

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY
VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING,
150 SOUTH MAIN STREET LEXINGTON, VIRGINIA,
ON MONDAY, MAY 12, 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: SHERIFF CHRIS BLALOCK, CRAIG BRYANT, ROBERT FORESMAN,
JEREMY GARRETT, TROY ROYER, 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

Introduction of a new employee- Troy Royer

Director of Solid Waste and Transportation, Jeremy Garrett, introduced Troy Royer, hired May 1st as a mechanic at the County Maintenance Garage. Mr. Garrett reviewed Mr. Royer's work history, totaling over 30 years as a supervisor and mechanic with both gasoline and diesel engines. The Board welcomed Mr. Royer. Mr. Royer commented that he was happy to be a part of the County team.

National EMS Week

Director of Fire and EMS Craig Bryant introduced members of the volunteer EMS community. Those present included: Shane Wheeler - Rockbridge County Fire and EMS, Response 50; Steve Reese - Fairfield Rescue Squad; and Gary Smith - South River Fire Department. Each introduced himself, providing his years of service.

Mr. Bryant noted that there would be a display set up on the 1st floor of the Administrative Building showing how to administer CPR. He stated that CPR saves lives and encouraged the community to attend a CPR training. The Chair then asked Supervisor Lewis to read aloud the following Proclamation:

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

WHEREAS, The Congress and President of the United States have designated May 18th - 24th as National Emergency Medical Services (EMS) Week; and,

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

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

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

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

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

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

NOW, THEREFORE, We, the Rockbridge County Board of Supervisors, call upon all citizens of Rockbridge County to observe the week of May 18th – 24th, 2014, as Emergency Medical Services week, during which all of our residents may join in celebrating the dedication of our local EMS Providers, past and present, and their families, whose support allows them to serve our community.

Adopted this _____ day of _____, 2014

Supervisor Lewis moved to adopt the resolution. A second was provided by Supervisor Campbell, and the motion carried by unanimous roll call vote by the Board. The Board thanked those present and others who provide the service, for their dedication to friends and neighbors.

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

The Board applauded those members present to accept the Proclamation then left the dais to take a photo.

Citizen Comments

Chairman Higgins called for citizen comments. There were none.

Items to be added to the Agenda

Chairman Higgins called for items to be added to the Agenda.

Chairman Higgins added recognition of the Natural Bridge event that had taken place just prior to the Board Meeting. He stated that it was a successful event and commended the Board members and County staff members who were present at the event, attended by Governor McAuliffe, numerous high-level state employees, several state politicians, and all the 5th graders in Rockbridge County.

County Attorney Vickie Huffman added a consideration of a resolution accepting easements related to the Broadband project.

Supervisor Lewis added a Virginia Horse Center discussion.

Approval of Minutes

Supervisor Ford moved to approve the April 28, 2014 Minutes. (These include the Work Session Minutes as well as the regular Board Meeting Minutes.) Supervisor Campbell provided the second to the motion, and the motion carried by unanimous roll call vote.

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

Financial Report

Finance Director Steven Bolster reviewed his monthly memorandum. Activities for the Commissioner included: prepared and presented the Land Book to the Treasurer; completed another busy state income tax season; filed DMV reports for April, 2014; prepared and mailed late notices for business license renewals; audited Schedule C's against business license files; and prepared a report of property values for the Department of Taxation. Activities for the Treasurer included: continued to collect State income & Estimated State taxes; mailed Real Estate tax bills - due June 5, 2014; and observed that Debt-Set-Off collections remain at high volume.

Mr. Bolster then provided a procurement update and reviewed both the Expenditures-versus-Revenues Chart and the School Appropriation Resolution.

Supervisor Lewis moved to approve the School Appropriation Resolution. Supervisor Ford provided the second, and the resolution was adopted 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 COUNTY ADMINISTRATIVE BUILDING,
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,
ON MONDAY, MAY 12, 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 70, SCHOOL CONSTRUCTION FUND** and expended as follows:

MRMS Renovation Project

4-70-66200-3160-950 Purchases Services..... \$2,012.00

TOTAL FUND 70 APPROPRIATIONS **\$2,012.00**

Mr. Bolster then reviewed the County Appropriation Resolution. He added two invoices to the bills list. Those items were associated with Fund 19.

Supervisor Hinty moved to approve the County Appropriation Resolution as amended. Supervisor Ford provided the second, and the amended resolution was approved by unanimous roll call vote by the Board.

AYES: Hinty, Ford, Campbell, Lewis, Higgins

NAYES: None
ABSENT: None

(The following has been amended adding the two invoices to the bills list)

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE
COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING,
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,
ON MONDAY, MAY 12, 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:

4-11-31030-7001	Homeland Security Grant.....	\$880.00
4-11-32060-6911	County Share-Consolidated Dispatch....	\$85,674.00
4-11-34015-3002	Contracted Services (AECOM).....	\$1,765.00
4-11-81090-3002	Transportation Grant.....	\$1,530.00
4-11-81090-5696	RANA Connection Line of Credit.....	\$15,219.00
4-11-81090-5697	RANA Operations Line of Credit.....	\$17,050.00

Total General Fund Appropriations **\$122,118.00**

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:

4-19-19040-8002 Secondary Machine Rental.....	\$35,920.00
4-19-19050-3002 Professional Services.....	\$9,180.00
4-19-19050-5402 Tools & Equipment.....	\$14,900.00

Total SWA/Landfill Fund Appropriations	\$60,000.00
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Total Appropriations	\$182,118.00
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Current County

11 - General Fund	\$874,197.43
19 - SWA/Landfill	\$61,702.06
20 - SWA/Recycling	\$5,389.51
94 - Central Stores	<u>\$4,043.71</u>

Total County Bills	\$945,332.71
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Current Fiscal Agent

80 - Regional Jail	\$47,447.10
92 - Drug Fund	\$60,714.57
93 - CSA Administration	<u>\$287.58</u>

Total Fiscal Agent	\$108,449.25
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TOTAL ALL BILLS

\$1,053,781.96

Mr. Bolster then presented a Declaration of Surplus Resolution associated with Sheriff vehicles.

Supervisor Campbell moved to approve the resolution to declare the listed vehicles from the Sheriff's Department as surplus and to authorize disposal through public sale or auction including online public auction. Supervisor Lewis provided the second, and the resolution was approved by unanimous roll call vote by the Board.

AYES: Campbell, Lewis, 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, MAY 12, 2014

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

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

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

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

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

Adopted this 12th day of May, 2014.

Year	Make/Model	Mileage	VIN# (last 5)
1986	GMC K15	248,203	36780
1996	GMC Jimmy	100,747	30426
2002	GMC Sonoma	274,865	32193

Consideration of Stormwater Review Ranking

Mr. Bolster reviewed the Agenda Item, which included the following information: "On April 14, 2014, the Board of Supervisors authorized the issuance of a Request for Proposal (RFP) to procure the services of a qualified firm to provide plan review for Erosion and Sediment Control and

Stormwater Plans for the County of Rockbridge. The County issued an RFP on April 16, 2014, with advertising running for two consecutive weeks. The RFP was also published on the County's website from April 16, through May 1, 2014. Four firms submitted proposals by 2:00 PM EST on Thursday, May 1, 2014, in accordance with RFP# 2014-03-001. The evaluation committee members independently ranked each proposal. The chart below reflects the average score each proposal received and the final ranking in the evaluation process:"

FIRM	AVG. SCORE	RANKING
Joyce Engineering	98.93	1
AECOM	98.50	2
A. Morton Thomas and Assoc.	97.08	3
Anderson and Associates Inc.	96.83	4

Mr. Bolster then recommended that the Board authorize the County Administrator to enter into negotiations based on the final ranking of received proposals and, if negotiations prove successful, return to the Board with a contract for consideration of approval.

Supervisor Lewis asked the location of Joyce Engineering. Mr. Bolster indicated that he was unsure but would provide him that information following the meeting. [This was later confirmed to be Richmond, VA.]

Supervisor Ford moved to approve the recommendation. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Radio System Update

County Administrator Spencer Suter reviewed the Agenda Item, which included the following information: "At the Board's regular March 24 meeting, the Board approved a resolution which enabled the Regional Emergency Communications Center Board to move forward with execution of a contract with Harris Communications. The contract was subsequently executed on March 25th. As you will recall, the contract provides for a 60 day no-fault exit: the Regional Emergency Communications Center can exit the contract at any time during that period with no further obligation. However, the central purpose of the grace period is: 1) to provide time for the County to secure necessary financing, and 2) to gain assurances that leased tower space will be available, in accordance with system design. As such, since March 25th work has been underway in the following areas:

1) *Towers* - Harris and the County have been coordinating closely to ensure that necessary tower lease space applications are being completed and submitted to tower owners in accordance with system design. Sheriff's Office Lieutenant Tim Hickman and County Administrator Spencer Suter have taken the lead in this area on behalf of the Regional Comm. [E911] Board. Application fees in the amount of \$5,000 have been expended by the County, to be reimbursed when financing is secured. Based on progress in this area so far, it has become clear that Harris will not be able to gain the necessary letters of commitment from all the tower owners in the system design by the May 24 deadline. The latest weekly report from Harris is attached.

2) *Financing* - As per the Board's direction on March 24th, a financing agreement has been executed with PNC Bank. The agreement provides an exit - should Harris fail to meet due diligence obligations with regard to towers - within the aforementioned 60 day period. The credit assurances. In addition, we have involved bond counsel Carolyn Perry in the discussion.

Given that we clearly will not have the comfort level required to move ahead with the borrowing on May 24th, we have coordinated with both Harris and PNC Bank to begin the process of extending the deadlines, should the Board agree to this plan of action. Extension of the deadlines will involve receipt of written documentation from both entities. Regional Communications Board attorney Brian Kearney will ensure that any

documents received are binding. The potential exists that the deadlines may have to be extended well into the summer."

Mr. Suter recommended the Board authorize the County Administrator to work with the Regional Emergency Communications Center Board to execute a written deadline extension between Harris and the E911 Board, and also to authorize the County Administrator to negotiate a similar extension of terms with PNC Bank.

Supervisor Ford noted that Buena Vista City may have problems with paying their payment on the Vista Links Golf Course in upcoming years, and therefore the County may want to look at alternative locations for the 911 Center, since it is housed in a building that has been pledged as collateral against the Vista Links loan.

Chairman Higgins asked Sheriff Chris Blalock what his comments were on relocating the 911 Center.

Sheriff Blalock stated that he thought it was a good idea to look at new locations as the E911 Board has in the past. He asked that the Board give him authorization to go to the E911 Board to request a study on finding a new location.

Mr. Suter asked that the E911 Board evaluate the cost of relocating the center.

Supervisor Hinty moved to authorize Sheriff Blalock and Mr. Suter to undertake the study of a new location for the 911 Center and to provide a cost analysis. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Public Hearings

VDOT Six Year Plan

Susan Hammond of VDOT presented the Board with a copy of the proposed Six-Year Plan and asked if there were any questions.

In response to a question by Supervisor Lewis, Ms. Hammond confirmed that the length of Rockbridge Alum Springs Road should be changed to 1.3 miles in the proposed plan. She indicated that the Board could proceed with adopting the Six-Year Plan as it reads and she would make that revision before signatures are received on the plan.

Chairman Higgins opened the public hearing at 6:06 P.M.

Chairman Higgins indicated that there were two citizens in attendance who are interested in adding Dry Hollow Road to the Six Year Plan. Both citizens reside in his district, and so he himself drove along Dry Hollow Road and agreed that the road needs attention.

Wayne Nicely of the Buffalo District spoke on behalf of himself and Larry Black, both property owners along Dry Hollow Road. He stated that he had attended a Board of Supervisors meeting roughly 30 years prior at which time Dry Hollow Road was added to the Six Year Plan - but over time, it was removed from the plan. He stated that he understood that in order for the road to be considered "Rural Rustic", a certain daily

traffic count must be exceeded. He shared that in 2004, the daily traffic count of 70+ vehicles exceeded the requirement. He then stated that he willingly moved his fence back away from the road roughly 29 years ago so that VDOT had room to make a ditch line on both sides of the road. He stated that VDOT has never made any updates to the road; eventually he realized that somehow it had been removed from the plan. He stated that, because the ditches were never cleaned and pot holes were never filled, he had to replace his fence entirely along the road due to the water splashing from the pot holes onto his fence for so long.

Mr. Black indicated that he began to lose interest since the road was never added to the plan. He agreed with Mr. Nicely's statement adding that , because there are no ditches due to the buildup along the road, rain water runs down the road - causing the pot holes to get bigger each time it rains.

Chairman Higgins advised that after visiting this particular road, he concurred with both citizens' statements.

Chairman Higgins closed the public hearing at 6:20 P.M.

Mr. Nicely added that he did not want to wait another three years to have the pot holes filled and the ditches cleaned.

Supervisor Campbell suggested that VDOT look into getting this particular road approved as rural rustic.

Ms. Hammond confirmed adding that Dry Hollow Road exceeds the minimum daily traffic count and that VDOT could review the highest volume areas and begin work in those particular areas first.

Supervisor Hinty moved to request Ms. Hammond to look at going ahead and fixing the problems on Dry Hollow Road, and if needed, to shift funds from another project to complete the work. 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

Supervisor Hinty moved to approve the Six-Year Plan, as amended to change the length of Rockbridge Alum Springs Road to 1.3 miles. 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

(The VDOT Six-Year Plan is filed in the office of the Clerk to the Board)

Staff Reports

Chairman Higgins called for questions or comments on the Staff Reports. There were none.

Items Added to the Agenda

Consideration of Adoption of a Resolution Accepting Broadband

Easements

County Attorney Vickie Huffman added a resolution accepting easements related to the Broadband Project. She explained that each of them contained an error in the temporary construction easements, and that attempts to secure corrected easements were unsuccessful.

Supervisor Campbell moved to approve the resolution accepting the easements. Supervisor Hinty provided the second, and the motion was approved by unanimous roll call vote.

AYES: Campbell, Hinty, Ford, Lewis, 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, MAY 12, 2014

RESOLUTION 051214-11 TO AUTHORIZE THE ACQUISITION AND ACCEPTANCE OF EASEMENTS FOR CONSTRUCTION AND OPERATION OF A FIBER OPTIC TRANSMISSION LINE AND RELATED IMPROVEMENTS DONATED TO THE COUNTY OF ROCKBRIDGE FROM PROPERTY OWNERS ALONG THE ROUTE OF FIBER DEPLOYMENT FOR THE NETWORK IN CONNECTION WITH THE BROADBAND GRANT PROJECT

WHEREAS, County of Rockbridge (the "County"), a political subdivision of the Commonwealth of Virginia, is the recipient of grant funds ("Grant") from the United States Department of Commerce National Telecommunications and Information Administration's ("NTIA") Broadband Technology Opportunities Program ("BTOP") to be administered by the County in conjunction with and on behalf of the Grant partners (all as specified in the Grant) to construct, acquire, maintain, equip and operate an advanced communications network ("Network") within the County and the Rockbridge region (collectively, the "Rockbridge Broadband Initiative Project", or "the Project"); and,

WHEREAS, easements are required from property owners in the County for the construction and operation of the Network, including installation of the fiber optic transmission lines and related improvements; and,

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

WHEREAS, the Board of Supervisors agrees to the acceptance of said easements, with the understanding that said easements automatically transfer to the Rockbridge Area Network Authority (RANA) for operation of the Network pursuant to agreement between the County and RANA.

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

1. That the acquisition and acceptance of the following donated easements, 10 feet in width, for construction and operation of a fiber optic transmission line and related improvements be, and hereby is, authorized and approved:

<u>Property Owners</u>	<u>Tax Map #</u>	<u>Fiber Route</u>
Mary Entsminger McKemy	89C-2-3G1	Forge Road (underground)
George L. Beard Catherine P. Beard	89-10-1C	Forge Road (underground)
Hugh F. Jones Annette G. Jones	89-11-A	Forge Road (underground)

2. That the sum of \$68.00 is hereby appropriated and approved for recordation of the deeds of easement in the Clerk's Office of the Circuit Court of Rockbridge County, Virginia.

3. That the County Administrator or the Director of Community Development is hereby authorized to execute such documents and take such actions, on behalf of the Board of Supervisors, as are necessary to

accomplish the acquisition and acceptance of the easement donations set forth herein, all of which shall be approved as to form by the County Attorney.

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

Adopted this 12th day of May, 2014.

Virginia Horse Center [VHC] Discussion

Supervisor Lewis stated that he wanted to be sure the Board is moving forward with the proposed request from the Horse Center.

Chairman Higgins stated that a committee consisting of tourism organization representatives had been formed to gain input regarding the lodging tax. He shared that the meeting was scheduled at the end of the week.

Supervisor Campbell indicated that the Virginia Horse Center had hired an independent auditor from Charlottesville.

Supervisor Ford confirmed that owners of a bed and breakfast would be attending the committee meeting to discuss lodging taxes.

Mr. Suter indicated that he had spoken with the USDA in Lynchburg, and that VHC has an accountant working on setting up a restricted account for deposit of payments. Supervisor Hinty asked if the Board could be advised as to the moneys the Horse Center has brought in from this year's events.

Supervisor Ford suggested the County speak with the USDA about the possibility of refinancing the loan to have the interest rate reduced, in

light of expected full coverage of loan payments by Lexington and the County.

Chairman Higgins noted that he believed that some of the VHC Board members are not fully aware of the current situation, because they do not attend all of their meetings. He also noted that the accountant reviewing the Horse Center records has indicated that they are well below standards.

Board Comments

Supervisor Campbell stated that he had previously asked for the Board's support to send a letter to the FDA regarding the new rules on prohibiting breweries from distributing their grain byproducts to farmers to feed their cattle. He stated that the FDA is reconsidering those rules. Therefore, he wishes to hold off on sending a letter to the FDA until new regulations are approved.

Adjourn

On a motion by Supervisor Hinty, seconded by Supervisor Lewis, the meeting was adjourned by unanimous roll call vote.

AYES: Hinty, Lewis, Ford, Campbell, Higgins

NAYES: None

ABSENT: None