

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, JANUARY 14, 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: KENNY WILSON, RHONDA MILLER, JEREMY GARRETT,
PAUL OWENS, CHRIS SLAYDON, ROBERT FORESMAN

Call to Order

Chairman Campbell called the meeting to order.

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

Elections of Chairman and Vice Chairman

Supervisor Hinty nominated Supervisor Ronnie Campbell to serve as Chairman, seconded by Supervisor Higgins, and Supervisor Ford moved that the nominations for the Chair be closed. The nomination carried unanimously by the following roll call vote:

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

Supervisor Higgins nominated Supervisor Lewis as Vice Chairman, seconded by Supervisor Hinty, and Supervisor Ford moved that the nominations for the Vice Chair be closed. The nomination carried by unanimously by the following roll call vote:

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

Recognitions/Presentations

Introduction of a new employee

Director of Landfill and Erosion and Sediment Control, Jeremy Garrett, introduced Paul Owen, who was hired on January 2, 2013, as Erosion and Sediment Control Technician. Mr. Garrett provided the Board with a biography of Mr. Owen. The Board welcomed Mr. Owen and he thanked them for the job opportunity.

Recognition of Rhonda Miller for State and National Building code certification attainment

Interim Building Official Kenny Wilson recognized Ms. Rhonda Miller, Building Permit Technician, for her many achievements since being hired in April of 2012. Mr. Wilson noted the following achievements accomplished by Ms. Miller: on May 21, 2012, Ms. Miller passed a two (2) hour Permit Technician exam; on August 14, 2012, Ms. Miller attended a three (3) day Core Training class; On September 26, 2012, Ms. Miller attended a Records Management course for the Library of Virginia; on November 27, 2012, Ms. Miller became a Records Officer for the Library of Virginia; on December 11, 2012, Ms. Miller attended a two (2) day Permit Technician class; on December 13, 2012, Ms. Miller received State Certification as Permit Technician; and on December 17, 2012, Ms. Miller became a Notary Public.

Chairman Campbell recognized the Building Department staff for their diligent work in maintenance of the Administrative Building, including the repair and painting of damaged walls. Mr. Wilson was also recognized for his work in reformatting the Building Department's monthly report.

Mr. Suter noted additional maintenance concluded by the Building Department staff: removing a set of doors on the main level of the building to allow handicapped accessibility; and replacing the downstairs interior doors, which had been defective for some time.

Recognition of Heatex America

Supervisor Lewis congratulated Heatex America, LLC, for its recognition as one of the "2012 Fantastic 50 fastest-growing companies in Virginia" by the Virginia Chamber of Commerce, and for receiving the Vanguard Award as the fastest-growing company in its manufacturing category. Heatex America, LLC, is a supplier of air-to-air heat exchangers, located in a new 39,000 square foot facility in the county's Natural Bridge Industrial Park. Mr. Lewis noted that Ms. Connie Loughhead, President of Heatex America LLC, is a member of the Shenandoah Valley Partnership Board of Directors.

Citizens Comments

Chairman Campbell called for citizen comments but none were offered.

Items to be added to the agenda

Chairman Campbell called for items to be added to the agenda. None were offered by the Board.

Board of Supervisors Meeting Schedule for Calendar Year 2013

The Board reviewed the draft meeting schedule for 2013. Chairman Campbell noted that the schedule detailed one (1) specific change from the

previous year; the change adds the first meeting of 2014. The Board agreed to hold Board Meetings at 5:30 P.M., monthly on the 2nd and 4th Mondays.

Supervisor Lewis moved to approve the Board of Supervisors Meeting Schedule as presented, seconded by Supervisor Ford, and approved unanimously by the following roll call vote:

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

Approval of Minutes for December 10th and 17th (presented as one (1) set)

Chairman Campbell requested one change to the published minutes: substituting "cost" for "salary" of the proposed fire and rescue position, on page 16 -- to reflect changes already published on BoardDocs.

Supervisor Hinty moved to approve the December 10th and 17th minutes as presented on BoardDocs, seconded by Supervisor Higgins. Supervisor Lewis abstained due to his absence during the December 17th meeting. The motion carried by the following roll call vote:

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

Approval of Appropriations Resolutions and Payment of Bills

Director of Finance, Steven Bolster, reviewed his monthly memorandum to the Board. Activities for the Commissioner of the Revenue included: mailing of Business License applications; mailing of Tax Relief applications for elderly and disabled; forwarding businesses their personal property forms; and mailing out Meals and Lodging forms.

Activities of the Treasurer included: receiving Business License revenues; a reminder that estimated 4th quarter State Income filings are due January 15, 2013, with Dog Tag License fees due January 31, 2013.

Mr. Bolster presented the proposed School Appropriations Resolution for the month. After review, Supervisor Lewis made the motion to approve the School Appropriation Resolution and Supervisor Ford provided the second. The following was 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, JANUARY 14, 2013 AT 5:30 P.M.

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

APPROPRIATION RESOLUTION

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

Alternate Education

4-50-61100-6013-312-500 Materials & Supplies..... \$5,000.00

Title I A 2012-13

4-50-61100-1121-910-100-818 Teacher Salaries..... \$337,679.00

4-50-61100-2100-910-100-818 FICA..... \$80,422.00

4-50-61100-6013-910-100-818 Materials & Supplies..... \$100.00

Title II A 2012-13

4-50-61100-1121-910-100-819 Teacher Salaries..... \$77,588.00

4-50-61100-2100-910-100-819 FICA..... \$25,796.00

4-50-61100-3160-910-100-819 Purchased Services..... \$6,574.00

4-50-61100-5540-910-100-819 In Service..... \$1,000.00

TOTAL FUND 50 APPROPRIATIONS **\$534,159.00**

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 \$4,034,656.00

TOTAL FUND 70 APPROPRIATIONS \$4,034,656.00

RECORDED VOTE:

AYES: Lewis, Ford, Higgins, Hinty, Campbell

NAYS: None

ABSTAIN: None

ABSENT: None

Mr. Bolster presented the proposed County Appropriation Resolution and bills. He went over several county bills to provide clarification. After review, Supervisor Hinty made the motion to approve the County Appropriation Resolution and to pay the bills. A second was provided by Supervisor Higgins. The following was 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, JANUARY 14, 2013, AT 5:30 P.M.

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

APPROPRIATION RESOLUTION

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

4-11-32050-3070	E-911 Contractual Costs.....	\$288.00
4-11-32080-3001	Contracted Services.....	\$423.00
4-11-32080-3003	Emergency Grants.....	\$2,240.00
4-11-34010-3050	Unsafe Bldg Ordinance Enforcement.....	\$1,161.00
4-11-34015-3002	Contracted Services.....	\$5,455.00
4-11-43020-7003	Renovation-Admin Bldg.....	\$100,000.00
4-11-81090-5699	RANA Expense.....	\$10,883.00

Total General Fund Appropriations \$120,450.00

Current County

11 - General Fund	\$493,344.71
19 - SWA/Landfill	\$17,271.32
20 - SWA/Recycling	\$4,349.25
94 - Central Stores	<u>\$2,885.21</u>

Total County Bills **\$517,850.49**

Current Fiscal Agent

22 - RANA	\$294,025.15
80 - Regional Jail	\$63,660.92
93 - CSA Administration	<u>\$464.75</u>

Total Fiscal Agent **\$358,150.82**

TOTAL ALL BILLS **\$876,001.31**

RECORDED VOTE:

AYES: Hinty, Higgins, Ford, Lewis, Campbell

NAYS: None

ABSTAIN: None

ABSENT: None

Declaration of Surplus Property Resolution

County Administrator Spencer Suter presented the agenda item on the disposal of surplus property. He explained that in accordance with state code, surplus property must be declared as such by the governing body and disposed of in a manner which is "open and equitable". Mr. Suter submitted plans to auction off surplus property using the website "GovDeals.com". The County has recently begun using this service for other surplus property and been pleased with the results. He recommended adoption of the resolution that would declare benches, lighting fixtures, and other minor salvageable materials from the Board meeting room as surplus and to authorize disposal through public sale or auction, including online public auction. He noted that not all light fixtures would be declared surplus; some would become replacements for broken fixtures within the building.

Supervisor Ford moved to adopt the resolution, seconded by Supervisor Higgins, and unanimously approved by the Board by the following roll call vote:

AYES: Ford, Higgins, Lewis, Hinty, Higgins

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, JANUARY 14, 2013

RESOLUTION TO DECLARE BENCHES FROM BOARD MEETING ROOM AS SURPLUS AND TO AUTHORIZE DISPOSAL THROUGH PUBLIC SALE OR AUCTION, INCLUDING ONLINE PUBLIC AUCTION

WHEREAS, during renovations to the Board Meeting Room in the Rockbridge County Administration Center, certain property, including benches, lighting fixtures and other minor salvageable materials from the former courtroom were removed and stored, pending disposition; and,

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

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

1. That the benches, lighting fixtures and other minor salvageable materials removed from the Board Meeting Room 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 ____ day of January, 2013.

Convene Solid Waste Authority

Chairman Campbell convened the Solid Waste Authority meeting at 5:51 P.M. The Solid Waste Authority had one (1) action item to discuss: approval of the proposed Solid Waste Authority meeting dates for calendar year 2013, to include the first meeting in 2014.

After review of the proposed schedule, Supervisor Lewis moved to approve the schedule without any amendments. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

AYES: Lewis, Ford, Higgins, Hinty, Campbell

NAYES: None

ABSENT: None

With there being no further business to discuss, the Solid Waste Authority session closed at 5:52 P.M.

Approval of RANA Data Center Audit Bid Ranking

Mr. Suter introduced and explained the agenda item concerning the RANA Data Center Audit/Testing bids that were received. He reminded the Board that, in December, it approved the expenditure of RANA funds not to exceed \$25,000 to conduct the Data Center audit. Those funds would be taken from

the savings realized in the original Data Center construction project. Mr. Suter explained that the sole bid received for this audit was in the amount of \$21,769, by Facilities Support, Inc. He requested approval by the Board of the resolution authorizing award of bid to and execution of the contract documents with Facilities Support, Inc.

Supervisor Lewis moved adoption of the resolution, seconded by Supervisor Hinty, and approved unanimously by the Board according to the following roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATION CENTER ON MONDAY, JANUARY 14, 2013

RESOLUTION AUTHORIZING AWARD OF BID TO AND EXECUTION OF THE CONTRACT DOCUMENTS WITH FACILITIES SUPPORT INC FOR INITIAL AUDIT/GAP ANALYSIS OF RICHARD A. PETERSON DATA CENTER IN CONNECTION WITH THE BROADBAND 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, in order to keep project construction costs within the budgeted funds for the Richard A. Peterson Data Center (the "Center"), the initial Audit/Gap Analysis was removed from the construction contract as part of the value engineering; and,

WHEREAS, the Center construction has been completed under budget and the Rockbridge Area Network Authority (RANA) has recommended that some of the funds be used to conduct the initial Audit/Gap Analysis; and,

WHEREAS, the County has issued an Invitation to Bid for an initial Audit/Gap Analysis and has received competitive sealed bids in accordance with Chapter 43, the Virginia Public Procurement Act, of Title 2.2 of the Code of Virginia (1950, as amended) and with the Rockbridge County Public Procurement Policy; and,

WHEREAS, the sole responsive and responsible bidder was Facility Support Inc.; and,

WHEREAS, upon the recommendation of the Rockbridge Area Network Authority (RANA) and Design Nine, the project consultant, the award of the bid and approval of the contract has been submitted to the Rockbridge County Board of Supervisors.

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

1. That Facilities Support Inc. be and hereby is awarded the contract, at a price of \$21,769.00, for the initial Audit/Gap Analysis of the Richard A. Peterson Data Center in connection with the Project.
2. That upon receipt of the completed Contract Documents from Facilities Support Inc., and compliance with all remaining requirements therefor, the County Administrator is hereby authorized to execute the Contract Documents on behalf of the Board of Supervisors of Rockbridge County, and to take such other and further actions as may be necessary and appropriate to accomplish this transaction, which shall be approved as to form by the County Attorney.
3. That this Resolution shall be effective upon the date of its adoption.

Adopted this ___ day of January, 2013.

FYE 2012 Audit (CAFR) briefing by Robinson, Farmer, Cox Associates

Rockbridge County received an "unqualified" opinion from Robinson, Farmer, Cox Associates for its fiscal management during the year ending June 30, 2012. That is the highest-ranked opinion given.

Mr. Bolster introduced Ms. Saidee Begoon of Robinson, Farmer, Cox Associates. Ms. Begoon apologized for Mr. James Kelly's absence. She provided an overview and highlights of the comprehensive annual financial report for both the County and the Solid Waste Authority. In commenting on the county's 79% funding of future pension liabilities, she noted that this ratio is normal for municipalities in the Shenandoah Valley, while adding that federal GASB rules will soon require 100% of the pension liability to be calculated in the county's official statement of assets.

Ms. Begoon called the county's 96% tax collection rate "very good."

The financial audits are posted on the Rockbridge County website, at <http://www.co.rockbridge.va.us/budget/Rockbridge%206-30-12.pdf>

Items to be added at specific times

Grass Landing Strips Public Hearings at 6:00 P.M.

All Public Hearings were requests for Special Exception Permits to continue operations of three (3) separate landing strips in A-2.

The Flying M, LLC

Mr. Slaydon introduced Cliff Martin, owner of The Flying M, LLC. Mr. Martin was reapplying for a Special Exceptions Permit per Section 603.03-4 and the amended 714 of the Land Development Regulations to continue operating his landing strip located along the South River, just south of Midvale.

Mr. Slaydon read aloud conditions of the permit, included in the ordinance.

Chairman Campbell opened the Public Hearing at 6:08 P.M. With there being no public comments, Chairman Campbell closed the public hearing at 6:09 P.M.

In response to a question by Supervisor Lewis, Mr. Martin confirmed that the conditions were suitable as presented.

Supervisor Higgins moved to approve the ordinance granting a Special Exception Permit to The Flying M, LLC., for a private grass landing strip in the South River Magisterial District. Supervisor Hinty provided the second, and the ordinance was adopted by the following roll call vote:

AYES: Higgins, Hinty, 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, JANUARY 14, 2013

ORDINANCE GRANTING A SPECIAL EXCEPTION PERMIT TO THE FLYING M LLC FOR A PRIVATE GRASS LANDING STRIP IN THE AGRICULTURAL AND GENERAL USES DISTRICT (A-2) ON PROPERTY LOCATED ALONG THE WEST SIDE OF SOUTH RIVER ROAD APPROXIMATELY .5 MILES SOUTH OF MIDVALE (TAX MAP #64-A-31A) IN THE SOUTH RIVER MAGISTERIAL DISTRICT

WHEREAS, The Flying M LLC has filed a petition for a special exception permit for a private grass landing strip in the Agricultural and General Uses District (A-2) on property located along the west side of South River Road approximately .5 miles south of Midvale (Tax Map #64-A-31A) in the South River Magisterial District; and,

WHEREAS, the Planning Commission held a public hearing on this matter on December 12, 2012, and recommended approval of the special exception permit with conditions; and,

WHEREAS, legal notice has been provided in accordance with Section 15.2-2204 of the Code of Virginia (1950, as amended) and Section 802.03 of the Rockbridge County Land Development Regulations; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing on this matter on January 14, 2013; and,

WHEREAS, the Board of Supervisors has given due consideration to the factors set forth in the Rockbridge County Land Regulations for issuance of a special exception permit, specifically Section 802.03-5 and Section 714.00 for Landing Strips.

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

1. That the Board of Supervisors finds that the granting of a special exception permit to The Flying M LLC for a private, non-commercial grass landing strip, up to 1500' in length, to be located in the Agricultural and General Uses District (A-2) on property located along the west side of South River Road approximately .5 miles south of Midvale (Tax Map #64-A-31A) in the South River Magisterial District, is hereby authorized and approved subject to the conditions of Section 714.00 of the Rockbridge County Land Development Regulations and further subject to the conditions set forth on Exhibit A attached hereto and incorporated herein by reference.

2. That this ordinance shall be effective on and from the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be, and the same hereby are, repealed.

Adopted this 14th day of January, 2013.

EXHIBIT A

THE FLYING M LLC LANDING STRIP SPECIAL EXCEPTION PERMIT CONDITIONS

1. No more than four (4) planes to be on the ground at any one time.
2. The landing strip shall be set back a minimum of 300 feet from Route 608.
3. The landing strip shall be designed such that glide slopes for takeoffs and landings shall be greater than 50 feet over any nearby roadway and shall not pass over neighboring dwellings within 1500 feet from the end of the runway on an arc 15 degrees either side of the runway. Offset approach

paths will be allowed to meet this restriction.

4. Flights shall be restricted to daylight hours with no takeoffs or landings before morning civil twilight or after evening civil twilight which is 24 minutes before sunrise and after sunset.
5. No more than 50 gallons of fuel may be stored on site and any such fuel shall be stored in a safe manner. Fuel stored in floodplains shall be in compliance with Section 714.06.
6. Owner shall carry proper insurance as required by State law.

Don Jeffer

Mr. Jeffer's landing strip is located in Arnold's Valley just across the James River Bridge.

Mr. Slaydon read aloud the conditions of the permit, included in the ordinance.

In response to a question by Supervisor Hinty, Mr. Jeffer confirmed that the conditions were suitable as presented.

Chairman Campbell opened the Public Hearing at 6:11 P.M. With there being no public comments, Chairman Campbell closed the public hearing at 6:11 P.M.

Supervisor Hinty moved to approve the ordinance granting a Special Exception Permit to Donald P. Jeffers for a grass landing strip in A-2 located in the Natural Bridge Magisterial District. Supervisor Lewis provided the second, and the ordinance was adopted by the following roll call vote:

AYES: Hinty, Lewis, Ford, Higgins, 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,
JANUARY 14, 2013

**ORDINANCE GRANTING A SPECIAL EXCEPTION PERMIT TO DONALD P. JEFFER
FOR A GRASS LANDING STRIP IN THE AGRICULTURAL AND GENERAL USES**

DISTRICT (A-2) ON PROPERTY LOCATED ALONG THE WEST SIDE OF ARNOLDS VALLEY ROAD ACROSS FROM ITS INTERSECTION WITH JAMES RIVER ROAD (TAX MAP #113-7-1) IN THE NATURAL BRIDGE MAGISTERIAL DISTRICT

WHEREAS, Donald P. Jeffer has filed a petition for a special exception permit for a grass landing strip in the Agricultural and General Uses District (A-2) on property located along the west side of Arnolds Valley Road across from its intersection with James River Road (Tax Map #113-7-1) in the Natural Bridge Magisterial District; and,

WHEREAS, the Planning Commission held a public hearing on this matter on December 12, 2012, and recommended approval of the special exception permit with conditions; and,

WHEREAS, legal notice has been provided in accordance with Section 15.2-2204 of the Code of Virginia (1950, as amended) and Section 802.03 of the Rockbridge County Land Development Regulations; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing on this matter on January 14, 2013; and,

WHEREAS, the Board of Supervisors has given due consideration to the factors set forth in the Rockbridge County Land Regulations for issuance of a special exception permit, specifically Section 802.03-5 and Section 714.00 for Landing Strips.

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

A. That the Board of Supervisors finds that the granting of a special exception permit to Donald P. Jeffer for a private, non-commercial grass landing strip, up to 1200' in length, to be located in the Agricultural and General Uses District (A-2) on property located along the west side of Arnolds Valley Road across from its intersection with James River Road (Tax Map #113-7-1) in the Natural Bridge Magisterial District, is hereby authorized and approved subject to the conditions of Section 714.00 of the Rockbridge County Land Development Regulations and further subject to the following conditions:

1. That access to and from the Landing Strip shall be limited to Black Bridge Lane; and,

2. That no more than four (4) planes are permitted on the ground at any given time.

B. That this ordinance shall be effective on and from the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be, and the same hereby are, repealed.

Adopted this 14th day of January, 2013.

Kerrs Creek Irregulars, LLC.

Kerrs Creek Irregulars, LLC., is located off of Fredericksburg Road next to interstate 64. Carl Cummings represented this group.

Mr. Slaydon read aloud the conditions of the permit, included in the ordinance.

Chairman Campbell opened the public hearing at 6:13 P.M. With there being no public comments, Chairman Campbell closed the public hearing at 6:14 P.M.

In response to a question by Supervisor Ford, Mr. Cummings confirmed that the conditions are suitable to the Irregulars as presented.

Supervisor Ford moved to approve the ordinance granting a Special Exceptions Permit to Kerrs Creek Irregulars, LLC., for a grass landing strip in A-2 located in the Kerrs Creek Magisterial District. Supervisor Lewis provided the second, and the ordinance was adopted 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,
JANUARY 14, 2013

ORDINANCE GRANTING A SPECIAL EXCEPTION PERMIT TO KERRS CREEK IRREGULARS, LLC, FOR A GRASS LANDING STRIP IN THE AGRICULTURAL AND GENERAL USES DISTRICT (A-2) ON PROPERTY LOCATED ALONG THE WEST SIDE OF FREDERICKSBURG ROAD NORTH OF THE INTERSTATE 64 INTERCHANGE (TAX MAP #47-A-56A) IN THE KERRS CREEK MAGISTERIAL DISTRICT

WHEREAS, Kerrs Creek Irregulars, LLC, has filed a petition for a special exception permit for a grass landing strip in the Agricultural and General Uses District (A-2) on property located along the west side of Fredericksburg Road north of the Interstate 64 Interchange (Tax Map #47-A-56A) in the Kerrs Creek Magisterial District; and,

WHEREAS, the Planning Commission held a public hearing on this matter on December 12, 2012, and recommended approval of the special exception permit with conditions; and,

WHEREAS, legal notice has been provided in accordance with Section 15.2-2204 of the Code of Virginia (1950, as amended) and Section 802.03 of the Rockbridge County Land Development Regulations; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, held a public hearing on this matter on January 14, 2013; and,

WHEREAS, the Board of Supervisors has given due consideration to the factors set forth in the Rockbridge County Land Regulations for issuance of a special exception permit, specifically Section 802.03-5 and Section 714.00 for Landing Strips.

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

A. That the Board of Supervisors finds that the granting of a special exception permit to the Kerrs Creek Irregulars, LLC, for a private, non-commercial grass landing strip to be located along the north side of Fredericksburg Road approximately 3000 feet east of its intersection with West Midland Trail (Tax Map No. 47-A-56A) in the Kerrs Creek Magisterial District, is appropriate with suitable regulations and safeguards, and that the special exception permit be, and hereby is, approved with the following conditions, in addition to the provisions of Section 714.00 of the Rockbridge County Land Development Regulations:

1. The airstrip can be no longer than 2100 feet starting 165 feet from the edge of pavement of Route 623.
2. Landings over Route 623 will be controlled by glide slope panels on each side of the runway. These panels will be positioned so that, when properly aligned, the landing aircraft will be on a glide slope greater than 30 feet above Route 623.
3. Takeoffs to the east shall result in the aircraft clearing Route 623 by at least 30 feet.
4. No takeoffs or landings shall occur between 9:00 a.m. to 12:00 p.m. on Sundays, except that either one (1) takeoff or one (1) landing per plane shall be permitted during such times.
5. No fuel will be stored on the flood plain portion of the site.
6. The Kerrs Creek Irregulars, LLC, shall carry proper insurance.
7. No more than six (6) planes shall be allowed on the ground at any given time.

B. That this ordinance shall be effective on and from the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be, and the same hereby are, repealed.

Adopted this 14th day of January, 2013.

Capital Improvements request by RARO

Mr. Suter introduced Mr. Bill Kramer, Director of RARO. Mr. Kramer sent Mr. Suter a letter dated November 26, 2012 requesting that the Board consider appointing two (2) representatives to participate on a Capital Improvements Committee. The Committee would consist of two (2) County members, two (2) Lexington City members, and RARO representatives who would meet to discuss the development of a Capital Improvement Plan.

Mr. Kramer further expanded on the need for this Committee.

Supervisor Lewis offered to serve on this committee along with Mr. Suter should he wish to do so. Mr. Suter agreed.

Supervisor Higgins nominated Supervisor Lewis and Mr. Suter to serve as representatives for the County. A second was provided by Supervisor Hinty, and approved by the following roll call vote:

AYES: Higgins, Hinty, Ford, Lewis, Campbell

NAYES: None

ABSENT: None

VACORP Line of Duty Trust Membership

Finance Director Steve Bolster introduced this item. As noted in the agenda item, The Line of Duty Act mandates insurance coverage for volunteer and paid hazardous duty personnel and their survivors. This includes continued health insurance for disabled uniformed officers and their families, as well as death benefits and continued health insurance for families of officers killed in the line of duty. Mr. Bolster explained that many Virginia localities participate in an insurance pool managed by VACORP, including Rockbridge County. Also included in the agenda item, the VACORP LODA Trust was created to address the following issues related to funding of these claims: recording liabilities for known, pre-existing LODA claims that occurred prior to July 1, 2011; and recording liabilities for unknown, pre-existing LODA claims that occurred but were not reported prior to July 1, 2011. He requested Board approval of the membership in VACORP LODA Trust and authorization for the County Administrator to sign the membership documents.

Supervisor Higgins requested a list of all members associated with the LODA Trust. He then moved to approve the LODA Trust membership and to authorize the County Administrator to sign the membership form. 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

Consideration of Fire and Rescue Cost Sharing Agreement with Lexington

Mr. Suter introduced the agenda item which stated that the proposed agreement provides for both operational and capital costs for the Lexington Department of Fire and Rescue. The agreement on file expired in 2011; a separate agreement was crafted to carry the localities through another year and expired in July of 2012. The newly proposed agreement, if approved, would expire on June 30, 2017. This agreement has the option for localities to opt-out with a 24-month notice.

Supervisor Lewis complimented Mr. Suter on facilitating meetings between the localities to negotiate an agreement that suits all.

Mr. Suter commended Ms. Huffman, County Attorney, for her participation on the formation of the contract.

On a motion by Supervisor Higgins, seconded by Supervisor Lewis, the proposed Fire and First Aid Cost Sharing Agreement and Resolution to approve the agreement between the City of Lexington and the Board of Supervisors were approved by the following roll call vote:

AYES: Higgins, Lewis, Ford, Higgins, 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,
JANUARY 14, 2013**

Resolution to Approve Fire and First Aid Cost Sharing Agreement Between the City of Lexington and the Board of Supervisors of Rockbridge County for Fire and Emergency Medical Services

WHEREAS, the City of Lexington (the “City”) and the County of Rockbridge (the “County”) entered into a Joint Services Agreement, with an effective date of January 1, 2009, to provide for the sharing of annual operating costs for the joint services set forth therein; and,

WHEREAS, the Fire and First Aid Control (Fire Prevention, Rescue and Safety Services) section of said Joint Services Agreement expired on the 30th of June, 2011; and,

WHEREAS, by Fire and First Aid Cost Sharing Agreement dated September 16, 2011, with an effective date of July 1, 2011, the City and County created a new agreement for the sharing of costs of fire and first aid services, for a period of one (1) year, ending on June 30, 2012; and,

WHEREAS, the City and County have reached an agreement, with amended terms, for continuation of the sharing of costs for fire and first aid services, with an effective date of July 1, 2012, and continuing for a period of five (5) years, through June 30, 2017.

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

1. That the terms and provisions of the Fire and First Aid Cost Sharing Agreement dated January 14, 2013, with an effective date of July 1, 2012, and continuing for a period of five (5) years, through June 30, 2017, between the City and the County, are hereby authorized and approved.

2. That the County Administrator is hereby authorized to execute the Agreement dated January 14, 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 14th day of January, 2013.

Approval of Courthouse Custodial Bid ranking

Mr. Suter introduced the agenda item. Bids were due on Friday, January 11, 2013, by 10:00 A.M. Three bids were received, with the lowest being J & A Professional Property Management Services, LLC. The proposed resolution includes the following information: it authorizes contract with J & A Professional Property Management Services, LLC, for the amount of \$45,500.00 per year for custodial services at the Rockbridge County Courthouse; authorizes the County Administrator to execute the contract with J & A Professional Property management Services, LLC; or if in the event that contract documents are not completed by and with J & A Professional Property Management Services, LLC, the County Administrator is authorized to award the bid to and execute a contract with the next lowest bid in compliance with all bid requirements. Should that contract not be executed, the County Administrator then has the authority to execute a contract with the next lowest bidder.

On a motion by Supervisor Hinty, seconded by Supervisor Ford, the resolution was approved by the following roll call vote:

AYES: Hinty, Ford, Higgins, 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, JANUARY 14, 2013

RESOLUTION AUTHORIZING AWARD OF BID TO AND EXECUTION OF THE CONTRACT DOCUMENTS WITH J & A PROFESSIONAL PROPERTY MANAGEMENT SERVICES, LLC, FOR CUSTODIAL SERVICES AT THE ROCKBRIDGE COUNTY COURTHOUSE FACILITY

WHEREAS, the County has issued an Invitation to Bid for custodial services in the Rockbridge County Courthouse facility, since the current contract expires on January 26, 2013; and,

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

WHEREAS, all bids shown upon the Bid Tabulation dated January 11, 2013, have been determined by staff to be responsive to the County's Invitation to Bid #2012-12-001; and,

WHEREAS, the lowest responsive and responsible bidder for the services is J & A Professional Property Management Services, LLC; and,

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

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

1. That J & A Professional Property Management Services, LLC, be, and hereby is, awarded the contract at a price of \$45,500.00 per year for the custodial services at the Rockbridge County Courthouse facility.

2. That upon receipt of the completed Contract Documents from the lowest responsive and responsible bidder specified herein, and compliance with all remaining requirements therefor, the County Administrator is hereby authorized to execute the contract on behalf of the Board of Supervisors of Rockbridge County, and to take such other and further actions as may be necessary and appropriate to accomplish this transaction, which shall be approved as to form by the County Attorney.

3. That, in the event Contract Documents, including compliance with all requirements and insurance certifications therefore, are not completed by and with J & A Professional Property Management Services, LLC, the County Administrator is hereby authorized, upon a determination that the next lowest bidder as shown on the Bid Tabulation dated January 11, 2013, is a responsible bidder, to award the bid to and execute a contract with Clean Care Cleaning Services; in the event that the Contract Documents, including compliance with all requirements and insurance certifications

therefore, are not completed by and with Clean Care Cleaning Services, then the County Administrator is authorized, upon a determination that the next lowest bidder as shown on the Bid Tabulation dated January 11, 2013, is a responsible bidder, to award the bid to and execute a contract with Shenandoah Environmental Management, LLC, which shall comply with all requirement and insurance certifications, all of which shall be subject to approval as to form by the County Attorney.

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

Adopted this 14th day of January, 2013.

Staff Reports

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

AYES: Lewis, Hinty, Ford, Higgins, Campbell

NAYES: None

ABSENT: None

Appointments

Finance Committee

Supervisors Higgins and Ford, current members on the Finance Committee, requested to continue serving for an additional year.

The Board concurred and on a motion by Supervisor Hinty, seconded by Supervisor Lewis, both Supervisor Higgins and Supervisor Ford will remain on the Finance Committee for an additional year. The following is the recorded roll call vote:

AYES: Hinty, Lewis, Ford, Higgins, Campbell

NAYES: None

ABSENT: None

Buildings and Grounds Committee

Supervisors Hinty and Lewis, current members on the Buildings and Grounds Committee, requested to continue serving for an additional year.

The Board concurred and on a motion by Supervisor Ford, seconded by Supervisor Higgins, both Supervisor Hinty and Supervisor Lewis will remain on the Buildings and Grounds Committee for an additional year. The following is the recorded roll call vote:

AYES: Hinty, Lewis, Ford, Higgins, Campbell

NAYES: None

ABSENT: None

Adjourn

With there being no further business to discuss, Chairman Campbell adjourned the meeting at 6:39 P.M.