

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, FEBRUARY 25, 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: STEVE BOLSTER
STAFF: SAM CRICKENBERGER, ROBERT FORESMAN, KENNY WILSON,
BRANDY WHITTEN

Call to Order

Chairman Campbell called the meeting to order.

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

Citizen Comments

Chairman Campbell called for citizen comments.

Cathy Carlock, member of RARA's Board of Directors, spoke on behalf of the Rockbridge Area Relief Association (RARA). RARA provides a food pantry for those who are struggling with food-insecurity and hunger. RARA donations help provide emergency fuel for the elderly and disabled, shelter for low income working families facing homelessness or utility shut-off, and discounted pricing on bulk food purchases. She referred to an article in the "News Gazette", published on Wednesday, February 20, 2013, entitled "Reaching The Hungry". Included in this article was the fact that RARA is currently reaching only 39% of those who are food-insecure in the Rockbridge area. Ms. Carlock requested the Board's assistance in reaching out to those who need RARA's help. She provided the Board with flyers that could be handed out to those in need, and donation

brochures for Board members to distribute.

Recognitions/Presentations

Chairman Campbell called for recognitions or presentations.

County Administrator Spencer Suter, discussed and described the recent meeting room renovations, which are largely complete. He noted that the original, estimated cost for the renovations was over \$100,000. This price did not include the painting and carpet replacement of the offices of the Commissioner, Treasurer, and Registrar, nor did it include the public announcement (PA) System. Mr. Suter stated that the expanded project, including the items not incorporated in original estimate, was ultimately completed for \$82,590- a savings of nearly \$20,000. Work included in the Board Meeting Room included new paint, carpet, audio/visual projectors, sound system, lighting, closet storage space, mobile public seating, a redesigned dais, and new lectern and staff workspace. He and Chairman Campbell commended the Buildings and Grounds Committee members Supervisor Lewis, Supervisor Hinty, and Building Official Kenny Wilson.

Items to be added to the agenda

Chairman Campbell called for items to be added to the agenda. There were none.

Approval of Minutes for February 11, 2013 and February 16, 2013

Supervisor Ford noted that the minutes from the February 16, 2013 Board retreat were included.

Supervisor Lewis moved to adopt the February 11, 2013 and February 16, 2013 minutes, seconded by Supervisor Ford, and approved by the following roll call vote:

AYES: Lewis, Ford, Higgins, Hinty, Campbell

NAYES: None

ABSENT: None

Approval of Slope Mower Lease Agreement

Steve Bolster, Director of Finance, noted that in December of 2012, the Board authorized the purchase of a Ventrac Slope Mower for the sum of \$35,227.52. He indicated that the primary purpose of this mower is to maintain Landfill closure areas; however, the County anticipates additional uses for this equipment. Therefore, the County paid for the mower and will now lease it to the Solid Waste Authority for an annual rent of \$7,045.50. The County will be responsible for all routine maintenance and repairs or replacements due to accident or damage while in the County's possession; and likewise, the Solid Waste Authority will be responsible for repairs or replacements due to damage while in its possession. He requested approval of the resolution authorizing and approving execution of the Lease Agreement with the Solid Waste Authority to lease the slope mower owned by the County for the purpose of maintaining the Landfill closure areas.

Supervisor Lewis moved to adopt the resolution, seconded by Supervisor Ford, and the resolution was adopted by the following roll call vote:

AYES: Lewis, Ford, 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, FEBRUARY 25, 2013

RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN AGREEMENT WITH
THE ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY TO LEASE THE SLOPE MOWER
OWNED BY THE COUNTY FOR MAINTENANCE OF LANDFILL CLOSURE AREAS

WHEREAS, Rockbridge County has purchased a Ventrac 4500Z slope maintenance mower from The Cutting Edge of Virginia, for \$35,227.52, as authorized by a Resolution adopted by the Rockbridge County Board of Supervisors on December 10, 2012; and,

WHEREAS, the primary purpose for said mower is the maintenance of the closure areas of the Rockbridge County Landfill to meet the requirements of the Virginia Department of Environmental Quality; and,

WHEREAS, the County anticipates also being able to use the Ventrac slope mower for certain County operations; and,

WHEREAS, the parties agree to the terms contained herein to accommodate the payment for and joint use of said equipment.

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

1. That lease of the Ventrac slope maintenance mower, together with its accessories and attachments, to the Rockbridge County Solid Waste Authority for an annual rental of \$7,045.50, beginning on March 1, 2013, ending on February 28, 2014, and continuing from year to year thereafter until termination by either party, is hereby authorized and approved.

2. That the County Administrator is hereby authorized to execute a lease agreement on behalf of the Board of Supervisors of the County of Rockbridge in substantial conformity to the Equipment Lease Agreement dated March 1, 2013, and to execute such other documents and take such further actions as are necessary to accomplish this transaction, all of which shall be approved as to form by the County Attorney.

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

Adopted this 25th day of February, 2013.

Convene Solid Waste Authority

Approval of Slope Mower Lease Agreement

Chairman Campbell convened the Solid Waste Authority at 5:40 p.m.

Mr. Bolster requested approval by the Solid Waste Authority to authorize the lease of the mower with the annual rent of \$7,045.50, to approve the Lease Agreement dated March 1, 2013, and to authorize execution of the agreement by the Chairman.

Supervisor Ford moved to approve the Lease Agreement dated March 1, 2013, with payment of annual rent in the amount of \$7,045.50, and to authorize execution of the agreement by the Chairman. A second was provided by Supervisor Hinty, and the motion carried by the following roll call vote:

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

Mr. Bolster thanked County Attorney, Ms. Vickie Huffman, for her assistance with the Lease Agreement and the approving resolution.

Chairman Campbell closed the Solid Waste Authority at 5:42 p.m.

RANA Drop Committee Recommendations

Mr. Suter explained that Rockbridge County received 55% of the drop connections allotted for the Cities of Lexington, Buena Vista and Rockbridge County, in the amount of \$113,340.15. He indicated that County businesses were competing for these "free" drops, noting that the drops were actually at a cost, but it would be covered under the grant. He

further explained that, in December 2012, Design Nine informed the County that fiber connection to DSL cabinets would need to be included in the "free drop" pool of funding. He noted that drops to DSL cabinets would enhance the services to residents in areas that the fiber did not reach. He noted that the County was subsequently tasked with determining a fair and equitable method for prioritizing drops from a list which included both business requests and DSL cabinets. He explained that a Drop Recommendation Committee was formed in order to make those decisions. The committee included Chairman Campbell, Supervisor Hinty, and Director of Community Development Sam Crickenberger. He explained that he (Mr. Suter) also participated, while Administrative Assistant for Community Development Brandy Flint provided staff support. Mr. Suter then presented the prioritized drop listing, and explained the selection criteria, which included such factors as cost, number of years a business had been in operation, number of employees, anticipated revenues and, in the case of DSL cabinets, the number of residents served. The criteria were then objectively tabulated, resulting in the final ranking.

Supervisor Lewis questioned RANA's plan to bring fiber to the other DSL cabinets that were not able to be included in the initial list.

Mr. Suter confirmed that his understanding was that future DSL connections would be dependent on available grant sources and/or future RANA revenues. He confirmed, in response to another question by Supervisor Lewis, that future opportunities are not included in this motion for this specific portion of the RANA project.

Supervisor Higgins indicated that the DSL cabinets in the county which did not receive a fiber connection really need to have connectivity,

and expressed the desire that, in the near future, RANA could provide fiber to them.

Mr. Suter responded to Supervisor Higgins' comment, indicating that two cabinets - the Dunaway cabinet in the north and the Wert Falkner cabinet in the south - were prioritized on the list to be approved. He explained that these two cabinets had been portrayed as "hubs" which, through connection to other, outlying cabinets, would provide increased speed and bandwidth for the outliers.

Chairman Campbell described options for Board action. He noted that Ms. Brandy Flint, Administrative Assistant for Community Development, had incorporated all committee work into the final drop list.

Supervisor Higgins moved for adoption of the RANA Drop List as presented and authorized staff to provide the listing to Design Nine to schedule installation. Supervisor Ford provided the second and the motion carried by the following roll call vote:

AYES: Higgins, Ford, Lewis, Hinty, Campbell

NAYES: None

ABSENT: None

Supervisor Hinty asked Mr. Crickenberger to thank Ms. Flint for her work on the drop list.

Approval of Farmers' Market Applications for Keith Holland and Rockbridge Farmers Market

Director of Community Development Sam Crickenberger introduced the two Farmers' Market Applications. He noted that Mr. Keith Holland's Farmers' Market will operate throughout the week during the growing season

and that the Rockbridge Farmers' Market will operate on Saturday mornings during the growing season at the Virginia Horse Center. He expressed support for the applications. Mr. Higgins noted that he had been to Mr. Holland's operation and that it was well run and organized.

On a motion by Supervisor Higgins, seconded by Supervisor Hinty, both Farmers' Market Applications were approved by the following roll call vote:

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

Resolution requesting School Division support on Courthouse and Literary Loan refinancing

Mr. Bolster noted that on January 5, 2006, the County IDA, acting at the request of the Board of Supervisors, issued a \$15,000,000 Public Facility Lease-Revenue Bond in connection with the VML-VACo Finance Program, in order for the County to finance its share of costs associated with the new Courthouse facility and parking deck. He explained that in addition, around July 12, 2001, the County and the Rockbridge County School Board entered into a \$4,000,000 Literary Fund Loan to provide funds for capital improvements for Fairfield Elementary School. He further explained that currently, the County is investigating the potential to enter into a \$15.2 million refinancing arrangement through the Virginia Resources Authority in order to refinance a portion of the 2006 Courthouse debt and to refinance the outstanding portion of the Literary Loan, in order for the County to achieve debt service savings. He indicated that the proposed combined savings is around \$806,000 over 23 years. The VRA financing structure will require the County to enter into certain lease-

leaseback arrangements with them. Such arrangements shall involve Central Elementary School, which facilities are shown on the land records of the City of Lexington as owned by the County, and are operated by the Rockbridge County Public Schools for its essential purposes.

In response to a question by Supervisor Higgins, Mr. Bolster communicated that there is anticipated savings of \$577,000 in the first four (4) years after the refinancing.

Supervisor Ford thanked Mr. Bolster and the City of Lexington's Finance Director, Mr. Gary Swink, for working together to accomplish the refinancing of these outstanding loans.

Supervisor Hinty made the motion to adopt the following: The County hereby requests the cooperation, approval, and assistance of the School Board and the Rockbridge County Public Schools, including necessary documentation and approvals as may be required by VRA, with respect to the County's arrangements with VRA for refinancing of a portion of the 2005 Courthouse financing and the outstanding amount of the Literary Loan, that will involve the leasing of the Central Elementary School facilities. A second was provided by Supervisor Higgins, and the motion carried by the following roll call vote:

AYES: Hinty, Higgins, Ford, Lewis, Campbell

NAYES: None

ABSENT: None

Mr. Bolster then informed the Board that, after speaking with the financial advisor, there may be further potential of refinancing the Literary Loan separately through the Virginia Public School Authority (VPSA). The current analysis indicates that an additional \$24,840 would be realized through the VPSA refinancing. In addition, he thanked Mr. Swink

for hosting a meeting that included himself, Mr. Suter, Lexington City Manager Jon Ellestad, and Executive Director of MSA Joe Milo to discuss refinancing the loan for the Waste Water Treatment Plant. He indicated that Mr. Milo was able to speak with the loan holder - who reduced the interest rate from 3% to 1.5% - saving the City and County \$240,719 through year 2018. He noted that, beginning in December 2013, the County and City will realize \$11,397 per year of debt service savings.

Schedule Public Hearing on Ordinance to Relocate Polling Places for the Goshen and Rockbridge Precincts in the Walkers Creek Magisterial District

County Attorney Vickie Huffman informed those present that she had received a request from County Registrar Marilyn Earhart to process two (2) polling place changes, both in the Walkers Creek Magisterial District. One proposed change is to relocate the polling place for the Goshen Precinct from the old Fire Department Building, which has closed, to the new Fire Department Building. The other change is to relocate the polling place for the Rockbridge Precinct from the Rockbridge Middle School, which will close this year, to the Fairfield Rescue Squad Building. The Fairfield Rescue Squad Building is located outside of the precinct but within one (1) mile of the precinct boundary.

Supervisor Lewis commended Ms. Earhart for finding alternative locations for both precincts. He then moved to schedule a public hearing on the proposed Ordinance for March 11, 2013. The second was provided Supervisor Ford and the motion carried by the following roll call vote:

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

Public Hearings

Special Exception Permit Application- Vista Cockers & Cavaliers/ Vista's Bed & Biscuit- Dog Kennel in A-2

Mr. Crickenberger informed the Board that Mr. and Mrs. Kasper, owners of Vista Cocker & Cavaliers and Vista's Bed & Biscuit, have withdrawn their application for a special exception permit to operate a kennel in the Agricultural and General uses District (A-2). He noted that they have begun the process of eliminating the boarding of dogs and plan to move the breeding operation to New York when they move there in June, 2013. He informed the Board that the neighbors surrounding the business have been notified of the withdrawal.

Greenhouse Village Housing Project

Mr. Crickenberger introduced Robbie Huff, member of the Central Shenandoah Planning District Commission, noting that Mr. Huff has been instrumental in the Greenhouse Village Project, by keeping arrangements moving between Richmond and Rockbridge County. He introduced Ms. Lynn Leech, Executive Director of Habitat for Humanity; Mrs. Valerie Moliterno, Habitat Board member; and Mr. Jim Valance, Habitat Board member.

Mr. Huff read aloud the following: "The Virginia Community Development Block Grant program provides funding to eligible units of local government for planning and implementing projects that address critical community development needs, such as housing, infrastructure and economic development. The goal of the program is to improve the economic and physical environment in Virginia's communities through activities such

as those that benefit low and moderate income persons, to prevent or eliminate slums and blighting conditions, or to meet urgent needs which threaten the welfare of citizens. Each competitive Grant proposal must target at least one of the objectives and localities may partner with the Planning District Commissions, nonprofit organizations, and other entities to undertake these activities."

He further explained, "During the 2013 funding cycle, the Competitive Grant Program is expected to have approximately \$9.6 Million in funding. Rockbridge County has partnered with Rockbridge Area Habitat for Humanity and will be submitting a Housing Production proposed under the 2013 Competitive Grant Program for the Greenhouse Village Housing Production Project. Within the last 5 years, Rockbridge County has not undertaken any Community Development Block Grant projects. The last Community Development Block Grant project funding was utilized during the South River Flood Mitigation Project. Public Hearings are required under the Community Development Block Grant program to obtain and collect comments on proposed projects from the citizens of the County. Any comments related to the information discussed tonight, or at the next Public Hearing held on March 11, 2013 should be discussed during said meetings or directed to the County's Office of Community Development. Citizens, especially those in or near the project area, are encouraged to attend these meetings."

Mr. Crickenberger noted that this meeting is the 4th community meeting associated with the Greenhouse Village Housing Project. He provided a site plan showing the proposed location of the Greenhouse Village homes. He indicated that the deadline to use the matching grant is March 27, 2013; otherwise, another grant would not be available until 2014. He commended

those on the Greenhouse Village Management Team: Lynn Leech, Bonnie Riedesel, Robbie Huff, Spencer Suter, Kenny Wilson, Tom Gill, Jim Valance, Cathy Carlock, Paul Carter, Roger Rinehart, and Eric Spencer.

Chairman Campbell opened the public hearing at 6:08 p.m.

Mr. Mike O'Leary, from the Walkers Creek Magisterial District, had questions related to the previously-discussed polling place changes. Chairman Campbell advised Mr. O'Leary that he could present his comments regarding the polling place changes at the public hearing scheduled for that purpose on March 11th. Mr. O'Leary then shared his concerns about the level of interest rates for FY2011 reflected for Rockbridge County on the Virginia Auditor of Public Accounts website, noting that the County should "keep a close eye" on those interest rates.

Chairman Campbell closed the public hearing at 6:09 p.m.

Supervisor Lewis moved to accept the Environmental Assessment regarding Lots for Single Family Dwelling Construction, Property at Village Way, Northern Portion of Greenhouse Village, Lexington, Virginia prepared for Rockbridge Area Habitat for Humanity as a substitute for DHCS's Environmental Review Record requirement. A second was provided by Supervisor Ford and the motion carried by the following roll call vote:

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

Board Comment

Chairman Campbell indicated that he had sent an email to the Board members about the new regulations of the Emergency Medical Services. He requested the County Administrator to look into this and provide an update

to the Board at the March 11, 2013, meeting.

Supervisor Lewis indicated that the RERG is aware of these regulations and is trying to come up with a reasonable approach for implementing them.

Chairman Campbell advertised aloud an open house for March 11, 2013, from 3:00 p.m. until 5:00 p.m., for those who would like to view the new Board Meeting Room, after full completion of the renovations.

Adjourn

With there being no further business to discuss, on a motion by Supervisor Hinty, seconded by Supervisor Ford, the meeting was adjourned at 6:14 p.m.