

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 14, 2014, AT 5:30 P.M.

PRESENT: CHAIRMAN J.M.HIGGINS
MEMBERS: R.R.CAMPBELL, R.S.FORD, A.W.LEWIS, JR., D.W.HINTY, JR.
CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN
FISCAL DIRECTOR: STEVEN BOLSTER
STAFF: SAM CRICKENBERGER, CHRIS SLAYDON, ROBERT FORESMAN,
PAUL OWEN, JEREMY GARRETT, CRIAG BRYANT,
DAVID WHITESELL, BRANDY WHITTEN

Call to Order

Chairman Higgins called the meeting to order at 5:30 p.m.

Supervisor Lewis delivered the invocation. He then led in the Pledge of Allegiance.

Recognitions/Presentations

Presentation of Award to Glasgow VFD

Director of Fire and EMS Craig Bryant presented an award of appreciation to the members of the Glasgow Volunteer Fire Department on behalf of Special agent John McDaniel of the US Marine Corps. Director Bryant explained that September 3, 2013, through September 5, 2013, there was a military training exercise outside the former Juvenile Correctional Facility in the Natural Bridge area - in which both the Glasgow Fire Department and Glasgow Rescue Squad participated. He further explained that the event was successful, but one soldier fell into a large hole from which the Glasgow Fire Department rescued him.

Glasgow Fire Chief John Hill introduced members of the Fire Department who were present to accept the award. Those members included Ricky Taylor, Jason Duff, Patrick Stump, Chris Rogers, Dylan Clark and Lewis Catlett. Also on the call were Jon Ellington and Robert Faulkner, who were not able to attend due to work. Chief Hill shared that the County is very lucky to have these volunteers. He stated that the job they did during the night of the incident was remarkable and that not many people could have pulled it off. He stated that it was a stressful time during the exercise, but that everyone was fine in the end.

All in attendance applauded the members of the Glasgow Volunteer Fire Department in appreciation of their work during the time of the exercise.

Chairman Higgins commended those members on behalf of the entire Board for their participation in the exercise as well as for the jobs they perform on an everyday, volunteer basis.

Citizens Comments

Chairman Higgins called for citizens comments.

Billie Wells of the Natural Bridge District shared many problems he has had since moving to Rockbridge County. He then shared a complaint he had with a County staff member until Chairman Higgins asked Mr. Wells to follow procedure by taking his complaint to the County Administrator.

Items to be added to the Agenda

Chairman Higgins called for items to be added to the Agenda. He noted that he would like to discuss the Virginia Horse Center later in the meeting.

Approval of March 24, 2014 Minutes

Supervisor Ford moved to approve the March 24, 2014 Minutes. Supervisor Campbell provided the second, and the minutes were approved by unanimous roll call by the Board.

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

Financial Report

Fiscal Services Director Steve Bolster reviewed his monthly memorandum. Activities for the Commissioner of the Revenue included: reconciling DMV report with local records to confirm actual registered vehicles; finalizing real estate book - ready to incorporate any changes in tax rate; processing state income tax returns; and updating personal property files for taxpayers to purchase decals.

Activities for the County Treasurer included: county decals continue on sale through April 15, 2014; continued processing of debt set-off transactions [largest payment associated with debt set-off is scheduled for April 17th - \$116,005.55 associated with 897 filings]; state tax

season ends May 1, 2014; and sent out letters to citizens who have not paid real estate tax - if they are part of the Land-use and Tax Relief Programs and wish to remain in the program, they must have outstanding debt paid before June 1, 2014.

Mr. Bolster then presented the Revenue versus Expenditure Chart followed by the School Appropriation Resolution. He requested approval of the Resolution as presented.

Supervisor Ford moved to approve the School Appropriation Resolution as presented. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board.

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

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 14, 2014 AT 5:30 P.M.

On motion by Supervisor _____, seconded by Supervisor _____, 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, 2014** in **FUND 50, SCHOOL FUND** and expended as follows:

RCHS Capital Projects

4-50-64400-8101-990 Capital Outlay..... \$18,800.00
4-50-66200-8118-915 Capital Outlay..... \$184,627.00

TOTAL FUND 50 APPROPRIATIONS **\$203,427.00**

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, 2014** in **FUND 70, SCHOOL CONSTRUCTION FUND** and expended as follows:

MRMS Renovation Project

4-70-66200-3160-950 Purchases Services..... \$8,237.00

TOTAL FUND 70 APPROPRIATIONS **\$8,237.00**

Mr. Bolster presented the County Appropriation Resolution. He then recommended approval of the resolution.

Supervisor Lewis moved to approve the County Appropriation Resolution as presented. A second was provided by Supervisor Hinty, and the motion carried by unanimous roll call vote by the Board.

AYES: Lewis, Hinty, Ford, Campbell, Higgins

NAYES: None

ABSENT: None

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 14, 2014, AT 5:30 P.M.

On motion by Supervisor _____, seconded by Supervisor _____, 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, 2014**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-31020-1008 Sheriff Overtime (DMV ADEP Grant)..... \$4,035.00
4-11-31020-7005 Police Equipment(DMV ADEP Grant)..... \$3,400.00
4-11-31030-7001 Homeland Security Grant..... \$881.00
4-11-32060-7001 Radio System Upgrade Project..... \$5,000.00
4-11-81010-3202 Payment for Planning Services..... \$850.00
4-11-81090-3002 Transportation Grant..... \$1,247.00
4-11-81090-3902 County Economic Incentive..... \$4,396.00

4-11-91090-6192 Transfer to Lined Landfill..... \$3,532.00

Total General Fund Appropriations **\$23,341.00**

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, 2014**, from the UNAPPROPRIATED SURPLUS of the **SWA/LANDFILL FUND** and expended as follows:

4-19-19050-3002 Professional Services..... \$15,327.00
4-19-19050-3006 Seeding/Mowing/Erosion Control..... \$685.00
4-19-19050-3011 Maintenance of Roads..... \$8,107.00
4-19-19050-8001 Rental of Equipment..... \$7,046.00
4-19-19070-3001 Engineering Services..... \$3,532.00

Total SWA/Landfill Fund Appropriations **\$34,697.00**

Total Appropriations **\$58,038.00**

Current County

11 - General Fund \$322,805.69
19 - SWA/Landfill \$66,554.47
20 - SWA/Recycling \$7,089.33
94 - Central Stores \$3,057.95

Total County Bills **\$399,507.44**

Current Fiscal Agent

80 - Regional Jail \$44,686.41
92 - Drug Fund \$77,183.65
93 - CSA Administration \$303.59

Total Fiscal Agent **\$122,173.65**

TOTAL ALL BILLS **\$521,681.09**

Consideration of RFP Ranking for Elevator Maintenance at the County

Courthouse

Fiscal Services Director Steve Bolster briefly reviewed the Agenda item: "On February 24, 2014, the Board of Supervisors authorized the issuance of a Request for Proposal (RFP) to procure the services of a qualified contractor to provide scheduled maintenance and repair services for the passenger elevators and the dumbwaiter serving the Rockbridge County Courthouse and Parking Deck located at 20 South Randolph Street, Lexington, VA. The County issued an RFP on February 26, 2014, with advertising running for two consecutive weeks. The RFP was also published on the County's website from February 26th through March 14th. Two firms submitted proposals by 2:00 PM EST on Friday, March 14, 2014, in accordance with RFP# 2014-02-003. The evaluation committee members independently ranked each proposal." Mr. Bolster indicated that Otis was rated number one and ThyssenKrupp was rated number two. He requested that the Board authorize for County Administrator to enter into negotiations based on the final ranking of the two proposals.

Supervisor Campbell moved to authorize the County Administrator to enter into negotiations with Otis. A second was provided by Supervisor Lewis, and the motion was approved by unanimous roll call vote by the Board.

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

Consideration of RFP Ranking for HVAC at the County Courthouse

Fiscal Services Director Steve Bolster briefly reviewed the Agenda item: "On February 24, 2014, the Board of Supervisors authorized the issuance of a Request for Proposal (RFP) to procure the services of a qualified contractor to provide scheduled maintenance and repair services for the Heating, Ventilation, Air Conditioning (HVAC), and Building Controls serving the Rockbridge County Courthouse and Parking Deck located at 20 South Randolph Street, Lexington, VA. The County issued an RFP on February 26, 2014 with advertising running for two consecutive weeks. The RFP was also published on the County's website from February 26th through March 14th. Three firms submitted proposals by 2:00 PM EST on Friday, March 14, 2014 in accordance with RFP# 2014-02-002. The evaluation committee members independently ranked each proposal." Mr. Bolster indicated that Riddleberger Brothers was ranked number one, Southern Air number two, and Trane number three. He requested that the Board authorize the County Administrator to enter into negotiations based on the final ranking of the two proposals.

Supervisor Hinty moved to authorize the County Administrator to enter into negotiations with Otis. A second was provided by Supervisor Lewis, and the motion was approved by unanimous roll call vote by the Board.

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

Convene Solid Waste Authority

New Landfill Progress Update

Chairman Higgins convened the Solid Waste Authority at 5:52 p.m.

Director of Solid Waste and Transportation Jeremy Garrett reviewed the Agenda item: "As the Board is aware, County staff and contract engineers continue to work together along with State officials at the Virginia Department of Environmental Quality [DEQ] to secure the future ability of the County to handle regional solid waste in the most responsible and cost effective manner. Much work has been completed, although a significant effort still remains to complete all permitting and construction. Staff wishes to keep the Board updated on progress in this area. Listed below are key topics:

- **Second extension request- Conditionally approved as of December 13, 2013**
 - o Conditions
 - DEQ Approval of Solid Waste Management Plan *Complete*
 - Submittal of all landfill expansion permit documents in a timely manner *Complete (have received comments and provided response)*
 - No new groundwater issues arise - *None, and none anticipated*
 - Operations may not extend beyond June 30, 2017 - *Planning for new cell proposes target date in late 2016*
 - Operations may only take place within the existing footprint boundary and at the adjusted slopes not to exceed

3:1. - *Compliance continues*

- **Regional Partnership**

- The City of Lexington agreed to join as partners of the Rockbridge County landfill expansion during a City Council meeting held on March 10th.

- The partnership was based on a County-issued proposal to handle solid waste, which provided a mechanism for controlling long term tipping fees and a provision to promote cooperation on recycling programs. A formal agreement is currently being crafted, which will require adoption by both localities.

During the March 11, 2014 Regional Solid Waste Committee meeting, an opportunity for Buena Vista City to partner was extended. To date no response has been received.

- **Future Leachate handling**

- Discussions with the Maury Service Authority have been initiated with a favorable response.
- The Maury Service Authority has asked that the County develop an equitable fee structure for the handling of the leachate over time. They are interested in how other utilities address leachate treatment and set fees.
- Further discussions and a proposed fee structure are anticipated.

- A letter indicating acceptance of the leachate from MSA must be submitted with the Part B application for the new landfill cell.

- **Tipping Fee Increases**

- During a budget work session on April 1, 2014, the Board of Supervisors agreed to increase tipping fees over the next two years. Lexington has also agreed to increasing fees.
- Fees for FY 2015 will be \$37.90/ton.
- Fees for FY 2016 are projected to be \$52.00/ton.
- This will allow the County to build additional reserves to help offset the future construction and development costs of the landfill. Financial modeling has indicated that entering the project with \$2,500,000 in reserve (includes excess closure funds/reserve funds) can reduce the future tipping fees by as much as \$7.00/ton.

- **Equipment**

- New compactor working very well and is increasing the density of compaction by an estimated 20%, helping us to extend the life of the current cell into 2016 and possibly beyond.
- Additional equipment that will be needed includes an excavator, off-road dump truck, and dozer. Costs for these units are included in projections for the new, lined landfill.

- **DEQ Actions**

- Closure Plan (part B major modification)

- Review comments were received on January 24, 2014.
- DAA submitted response documents on March 3, 2014.
- DEQ has indicated that correspondence concerning this application will be forwarded next week. No indication of the content of the correspondence was provided by DEQ.
- o Part A permitting package was submitted to the Virginia Department of Environmental Quality and deemed administratively complete on January 8, 2014. Draper Aden Associates has responded to original DEQ comments and the submittal is currently under second review.
 - DEQ has indicated that a letter should be forthcoming next week and has requested a phone call to discuss.
- o Part B permitting package preparation is in progress and relies upon information from consolidation testing, development of final phasing plans, and finalization of leachate handling methods. It is anticipated that this package will be submitted in July 2014.

- **Pending Tasks (internal - near term)**

- o Road entrance and scale modifications - final design
 - Significant design modifications have been identified that should result in cost savings over the original proposed design.
 - Design modifications partially dependent on changes in cell tower configuration as 4-G equipment is added.
- o Administrative office - construction planning

- Modified location to reduce site costs on project.
- County staff will serve as the General Contractor
 - Minimizes design documents
 - Minimizes bid documents and delays
 - Reduces overall cost

- **Pending tasks (internal - midterm)**

- o Phase 1 - Well abandonment
- o Phase 2 - Mass grading / road development / scale installation /liner and leachate system construction
- o Phase 3 - Gas probe construction"

Mr. Garrett requested that the Board direct staff to continue progress as noted in the report. The Board concurred.

Chairman Higgins closed the Solid Waste Authority at 6:12 p.m. and returned to the Board of Supervisors meeting.

Public Hearings

Conveyance of VGCS Easements at Rockbridge Middle School

County Administrator Spencer Suter briefly reviewed the Agenda item: "In connection with the broadband project, fiber was installed to a point on the former Rockbridge Middle School property. Virginia Global Communications Systems, Inc., (VGCS) has submitted a request for easements to extend service from the terminus of the fiber infrastructure through underground fiber and relay communications lines, and installation of two

cabinet sites on the property. The VGCS proposal is to provide DSL service to Brownsburg and the Walkers Creek area, as the Walkers Creek route for fiber installation was removed from the initial construction under the Broadband Project due to cost. The new equipment installation is also intended to eventually provide a redundant path into the RANA network via an aerial/microwave line of sight transmission between the site and Brushy Hill, west of Lexington. The underground easement for fiber optic transmission and communications relay lines along Sterrett Road is requested at a width of 10 feet, with the center line being two feet off of the road pavement. One cabinet site easement is to be 100 square feet and the other is to be 25 square feet. The locations of the proposed easements are shown on the drawing marked BB03 Relay Easement, by Virginia Global Communications Systems, Inc., dated December 23, 2013, a copy of which is attached hereto. Staff has inspected the proposed placement of the equipment and found no apparent issues with potential future beneficial use of the property." Mr. Suter requested the Board adopt the proposed ordinance following the public hearing.

Chairman Higgins opened the public hearing at 6:13 p.m. There were no comments. Chairman Higgins closed the public hearing.

Supervisor Lewis moved to adopt the ordinance. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board.

AYES: Lewis, Campbell, Ford, 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, APRIL 14, 2014

Ordinance Authorizing and Approving Donation of Easements to Virginia Global Communications Systems, Inc., for Installation of Underground Fiber Optic Transmission and Communications Relay Lines and for Two Cabinet Sites Along Sterrett Road on the Former Rockbridge Middle School Property (Tax Map #38-4-1), in the Walkers Creek Magisterial District of Rockbridge County

WHEREAS, the County of Rockbridge is the owner of the former Rockbridge Middle School property, containing approximately 20 acres located on Sterrett Road (Route #717) in the Walkers Creek Magisterial District, acquired by deed dated December 3, 2013, and recorded in the Clerk's Office of the Circuit Court of Rockbridge County as Instrument #130004099; and,

WHEREAS, in connection with the Broadband Project, fiber transmission lines have been extended to the former Rockbridge Middle School property; and,

WHEREAS, Virginia Global Communications Systems, Inc. (VGCS) has proposed to extend fiber optic transmission and communications relay lines along Sterrett Road, from the terminus of the Broadband Project transmission line to proposed cabinet sites for provision of DSL services in the area and specifically including Brownsburg; and,

WHEREAS, VGCS has requested easements from the County for the underground lines and for two cabinet sites on the former Rockbridge Middle School property; and,

WHEREAS, the Board has determined that it is in the interest of the public to grant the requested easements to improve the available services to County residents and businesses; and,

WHEREAS, the conveyance of an interest in real estate, including easements, requires the adoption of an Ordinance, following a public hearing which was held on April 14, 2014.

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

1. That donation to VGCS of an easement, ten feet (10') in width, the centerline of which is two feet (2') off the pavement of Sterrett Road, for fiber optic transmission and communications relay

lines, and associated duct, being shown as "Fiber/Utility Easement" on a sheet marked BB03 Relay Easement, by Virginia Global Communications Systems, Inc., dated December 23, 2013, through the former Rockbridge Middle School property (Tax Map #38-4-1) in the Walkers Creek Magisterial District of Rockbridge County, is hereby authorized and approved.

2. That donation to VGCS of two (2) cabinet site easements, one being 100 square feet in area and the other being 25 square feet in area, for installation, operation and maintenance of active DSL telecommunications cabinet sites and related improvements, including pad, cabinet, generator, power service, and other related equipment to be installed on the sites, as shown on a sheet marked BB03 Relay Easement, by Virginia Global Communications Systems, Inc., dated December 23, 2013, on the former Rockbridge Middle School property (Tax Map #38-4-1) in the Walkers Creek Magisterial District of Rockbridge County, is hereby authorized and approved.

3. That the County Administrator is hereby authorized to execute the deeds of easement, and to execute such other documents and take such further actions, on behalf of the Board of Supervisors of the County of Rockbridge, as are necessary to accomplish the easement grants authorized herein, all of which shall be approved as to form by the County Attorney.

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

Adopted this ____ day of April, 2014.

County Code Chapter 3 Article II- Repeal of Restriction on Sunday Sales of Beer and Wine

County Attorney Vickie Huffman briefly reviewed the Agenda item: "At its meeting on March 10th, the Board requested information on the regulation of alcoholic beverage sales in the County, in response to a County business-owner's request for removal of the restriction on sales to correspond with surrounding jurisdictions. Virginia Code § 4.1-129

provides that the governing body of each county may adopt an ordinance to prohibit the sale of wine or beer, or both, between the hours of noon on each Saturday and 6:00 a.m. on each Monday, or fixing hours within such period during which wine or beer, or both, may be sold. Rockbridge County adopted an ordinance to prohibit the sale of beer or wine between the hours of 12:00 midnight on Saturday nights and 12:00 noon on Sundays, within the boundaries of Rockbridge County. The Board is authorized to establish different hours for the prohibition to be applicable. In the alternative, the Board may repeal the County Code provisions to remove the restriction entirely. A draft ordinance to repeal the prohibition during the specified times is attached and has been advertised for public hearing at this meeting. In response to questions at the March 24th meeting, the Alcoholic Beverage Control Board restrictions on licenses will remain in effect regardless of Board action related to Sunday sales. All licensees are restricted every day (as opposed to Sundays only) from on-premises sale and consumption from 2 a.m. to 6 a.m., and from off-premises sales from 12:00 midnight to 6 a.m., except for private club licenses and licensees with more stringent hours."

She then requested adoption of the proposed ordinance following a public hearing.

Chairman Higgins opened the public hearing at 6:15 p.m. There were no comments. Chairman Higgins closed the public hearing.

Supervisor Campbell moved to adopt the proposed ordinance. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

AYES: Campbell, Ford, 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, APRIL 14, 2014

**ORDINANCE TO REPEAL ARTICLE II – SUNDAY SALES, SECTIONS 3-26 THROUGH 3-29,
IN CHAPTER 3 – ALCOHOLIC BEVERAGES OF THE ROCKBRIDGE COUNTY CODE**

WHEREAS, Virginia Code § 4.1-129 provides that the governing body of each county may adopt an ordinance to prohibit the sale of wine or beer, or both, between the hours of twelve o'clock p.m. on each Saturday and six o'clock a.m. on each Monday, or fixing hours within such period during which wine or beer, or both, may be sold; and,

WHEREAS, pursuant to such enabling statute, Article II – Sunday Sales in Chapter 3 – Alcoholic Beverages, of the Rockbridge County Code, was adopted to prohibit the sale of beer or wine between the hours of 12:00 midnight on Saturday nights and 12:00 noon on Sundays, within the boundaries of Rockbridge County; and,

WHEREAS, the Board has determined that said prohibition on the sale of beer or wine is no longer necessary; and,

WHEREAS, a public hearing was held on April 14, 2014, following publication of notice as provided by law.

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

1. That Article II – Sunday Sales, Sections 3-26 through 3-29, in Chapter 3 – Alcoholic Beverages of the Rockbridge County Code is hereby repealed and deleted from the County Code.

2. This this Ordinance shall be effective as of the date of its adoption.

Adopted this _____ day of April, 2014.

6-Year Reassessment Amendment

County Attorney Vickie Huffman briefly reviewed the Agenda item:

"Virginia Code §58.1-3252 provides that a general reassessment of real estate is to be conducted every four years. However, any County with a total population of 50,000 or less may elect to conduct its general reassessment at 5-year or 6-year intervals, upon a majority vote of its Board of Supervisors. As Rockbridge County has traditionally conducted its general reassessments at 5-year intervals, County Code was amended in 2009 to reference such 5-year intervals. It has been discussed to begin having the general assessments conducted at 6-year intervals. A draft Ordinance to incorporate this amendment into Chapter 25 of the County Code is attached for the Board's consideration. As County Code reads now, the next general reassessment would need to be conducted during 2015, with an effective date of January 1, 2016. If changed to a 6-year schedule, the next general reassessment would be conducted during 2016, and be effective on January 1, 2017." She recommended adoption of the proposed ordinance following a public hearing.

Chairman Higgins opened the public hearing at 6:17 p.m. There were no comments. Chairman Higgins closed the public hearing.

Supervisor Lewis moved to adopt the proposed ordinance. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

AYES: Lewis, Ford, Campbell, 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,
APRIL 14, 2014

**ORDINANCE TO AMEND CHAPTER 25 – TAXATION, ARTICLE III – REAL
PROPERTY TAX, DIVISION 1 – GENERALLY, TO AMEND SECTION 25-40 TO
CHANGE THE FIVE-YEAR GENERAL REASSESSMENT SCHEDULE FOR REAL
ESTATE TO A SIX-YEAR SCHEDULE**

BE IT ENACTED by the Rockbridge County Board of Supervisors:

1. That Chapter 25 – Taxation, Article III – Real Property Tax, Division 1 – Generally, of the Rockbridge County Code is hereby amended, pursuant to Section 58.1-3252 of the Code of Virginia (1950, as amended), as follows:

Chapter 25

TAXATION

ARTICLE III. REAL PROPERTY TAX

DIVISION 1. GENERALLY

Sec. 25-40. Six-year cycle reassessment.

The County shall conduct its general reassessments of real estate at six-year intervals.
(Sec. 40 Added by Ord. of 6-22-09)

Secs. 25-41--25-50. Reserved.

2. That this ordinance shall be effective on and from the date of its adoption. The next general reassessment shall be effective on January 1, 2017.

Adopted this ____ day of _____, 2014.

Presentation by the Maury Service Authority (MSA)

MSA Chairman, Dr. Richard Trandel, requested Board approval to continue replacing the 12 inch asbestos cement transmission pipe with 16 inch ductile iron pipe on the east side of the Route 11 by-pass, southward past the intersection with Route 60 and on to the Houston Street water tank. Dr. Trandel provided a brief history of the loop project, indicating that in the beginning the MSA, City of Lexington, and the County helped to fund the loop project at an estimated cost of \$7.6 Million. He stated that, at the project's end, there was around \$500,000 remaining, which can ultimately used to replace the subject asbestos transmission pipe. He confirmed that 2,800 feet of this pipe has been replaced, leaving only the section extending to the Houston Street Tank. He clarified that he was not asking the County for additional funds but only to give their blessing to continue the project. He stated that the funding would come from increasing the sales rate of water provided by the MSA by 1 percent per year for seven years. This additional project will more safely handle the higher pressures created with the Grassy Ridge tank, provide better service in the Rt. 251 area, and enhance fire flows throughout. It will also provide better opportunities for service extension East on Rt. 60.

Supervisor Lewis moved to accept the Maury Service Authority's wish to continue with the loop project by replacing the remainder 12 inch asbestos transmission pipe with 16 inch pipe. Supervisor Hinty provided the second, and the Board agreed unanimously.

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

Update on Stormwater Management Plan / Consideration of Recent Changes

Erosion and Sediment Control Technician Paul Owen briefly reviewed the Agenda item: "The Erosion and Sediment Control division of the Building Department has been working on a draft Stormwater Ordinance for the County of Rockbridge in accordance with directives from the Commonwealth. Preparation for the new stormwater program requires a great deal of coordination at the local level, including adoption of local ordinances which are consistent with State requirements / expectations. As it stands, Rockbridge County now must determine if we wish to cede control of stormwater management administration to DEQ or stay the previously-set course. Localities have until April 30th to make this decision. Should the Board determine to continue with the plan to take over stormwater plan administration, we would need to adhere to the following schedule:

- **April 30** - Submit a letter to DEQ stating our intention to maintain our own stormwater management plan.
- **June 15** - Finalize the local stormwater ordinance and remit to DEQ.
- **June 15** - Finalize procurement of 3rd party review services (for commercial and residential subdivision projects)
- **July 1** - Assume stormwater management plan administration

"In order to bring a recommendation to the Board, staff conferred on the subject and has sought input from other localities and local commercial design professionals. The main concern with relinquishing control of stormwater plan review to the DEQ is *time*. If we retain control locally, we can expedite plan review and keep economic development

projects moving forward. If we cede the review process to DEQ, the review time could be greatly expanded, hampering construction projects. Should this occur during peak construction seasons, projects could be delayed for many months. In addition, it is important to remember that we have been working toward a local administration framework for over a year, and are poised to move forward with implementation. Should the Board wish to stay the course, our schedule would need to be as follows:

Ordinance Track

- **April 15** - Submit a letter to DEQ indicating the County's choice to provide its own stormwater plan review ordinance and process.
- **April 28** - Proposed ordinance submitted to the Board of Supervisors for consideration of adoption.
- **April 30 and May 7** - Advertise the proposed ordinance
- **May 14** - Public hearing
- **June 15, 2014**- Deadline for submission of adopted local ordinance to DEQ
- **July 1, 2014** - VSMP plan implementation

RFP Track

- **April 15** - Advertise the RFP for 3rd party review of commercial projects and residential subdivisions.
- **May 26** - Present rankings to the Board of Supervisors for consideration
- **May 28 - June 6** - Negotiation with proposers
- **June 11** - Award of contract"

Mr. Owen proposed the following recommendations to the Board:

- 1) Resolve to continue with the previously established course of action to implement and maintain a local stormwater management administration process.
- 2) Authorize staff to publish the commercial review RFP as previously planned.
- 3) Direct staff to bring a draft ordinance to the Board's regular meeting on April 28, for consideration of advertisement.

Supervisor Campbell moved to continue with the previously established course of action to implement and maintain a local stormwater management administration process; authorize staff to publish the commercial review RFP as previously planned; and to direct staff to bring a draft ordinance to the Board's regular meeting on April 28, for consideration of advertisement. A second was provided by Supervisor Hinty, and the motion carried by unanimous roll call vote by the Board.

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

Update on FY 2015-2019 Capital Improvement Plan (CIP)

Assistant Director of Community Development Chris Slaydon reviewed amendments to the CIP. He noted that the Planning Commission approved the CIP on April 9, 2014 during their regularly scheduled meeting.

County Administrator Spencer Suter noted that the CIP review process will begin earlier in the budget schedule in upcoming cycles to assist in the budget review process.

Consideration of Radio System Financing

County Administrator Spencer Suter briefly reviewed the Agenda item: "You'll recall that in the last March meeting, the Board approved a resolution authorizing execution of a contract with Harris Communications. That contract has been executed and maintains a 60 day "out" period while we work out final details. Again, there are two tracks:

- 1) Tower space coordination - We continue to work closely with Harris to coordinate tower availability. As discussed, if we can't gain assurances that we can get on towers, we have an out.
- 2) Financing - This continues to be a very complicated process. Mr. Bolster and I have worked with Brian Kearney and Carolyn Perry to bring forth the best terms we could negotiate. Briefly, this describes the agreement:

One master lease line of credit with three draws, timed with projected project expenditures.

Draw 1 - Infrastructure - Draw around June 1, 2014 - 1st Payment June 1, 2015 - Annual Payment - \$318,095 15 years

Draw 2 - Infrastructure - Draw around June 1, 2015 - 1st Payment June 1, 2016 - Annual Payment - \$131,677 15 years

Draw 3 - Radios - Draw around Nov, 2015 - 1st Payment Nov. 2016 -
Annual Payment - \$ 311,587* 10 years

There is approximately \$475,000 in infrastructure contingency. If we do not use the entire contingency in the infrastructure, it can be used to purchase more radios. However, it appears that VMI will be paying for their radios up front, so the overall amount borrowed will be reduced.

As noted in the Board report, we are at the mercy of market with regard to interest rate fluctuation. However, we will watch the rates and, if they begin climbing sharply, we will have to draw the entire amount and put it into escrow to lock in the rate.

The numbers listed above are totals - our share would be based on the pre-established "penny-rate" funding percentages. Right now, the County is right at 70% funding. I have shared this information with the Lexington and Buena Vista City Managers to ensure that they are aware and on board, in that this significantly impacts all of us.

It is important to note that, if the Board agrees to this financing arrangement, we are essentially locking into the entire project, UNLESS we determine to walk away from the Harris contract within the remaining portion of the 60 day period, which expires May 25. As discussed earlier, this could occur if Harris fails to procure the necessary letters of intent from tower owners, which letters are supposed to give us comfort that the system can be built as designed.

Mr. Suter then reviewed the resolution and indicated that the Board could adopt if in agreement. He further noted that he would report

progress back to the Board at the May 12 regular meeting or, if required, at a special meeting which may have to be called around May 20th to review the outcome of the tower due-diligence process.

A question was raised concerning how the up-front financing costs would be handled. Mr. Suter noted that they would be rolled into the system costs. Supervisor Campbell moved to approve the resolution. A second was provided by Supervisor Ford, and the resolution was approved by unanimous roll call vote by the Board.

AYES: Campbell, Ford, 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, APRIL 14, 2014**

**RESOLUTION TO APPROVE AND AUTHORIZE EXECUTION OF A
LOAN PROPOSAL WITH PNC EQUIPMENT FINANCE**

WHEREAS, on March 25, 2014 the County of Rockbridge entered into a 911 Communications Systems Contract with Harris Corporation (“Harris Contract”); and

WHEREAS, in order to fund the Harris Contract the County has been negotiating with PNC Equipment Finance (“PNC”); and

WHEREAS, PNC has submitted a final revised proposal dated April 9, 2014, attached hereto as Exhibit “A” (“PNC Proposal”); and

NOW THEREFORE BE IT RESOVLED, that the County Administrator is hereby authorized to execute the PNC Proposal on behalf of Rockbridge County.

BE IT FURTHER RESOLVED that this approval is subject to such further Resolutions of the Board as are required by Bond Counsel for Rockbridge County in order to qualify for tax exempt financing under the *Internal Revenue Code of 1986*.

This Resolution shall take place effective upon the date of its adoption.

ADOPTED this 14th day of April, 2014.

Outdoor Event Application- Boxerwood Education Association

Director of Community Development Sam Crickenberger introduced Mr. Joe DiNardo, Treasurer of the Boxerwood Education Association. Mr. Crickenberger requested approval of the Outdoor Event Application approving the schedule for this summer's outdoor events.

Mr. DiNardo stated that last year's events were very successful.

Supervisor Ford moved to approve the Outdoor Event Application. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Outdoor Event Application- Stonebridge Center

Mr. Crickenberger introduced Mary Sayre, who explained that the Stonebridge Center will be hosting the Great American Craft Beer Tour on Saturday, May 17th from noon until 5:00 p.m. She stated that the event will involve the sampling of craft beer, food, and music down on the old Natural Bridge High School football field. She is expecting 1,500 individuals to be in attendance.

Supervisor Hinty moved to approve the Outdoor Event Application. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Appointments

County Economic Development Authority- Carl Newcomer- Term Expires 4/10/2014

Chairman Higgins indicated that he had spoken with Mr. Newcomer who declined reappointment to the County EDA. Chairman Higgins asked the Secretary of the EDA to produce a resolution of appreciation for Mr. Newcomer and to have it presented at the next Board Meeting. He then indicated that Ms. Janie Harris of the Buffalo District was willing to serve in Mr. Newcomer's place.

Supervisor Hinty moved to appoint Ms. Janie Harris to the County Economic Development Authority. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

RARO Board of Directors- Unexpired Term of Patricia Wood who resigned

- Term Expires 6/30/2015

Supervisor Lewis nominated Hunter McClung to fill the unexpired term of Ms. Wood on the RARO Board of Directors. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Staff Reports

Supervisor Campbell moved to accept the staff reports as presented. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Board Comments

Chairman Higgins indicated that he had received a letter from members of the Virginia Horse Center Board regarding their request for the County to increase the lodging tax. He advised that he would be responding via a letter soon.

Supervisor Lewis noted that this is an urgent situation that should be resolved quickly.

County Administrator Spencer Suter indicated that he would be meeting with Lexington City Manager Mr. Jon Ellestad and a member of the Horse Center on April 15th to discuss the letter.

Supervisor Campbell indicated that the letter is a perfect example of miscommunication and suggested the Board should not rush to make a decision.

Supervisor Ford indicated that the Board has yet received answers to questions which arose during previous meetings. He stated that he would like to receive the answers to those questions before consideration of the proposal.

Adjourn

Upon a motion by Supervisor Ford and seconded by Supervisor Campbell, the meeting was adjourned at 7:02 p.m.