collectively, the "Jurisdictions") established a Center, to be operated by an independent regional board, for consolidated dispatch of emergency services in the region; and

WHEREAS, the Jurisdictions wish to further consolidate law enforcement, fire, rescue and other emergency services into one dispatch Center to be operated by an independent regional board established by the Jurisdictions; and,

WHEREAS, the Jurisdictions believe that a consolidated central dispatch Center operated for the mutual benefit of public safety functions within the Jurisdictions will create the most efficient and safest means of coordinating response to emergency calls; and,

WHEREAS, the Jurisdictions have reached a new agreement, to supercede the 1997 Agreement, to accomplish their goals with respect to the regional dispatch Center, namely to further consolidate emergency dispatch services in the region, to improve levels of service to the public, to achieve long term cost savings, to provide for equitable representation on the independent regional

board for the funding localities, to maintain input from the system stakeholders, including law enforcement, fire and emergency medical services, and to provide a regionally equitable mechanism for funding of radio system upgrades; and,

WHEREAS, legal notice of a public hearing and consideration of this Ordinance on April 8, 2013, has been published as required by law.

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

1. That the terms and provisions of the Rockbridge Regional Central Dispatch Agreement dated April 1, 2013, with an effective date of May 1, 2013, and an initial term from May 1, 2013, through June 30, 2014, and continuing from July 1 through June 30 each year thereafter until terminated, between the Jurisdictions, are hereby authorized and approved. A copy of said Agreement is on file with the Clerk to the Board of Supervisors.

2. That the County Administrator is hereby authorized to execute the Agreement dated April 1, 2013, and such other and further documents, and to take such further actions, as are necessary to accomplish this transaction on behalf of the Board of Supervisors, all of which shall be upon form and subject to the conditions approved by the County Attorney.

3. That this ordinance shall be effective on and from the date of its adoption.

Adopted this 8th day of April, 2013.

Appointments

Rockbridge Regional Communications Center Management Board (9-1-1)

Supervisor Higgins nominated Charles Michael Sandridge as the At-Large Candidate. Supervisor Lewis seconded the motion and the nomination was approved by the following roll call vote:

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

Supervisor Hinty nominated Kris Whitesell as the alternative candidate. Supervisor Lewis seconded the motion and the nomination was approved by the following roll call vote:

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

Staff Reports

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

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

Board Comments

Supervisor Lewis noted that he had heard that Buena Vista City Council was still considering the additional RANA start-up loan funds.

Mr. Suter clarified that Buena Vista City Council had approved the additional loan funds at its last meeting.

Break

Chairman Campbell called for a three (3) minute break. He noted that following the break, the Board would enter a closed session.

Closed Meeting as Permitted by Virginia Code Section 2.2-3711(A)(1), a Personnel Matter Involving Performance Evaluation, Job Assignments, or Salaries of Specific Officers, Appointees or Employees

Supervisor Hinty moved that the Board convene in closed session 1) as permitted by Virginia Code 2.2-3711(A)(1), a personnel matter involving performance evaluation, job assignments or salaries of specific officers, appointees or employees. Supervisor Ford provided the second and the motion carried by the following roll call vote:

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

Reconvene in Public Session

Supervisor Ford moved to reconvene in open session and Supervisor Hinty provided the second. The motion was carried by unanimous roll call vote:

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

Supervisor Ford moved that the Board certify that, in the closed meeting just concluded, to the best of each member's knowledge, nothing was heard, discussed or considered except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed as exempt from open meeting requirements under the provisions of the Virginia Freedom of Information Act cited in that motion. Supervisor Lewis provided the second and the motion carried by a unanimous roll call vote:

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

Adjourn

With there being no further business to discuss, the meeting was adjourned.