

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, JUNE 9, 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: PAUL OWEN, SAM CRICKENBERGER, BRANDY FLINT,
BRANDY WHITTEN
EDA MEMBERS: CHAIRMAN LYNN JONES, JR., ROBBIE FAULKNER,
JANIE HARRIS, GENE TILLES, STEPHEN BECK

Call to Order

Chairman Higgins called the meeting to order at 5:33 P.M.

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

Recognitions/Presentations

Chairman Higgins called for recognitions or presentations. There were none.

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.

County Administrator Spencer Suter added a closed session to discuss a personnel matter at the end of the Agenda.

Approval of Minutes

Supervisor Ford moved to approve the April 23, 2014 Budget Public Hearing 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

Supervisor Ford moved to approve the April 30, 2014 Budget Adoption 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

Supervisor Ford moved to approve the May 27, 2014 Work Session and Regular 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: completed first-half Real Estate tax season; working on monthly DMV report; preparing supplemental tax books for 2013 Personal Property and 2014 Real Estate; starting work on the 2014 Personal Property tax book; auditing business license files to ensure renewals were completed for year; and working on Building Department Certificate of Occupancies for new construction. Activities for the Treasurer included: sent first-half Real Estate tax tickets with the newly added 4th line of description - full identification of parcel being billed; Auditors expected in the office for 2 weeks in June examining records; and delinquent Real Estate letters to be sent as soon as all mail is processed for the June 5th deadline.

Mr. Bolster reviewed the Revenues versus Expenditures chart, noting that revenues came in above estimate by around \$850,000 - with sales, meals, and lodging revenues exceeding last year's monthly receipt average by around \$14,000. He then noted that expenditures came in around \$600,000 less than projected. Mr. Bolster asked for questions on the Revenues versus Expenditures chart.

Supervisor Ford asked Mr. Bolster to discuss the looming uncertainty over 2014-15 revenues from the state, as discussed in the Finance Committee Meeting on Friday, June 6th.

Mr. Bolster explained that there is a possibility of state offices shutting down should a budget not be passed. He stated that this would cause a negative impact on local governments across the commonwealth,

since all depend on monthly revenues from the state. He noted that the Department of Social services (DSS) will not be reimbursed as expected for their June, 2014, operations, but that he has spoken with local DSS Director Meredith Downey; she indicated that DSS has enough operating cash for about two months. He noted that DSS typically receives around \$119,000 per month from the state for operations. In addition, Mr. Bolster noted that the schools typically receive around \$1 million from the state per month to support their operations. As for the County, Mr. Bolster explained that around \$265,000 is received from the state per month as reimbursement for compensation board expenditures. He added that Regional Jail salaries are reimbursed from the state at around \$120,000 per month. All told, the County might be in jeopardy of losing around \$1.5 Million per month. Mr. Bolster then explained that spending levels for July 2014 thru September 2014 are anticipated to be around \$8.8 Million. He stated that the Board should consider freezing discretionary spending should the state not pass a budget.

Mr. Suter explained that the Board may also want to look at placing the County on a hiring freeze and appropriating funds quarterly versus annually until a decision is made by the state. He also explained that Mr. Bolster had previously spoken with County Treasurer Betty Trovato to ensure cash liquidity. Mr. Suter explained that Ms. Trovato will move cash from maturing CDs into more liquid assets.

Chairman Higgins asked Mr. Suter to add a discussion on the state budget to the upcoming Agenda. He also asked Mr. Suter and Mr. Bolster to look into ways the County could reduce vehicle usage and cut fuel expenses, to be discussed with the Board in July.

Mr. Bolster then reviewed the School Appropriation Resolution and recommended approval of the proposed resolution.

Supervisor Lewis moved to approve the School Appropriation Resolution. A second was provided by Supervisor Hinty, and the resolution was adopted 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, JUNE 9, 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..... \$57,686.00

TOTAL FUND 70 APPROPRIATIONS **\$57,686.00**

RECORDED VOTE:

AYES:
NAYS:
ABSTAIN:
ABSENT:

Mr. Bolster then reviewed the County Appropriation Resolution. He amended the resolution by changing line item 4-19-19050-3002 entitled

"Professional Services" from \$4,631.00 to \$11,714.00, due to the miscoding of an invoice. He noted that this amendment would affect the total appropriations, which were subsequently changed from \$227,963.00 to \$235,046.00. He then recommended approval of the amended resolution.

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

AYES: Ford, Hinty, Campbell, Lewis, 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, JUNE 9, 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 Overtime (Sheriff).....	\$28,000.00
4-11-31030-7001 Homeland Security Grant.....	\$30,767.00
4-11-32060-3911 Comp Board Transfer to LX 911.....	\$28,288.00
4-11-81090-3002 Transportation Grant.....	\$1,555.00
4-11-81090-3004 Wayfinding Signage Grant.....	\$4,765.00
4-11-81090-5623 Lodging Tax Horse Center Debt.....	\$17,240.00
4-11-99010-6192 Transfer to Landfill.....	\$17,178.00
Total General Fund Appropriations	\$127,793.00

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:

4-19-19040-1001 Salaries.....	\$44,640.00
4-19-19040-2001 FICA.....	\$4,000.00
4-19-19040-2002 Retirement.....	\$10,000.00
4-19-19040-2005 Hospitalization.....	\$11,000.00
4-19-19040-2006 Group Life Insurance.....	\$400.00
4-19-19050-3002 Professional Services.....	\$11,714.00
4-19-19050-3006 Seeding/Mowing/Erosion Control.....	\$8,321.00
4-19-19070-3001 Engineering Services.....	\$16,353.00
4-19-19050-7010 Construction-Office Bldg.....	\$825.00

Total SWA/Landfill Fund Appropriations	\$107,253.00
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Total Appropriations	\$235,046.00
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Current County

11 - General Fund	\$633,869.20
19 - SWA/Landfill	\$79,658.07
20 - SWA/Recycling	\$4,883.64
94 - Central Stores	<u>\$2,203.40</u>

Total County Bills	\$720,614.31
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Current Fiscal Agent

22 - RANA - Construction	\$17.00
80 - Regional Jail	\$56,673.89
92 - Drug Fund	\$2,566.20
93 - CSA Administration	<u>\$705.33</u>

Total Fiscal Agent	\$59,962.42
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TOTAL ALL BILLS	\$780,576.73
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RECORDED VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Convene Solid Waste Authority

Landfill Reimbursement Resolution

Chairman Higgins convened the Solid Waste Authority at 5:49 P.M.

Mr. Bolster briefly reviewed the Agenda Item: "On April 8, 2013, the Solid Waste Authority (SWA) and the Board of Supervisors adopted reimbursement resolutions to declare their official and respective intents to reimburse the County with the proceeds from the issuance of revenue bonds as part of the expansion of operations at the existing landfill through a new lined landfill. After passing the one-year mark on the original reimbursement resolution, staff conferred with the County's Bond Counsel Carolyn Perry on the potential need to review and restate the standing resolution. In addition, staff collaborated with Draper Aden and Associates to complete an updated review on the anticipated cost for the project. This information was provided to Ms. Perry as part of her efforts. Ms. Perry has restated a landfill reimbursement for the Authority's and the Board's consideration. The primary changes involve providing additional detail on the scope of the project and a change in the estimated maximum principal amount of the borrowing by the issuer for the project to ensure complete coverage on the future reimbursement request." Following his brief review, Mr. Bolster recommended approval of the resolution by the Board.

On behalf of the Solid Waste Authority, Supervisor Campbell moved to approve the amended and restated resolution declaring official intent to reimburse expenses for the Landfill expansion project. 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 ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY HELD AT THE
ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JUNE 9, 2014

**AMENDED AND RESTATED RESOLUTION DECLARING OFFICIAL INTENT
TO REIMBURSE EXPENSES FOR THE LANDFILL EXPANSION PROJECT**

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

WHEREAS, the SWA and the County have determined that expansion of the existing RCSWA Landfill located at 321 Landfill Road, Buena Vista, Virginia 24416 (the "Landfill") is the preferred means of providing for future solid waste disposal in the County; and,

WHEREAS, the project at the Landfill shall include costs for (i) engineering services, studies, various exploration and monitoring activities (including multiple wells at the Landfill), permitting fees and related expenses, (ii) acquisition, construction and equipping of office facilities, scales, liner systems and leachate systems at the RCSWA Landfill, including road construction and improvements and mass excavation for such undertakings, and (iii) payment of issuance expenses in connection with any financing(s) of such undertakings (collectively, the "Landfill Expansion Project"); and,

WHEREAS, the County and the SWA (either or both, the "Issuer") have proceeded with due diligence and now propose to finance the Landfill Expansion Project with proceeds from the issuance of revenue bonds or other tax-advantaged obligations; and,

WHEREAS, the Issuer, on April 8, 2013, duly approved a Declaration of Official Intent to Reimburse Expenditures for the Landfill Expansion Project (the "Prior Reimbursement Resolution") with respect to the issuance of up to \$6,525,000 tax-advantaged obligations in connection with the financing of the costs of Landfill Expansion Project (as described in such Prior Reimbursement Resolution).

WHEREAS, the Issuer now desires to amend, supplement and restate the Prior Reimbursement Resolution and adopt this Amended and Restated Resolution Declaring Official Intent (this "Restated Resolution") in order to reflect the Issuer's current expectations with respect to the scope and financing of the Landfill Expansion Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Rockbridge County, Virginia, and the Board of the Rockbridge County Solid Waste Authority, pursuant to the requirements of the United States Treasury Regulations Section 1.150-2, that this Restated Resolution shall constitute a declaration of official intent to reimburse certain prior expenditures in connection with the Landfill Expansion Project.

BE IT FURTHER RESOLVED that:

1. Expenditures to be incurred. The Issuer has incurred (and will incur) expenditures (the “Expenditures”) in connection with the Landfill Expansion Project as described above.
2. Plan of Finance. The Issuer intends to finance the costs of the Landfill Expansion Project with the proceeds of debt to be issued by the Issuer in one or more series (including interim financing, if necessary or convenient, the “Borrowing”), the interest on which is to be excluded from gross income for Federal income tax purposes (or other tax-advantaged debt obligations).
3. Maximum Principal Amount of Debt to be Issued. The estimated maximum principal amount of the Borrowing by the Issuer for the Landfill Expansion Project is **\$7,100,000**.
4. Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for the Expenditures made on and after the date that is no more than 60 days prior to the date hereof. The Issuer reasonably expects on the date hereof that such Expenditures will be reimbursed with the proceeds of the Borrowing.
5. Allocation Matters. Each of the Expenditures has been (and will be) of a type properly chargeable to a capital account under general federal income tax principles. The Issuer will make a reimbursement allocation to evidence the use of proceeds of the Borrowing to reimburse any Expenditures no later than 18 months after the later of the date on which the Expenditures are paid or the Landfill Expansion Project (or any component thereof, as applicable) is placed in service or abandoned, but in no event more than three years after the date on which each of the Expenditures is paid.
6. Continuing Effect of Prior Reimbursement Resolution, as amended. The Prior Reimbursement Resolution, as amended, supplemented and restated by the provisions of this Restated Resolution, shall remain in full force and effect.
7. Immediate Effect. This Restated Resolution shall be effective immediately.

Adopted this 9th day of June, 2014

Recorded Vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY

By: _____

John M. Higgins, Chairman

Attest: _____

Spencer H. Suter, Secretary

Chairman Higgins closed the Solid Waste Authority at 5:51 P.M. and reconvened the Board of Supervisors regular meeting.

Landfill Reimbursement Resolution

Mr. Bolster explained that this is the same resolution as approved by the Solid Waste Authority, noting that it also must be approved by the Board of Supervisors.

On behalf of the Board of Supervisors, Supervisor Ford moved to approve the amended and restated resolution declaring official intent to reimburse expenses for the Landfill expansion project. 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 ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JUNE 9, 2014

AMENDED AND RESTATED RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENSES FOR THE LANDFILL EXPANSION PROJECT

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

WHEREAS, the SWA and the County have determined that expansion of the existing RCSWA Landfill located at 321 Landfill Road, Buena Vista, Virginia 24416 (the "Landfill") is the preferred means of providing for future solid waste disposal in the County; and,

WHEREAS, the project at the Landfill shall include costs for (i) engineering services, studies, various exploration and monitoring activities (including multiple wells at the Landfill), permitting fees and related

expenses, (ii) acquisition, construction and equipping of office facilities, scales, liner systems and leachate systems at the RCSWA Landfill, including road construction and improvements and mass excavation for such undertakings, and (iii) payment of issuance expenses in connection with any financing(s) of such undertakings (collectively, the "Landfill Expansion Project"); and,

WHEREAS, the County and the SWA (either or both, the "Issuer") have proceeded with due diligence and now propose to finance the Landfill Expansion Project with proceeds from the issuance of revenue bonds or other tax-advantaged obligations; and,

WHEREAS, the Issuer, on April 8, 2013, duly approved a Declaration of Official Intent to Reimburse Expenditures for the Landfill Expansion Project (the "Prior Reimbursement Resolution") with respect to the issuance of up to \$6,525,000 tax-advantaged obligations in connection with the financing of the costs of Landfill Expansion Project (as described in such Prior Reimbursement Resolution).

WHEREAS, the Issuer now desires to amend, supplement and restate the Prior Reimbursement Resolution and adopt this Amended and Restated Resolution Declaring Official Intent (this "Restated Resolution") in order to reflect the Issuer's current expectations with respect to the scope and financing of the Landfill Expansion Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Rockbridge County, Virginia, and the Board of the Rockbridge County Solid Waste Authority, pursuant to the requirements of the United States Treasury Regulations Section 1.150-2, that this Restated Resolution shall constitute a declaration of official intent to reimburse certain prior expenditures in connection with the Landfill Expansion Project.

BE IT FURTHER RESOLVED that:

8. Expenditures to be incurred. The Issuer has incurred (and will incur) expenditures (the "Expenditures") in connection with the Landfill Expansion Project as described above.
9. Plan of Finance. The Issuer intends to finance the costs of the Landfill Expansion Project with the proceeds of debt to be issued by the Issuer in one or more series (including interim financing, if necessary or convenient, the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes (or other tax-advantaged debt obligations).
10. Maximum Principal Amount of Debt to be Issued. The estimated maximum principal amount of the Borrowing by the Issuer for the Landfill Expansion Project is **\$7,100,000**.
11. Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for the Expenditures made on and after the date that is no more than 60 days prior to the date hereof. The Issuer reasonably expects on the date hereof that such Expenditures will be reimbursed with the proceeds of the Borrowing.
12. Allocation Matters. Each of the Expenditures has been (and will be) of a type properly chargeable to a capital account under general federal income tax principles. The Issuer will make a reimbursement allocation to evidence the use of proceeds of the Borrowing to reimburse any Expenditures no later than 18 months after the later of the date on which the Expenditures are paid or the Landfill Expansion Project (or any component thereof, as applicable) is placed in service or abandoned, but in no event more than three years after the date on which each of the Expenditures is paid.

13. Continuing Effect of Prior Reimbursement Resolution, as amended. The Prior Reimbursement Resolution, as amended, supplemented and restated by the provisions of this Restated Resolution, shall remain in full force and effect.

14. Immediate Effect. This Restated Resolution shall be effective immediately.

Adopted this 9th day of June, 2014

Recorded Vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA

By: _____
John M. Higgins, Chairman

Attest: _____
Spencer H. Suter, Clerk

Virginia Horse Center- Joint Discussion with the EDA

Chairman Higgins provided the Economic Development Authority (EDA) the opportunity to call their meeting to order.

Chairman of the EDA, Mr. Lynn Jones, called their meeting to order at 5:52 P.M.

County Administrator Spencer Suter provided handouts to those present of a draft Performance Agreement. He then provided a brief history of the Virginia Horse Center request stating that, in April 2014, the Board of Supervisors received a request from the Virginia Horse Center (VHC) asking the Board to consider increasing the lodging tax by 1% in support of the VHC. He stated that this support would come in two (2) forms: payment of debt service and assistance with capital maintenance projects. He advised

that, since this request was made, the City of Lexington has adopted an ordinance raising their tax by 1% with an effective date of August 1, 2014. Mr. Suter explained that the County solicited and received feedback from tourism groups, including lodging representatives, regarding the proposed increase. He stated that in order to build a solid mechanism for an agreement, the EDA was brought into the discussion, at which time the Board scheduled a public hearing for June 23, 2014 on the taxation ordinance to consider increasing the lodging tax. Mr. Suter briefly reviewed each page of the draft Performance Agreement and asked the Board and EDA to further discuss the draft Agreement and provide staff with any additional comments.

EDA member Ms. Janie Harris asked a question about section IV letter (e) of the agreement, related to default by the VHC. Ms. Harris's question was whether or not the EDA would be considered a creditor in the event of default by the VHC through the sale of the VHC.

County Attorney Vickie Huffman stated that the EDA would not be considered a creditor as the agreement is currently drafted, because it is set up as a payment, not a loan.

Ms. Harris asked if the agreement could be amended to allow the EDA to receive a portion of the funds from the selling of the VHC in the event that the VHC is sold.

Ms. Huffman confirmed that such an amendment is possible.

Supervisor Ford asked if ownership of the VHC, following default, would go to the USDA to be resold to any and all bidders.

Ms. Huffman stated that the VHC property is subject to the lien of the USDA, so if there were default on the USDA loan, the USDA could foreclose.

Ms. Harris shared her concern over the amount of land at the VHC that could be sold in portions to service debt. She asked that language be added to the agreement that, whether the entire facility is sold or just portions, the EDA be reimbursed for contributions made to the VHC from the proceeds of the sale.

Ms. Huffman asked Ms. Harris to clarify what contributions she was referring to in her previous request.

Ms. Harris explained that she was referring to the proceeds of the 1% additional new tax.

Ms. Huffman stated that, in the event of default, the USDA loan would take precedence and if the security of the USDA loan were equal to or in excess of what was owed, then there would not be any remaining funds.

Mr. Suter suggested taking the draft agreement back and researching the feasibility of adding the language suggested by Ms. Harris in the next draft agreement.

Chairman Higgins stated that the VHC could not be sold to an individual, but only sold to another non-profit organization.

EDA Chairman Jones asked if the 1% tax increase would continue to be paid to the USDA should the VHC file for bankruptcy.

Chairman Higgins stated that the agreement would no longer be valid, should the VHC declare bankruptcy.

Ms. Huffman confirmed that, in the event of default on the part of the VHC, the agreement would automatically be terminated as written in the Performance Agreement.

Supervisor Ford reminded the Board that VHC Treasurer Tom Clarke was planning a visit to USDA to try to renegotiate the interest rate of the USDA loan existing prior to February 6, 2007. He then asked what would happen to the balance of the proceeds of the current 2% tax collected should negotiations be successful and the 2% proceeds be more than enough to make the required annual payment.

Ms. Huffman stated that the 2% tax must be paid toward the USDA loan as agreed upon on in the agreement dated February 6, 2007. She noted that, should there be a surplus generated by the 2% tax collected, the surplus would be paid toward principal. The other option would be to revise the ordinance.

Supervisor Hinty asked Mr. Bolster how much lodging tax is collected each month.

Mr. Bolster responded that approximately \$35,000 is now collected monthly.

Mr. Hinty noted that, should lodging continue to increase, there will be enough tax collected to pay off the debt service without having to increase the lodging tax 1% as proposed.

Mr. Suter stated that the proposed 1% tax could then be used for other tourism related projects.

Chairman Higgins asked the County Attorney to clarify that the proposed 1% could be used for other projects related to the EDA.

Ms. Huffman stated that the Board could determine whether or not those funds need go through the EDA. Regardless, she noted, the Board would have to approve how those funds were used. She then noted that there is only one restriction to use of the proposed new funds, and that is that the funds be spent only on tourism related projects.

Supervisor Campbell stated that he had previously given the Board a list of things to consider adding into the draft agreement. The first amendment he requested was to add, "Whereas the VHC is encouraged to add a new sports complex," or something similar. The second amendment he requested was to add an additional "Whereas" following the third "Whereas" on page two of the agreement, to say something to the effect of, "Whereas the VHC shall not refinance the debt service without the approval of the Board of Supervisors". The third amendment he requested was to add language to the bottom of page two of the agreement that the Board of Supervisors be consulted on any future dedication of conservation easements on portions of the VHC property.

EDA Member Stephen Beck agreed with having the Board of Supervisors oversee any future dedication of conservation easements.

Supervisor Lewis indicated that he is in full support of sports complexes in the County but suggested not adding that language to the agreement.

Supervisor Hinty asked VHC Treasurer Tom Clarke to explain what is projected following the refinancing of the USDA loan.

Mr. Clarke explained that there would be two options the VHC could consider during negotiations of refinancing the loan. The first option would be to refinance and borrow additional funds to be used for safety-related capital maintenance expenses. The second option would be to refinance and not borrow the savings from the refinancing but, instead, reduce the term of the loan.

Supervisor Campbell suggested adding language to the agreement that will be beneficial in the long-term.

With no further business to discuss, the EDA closed their meeting at 6:34 P.M.

Chairman Higgins provided a nine (9) minute break before returning to the Board of Supervisors meeting at 6:44 P.M.

Concurrence of School Division VRS Selection

Mr. Bolster briefly reviewed the Agenda Item: "The Virginia General Assembly passed legislation during its 2012 session allowing School Divisions, by resolution, to adopt rates for the non-professional group which are lower than the rates certified by the VRS Board of Trustees, with the shortfall being made up over the next three biennia. The intent of the legislative language was to provide local governments and school divisions some budget relief for the upcoming fiscal years related to their retirement contribution level. The opportunity to select an alternative rate does not change the VRS Board-certified rate. In June 2012, the School Board adopted the certified rate, with the assumption

that they would continue to do so for each of the subsequent four biennia. On June 3, 2014, the School Board adopted the full, VRS-certified rate of 8.51% for the non-professional group for FY 2015 and FY 2016 (the certified rate is higher than the alternate rate). Staff recommendation is to concur with the School Board's selection to adopt the VRS-certified rate. Acceptance of this recommendation will relieve the County of the requirement of calculating the School Division's deferred liability and noting it in the County's financial statements, allow their non-professional group pool to become fully funded sooner, avoid having fewer assets available for benefits, and assure a lower funded ratio for the next actuarial valuation."

Supervisor Ford moved to adopt the proposed resolution. A second was provided by Supervisor Lewis, and the resolution was adopted upon unanimous roll call vote by the Board.

AYES: Ford, Lewis, Campbell, Hinty, Higgins

NAYES: None

ABSENT: None

Local Governing Body Concurrence with School Division Electing to Pay the VRS Board-Certified Rate

(In accordance with the 2014 Appropriation Act Item 467(I))

Resolution

BE IT RESOLVED, that the County of Rockbridge (55181) does hereby acknowledge that Rockbridge County Public Schools has made the election for its contribution rate to be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that County of Rockbridge (55181) does hereby certify to the Virginia Retirement System Board of Trustees that it concurs with the election of Rockbridge County Public Schools to pay the Certified Rate, as required by Item 467(I) of the 2014 Appropriation Act; and

NOW, THEREFORE, the officers of County of Rockbridge (55181) are hereby authorized and directed in the name of County of Rockbridge to execute any required contract to carry out the provisions of this resolution. In execution of any such contract which may be required, the seal of the County of Rockbridge, as appropriate, shall be affixed and attested by the Clerk.

John M. Higgins, Chairman

CERTIFICATE

I, Spencer H. Suter, Clerk of the County of Rockbridge, certify that the foregoing is a true and correct copy of a resolution passed by the County of Rockbridge and ratified by the County of Rockbridge at a lawfully organized meeting of County of Rockbridge held at Lexington, Virginia at five-thirty P.M. on June 9, 2014. Given under my hand and seal of the County of Rockbridge this 9th day of June, 2014.

Spencer H. Suter, Clerk

RECORDED VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Consideration of Erosion and Sediment Control Contract

Mr. Suter briefly reviewed the Agenda Item: "On May 12th, the Board of Supervisors approved staff rankings of proposals submitted by firms to provide plan review for Erosion and Sediment Control [E&S] and Stormwater Plans for the County of Rockbridge. Negotiations have resulted in a draft contract with the top-ranked proposer, Joyce Engineering. To recap, the contract would provide for external review of detailed E&S and Stormwater management plans. The fee schedule submitted by Joyce Engineering is in line with the review fees adopted by the Board in the May 28 Stormwater Ordinance revision public hearing. Should any future trending indicate

that the fees assessed by the County tend to over- or under-charge, based on contracted costs, the ordinance could be revisited and the fee schedule adjusted. At the time of writing, negotiations on the specifics of a contract with Joyce engineering were in progress but were not yet complete. However, ongoing discussions/negotiations do not involve the set proposed fee schedule. Services associated with a new contract would commence on July 1. The contract would be for a period of two years, with the option for two, two-year renewals." He went on to note that a draft contract had been reached and copies distributed for Board review.

Supervisor Lewis moved to authorize the County Administrator to finalize negotiations with Joyce Engineering and enter into a contract with the effective date of July 1, 2014. A second was provided by Supervisor Ford, and the motion carried upon unanimous roll call vote by the Board.

AYES: Lewis, Ford, Campbell, Hinty, Higgins

NAYES: None

ABSENT: None

Consideration of FY14-15 Delivery of Petroleum Product Bids

Mr. Bolster briefly reviewed the Agenda Item: "The County advertised an Invitation for Bids on the FY14-15 Petroleum Products from May 7th through May 29th. Five vendors submitted bids to the County. These bids were opened and read on May 29th beginning at 2:00 p.m. in the Rockbridge County Administration Building, 2nd floor. Staff recommends that the Board adopt the attached resolution declaring that the County Administrator is hereby authorized to execute the respective 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 these transactions, which shall be approved as to form by the County Attorney." Mr. Bolster noted that staff had met to discuss the option of using a higher ethanol mix. After discussion, staff recommends to continue using low-ethanol 87 octane.

Supervisor Ford asked where, based on current fuel usage, the County stands with regard to fuel costs in the coming budget year.

Mr. Bolster indicated that the County has budgeted for a slight increase in fuel costs in the next fiscal year. He noted that he had prepared a comparison, and that bid amounts this year came in slightly higher.

Supervisor Ford revisited the suggestion Chairman Higgins had brought forth during an earlier discussion regarding fuel usage, agreeing that the County should begin looking at ways to reduce fuel consumption.

Supervisor Lewis moved to adopt the resolution awarding contracts for petroleum products. Supervisor Campbell provided the second, and the resolution was adopted upon 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, JUNE 9, 2014

**RESOLUTION AUTHORIZING AWARD OF FUEL BIDS TO AND EXECUTION OF
THE CONTRACT DOCUMENTS WITH WHITING ROCKBRIDGE OIL COMPANY FOR
THE PURCHASE OF AUTOMATIC TRANSMISSION FLUID; AND PETROLEUM**

TRADERS FOR THE PURCHASE OF OVER-THE-ROAD DIESEL (NATURAL BRIDGE AND FAIRFIELD ELEMENTARY SCHOOLS); AND DIXIE GAS AND OIL CORPORATION FOR THE PURCHASE OF 87-OCTANE GASOLINE (COUNTY MAINTENANCE GARAGE AND LAKE ROBERTSON), BULK OIL, ANTI-FREEZE, PLUS L.P. GAS; AND JAMES RIVER SOLUTIONS FOR THE PURCHASE OVER-THE-ROAD DIESEL (COUNTY MAINTENANCE GARAGE), OFF-ROAD DIESEL (LANDFILL) AND HEATING OIL

WHEREAS, the County has issued Invitations to Bid for the purchase of fuels for motor vehicles, buses, equipment and facilities; 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, the lowest responsive and responsible bidders for the purchases are as follows: Whiting Rockbridge Oil Company for the purchase of automatic transmission fluid; and Petroleum Traders for the purchase of over-the-road diesel (Natural Bridge and Fairfield Elementary Schools); and Dixie Gas and Oil Corporation for the purchase of 87-Octane gasoline (County Maintenance Garage and Lake Robertson), bulk oil, anti-freeze, and L.P. gas; and James River Solutions for the purchase of over-the-road diesel (County Maintenance Garage), off-road diesel (Landfill), and heating oil; and,

WHEREAS, the award of the bids to the lowest responsive and responsible bidder and approval of the contracts 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 Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$3.0220 for the purchase of Regular No-Lead 87-Octane Gasoline delivered to the Rockbridge County Maintenance Garage.

2. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$3.1370 for the purchase of Regular No-Lead 87-Octane Gasoline delivered to Lake Robertson.

3. That James River Solutions be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$3.004 for the purchase of over-the-road Diesel delivered to the Rockbridge County Maintenance Garage.

4. That Petroleum Traders be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$3.0241 for the purchase of over-the-road Diesel delivered to Natural Bridge Elementary School and Fairfield Elementary School.

5. That James River Solutions be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$3.0663 for the purchase of off-road Diesel delivered to the Rockbridge County Landfill.

6. That James River Solutions be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$3.0663 for the purchase of Heating Oil delivered to Highland Belle School.

7. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid price of \$6.75 for the purchase of 5W-20 oil; \$6.25 for the purchase of 5W-30 oil; \$6.50 for the purchase of 10W-30 oil; \$7.75 for the purchase of 15W-40 oil; \$5.75 for the purchase of AW-30 hydraulic oil delivered to the Rockbridge County Maintenance Garage.

8. That Whiting Rockbridge Oil Company be and hereby is awarded the contract based on their bid price of \$6.92 for the purchase of automatic transmission fluid delivered to the Rockbridge County Maintenance Garage.

9. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid price of \$8.75 for the purchase of anti-freeze delivered to the Rockbridge County Maintenance Garage; \$1.3138 for the purchase of L.P. gas delivered to Rockbridge Middle School and Mountain View Elementary School.

8. That upon receipt of the completed Contract Documents from each of the lowest responsive and responsible bidders specified herein, and compliance with all remaining requirements therefor, the County Administrator is hereby authorized to execute the respective 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 these transactions, which shall be approved as to form by the County Attorney.

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

Adopted this 9th day of June, 2014.

Recorded Vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
John M. Higgins, Chairman

Attest: _____
Spencer H. Suter, Clerk

Consideration of Contract for Lake Robertson Pool Repairs

Mr. Bolster briefly reviewed that Agenda Item: "On April 22, 2014, the Board of Supervisors authorized the issuance of a Request for Proposal (RFP) to procure the services of a qualified contractor to inspect and repair the Lake Robertson pool located at 106 Lake Robertson Drive, Lexington, Virginia 24450. The County issued an RFP on May 7, 2014 with advertising running for two consecutive weeks. The RFP was also published on the County's website from May 7th through the 22nd. One firm submitted a proposal by 2:00 PM EST on Thursday, May 22nd in accordance with RFP#

2014-05-001. The evaluation committee members have confirmed the qualifications, experience, and ability of National Pools of Roanoke, Inc. , to execute this project to the satisfaction of the County's planned budget cost and targeted completion schedule."

Supervisor Hinty moved to authorize the County Administrator to enter into negotiations with National Pool of Roanoke and to enter into an agreement. 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

Consideration of contract for outside agency production of the Solid Waste Development Plan

Mr. Suter briefly reviewed the Agenda Item: "As presented at the May 29th Rockbridge County Board of Supervisors meeting, three proposals were received on April 3, 2014 in response to the County published RFP# 2014-02-001 'Outside Agency Production of Solid Waste Development Plan'. The Solid Waste Subcommittee determined that SCS Engineers would be selected for an initial interview, based on the published criteria. Subsequently, an interview was held on April 29, 2014, which resulted in the development of a revised scope of services. A revised scope of services document, including cost information, was provided to the County by SCS Engineers on May 14, 2014. Total cost for the comprehensive Solid Waste Development Plan and reporting is not to exceed \$38,000. Funding of \$15,000 was

approved in the current FY 13-14 budget for this project. Additional funding of \$23,000 has been identified under FY 13-14 'Contracted Services' line 11-42030-3001, due to better management of the contract and the closure of the "Old Drive-In" dumpster site on Rt. 501. The funds will be transferred during the current fiscal year and carried over to FY 14-15 as necessary to continue the project to completion. An agreement fully outlining the terms and conditions has been prepared by staff and the County attorney. Several minor changes have been requested of SCS. The document is currently being reviewed by SCS Engineers and may require some additional input from the County Attorney pending any additional questions raised by SCS Engineers."

Supervisor Ford moved to authorize staff to finalize any necessary contract language, execute the contract, and begin work on the project. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board.

After the vote, Supervisor Lewis requested further information regarding the scope of services in the SCS contract. Mr. Suter explained that SCS will be proposing ways to improve how the County handles its solid waste stream before opening the lined landfill cell. Cost savings and more efficient recycling are also goals to be considered.

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

Establish Board Salaries

County Attorney Vickie Huffman briefly reviewed the Agenda Item: "Between May 1st and June 30th of each year, the Board of Supervisors is required to establish the annual salary of its members for the ensuing year, following notice and public hearing. For your reference, copies of the applicable statutes are attached - Va. Code § §15.2-1414.1, 15.2-1414.2, and 15.2-1414.3. Board salaries are currently set at \$5,500 per year, the maximum permissible under Va. Code §15.2-1414.3. No inflation factor has previously been approved and the Board has not had a salary increase since January 1, 1996. The Board must also establish the additional annual salary of the Chairman and the Vice-Chairman, currently set at \$1,800 for the Chairman and \$23 per week for the Vice-Chairman to serve during an extended absence of the Chairman, up to a maximum of \$1,200 per year. A draft Ordinance is attached for the Board's consideration. This draft is the same as the 2013 Ordinance, but can be revised if the Board determines to add an inflation factor to the salaries, to reinstate the Vice-Chairman's annual salary, or otherwise make adjustments."

Supervisor Campbell moved to schedule a public hearing on the ordinance for June 23, 2014. A second was provided by Supervisor Ford, and the motion carried by unanimous roll call vote by the Board.

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

Acceptance of Broadband Easement

Ms. Huffman explained that this agenda item was for acceptance of a corrected underground easement associated with the Broadband project.

Supervisor Campbell moved to adopt the resolution. A second was provided by Supervisor Ford, and the resolution was adopted upon 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, JUNE 9, 2014

RESOLUTION 060914-13 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") 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 deed of easement set forth herein has been executed by the specified property owners to donate the easement necessary for the Project; and,

WHEREAS, the Board of Supervisors agrees to the acceptance of said easement, with the understanding that said easement will automatically transfer to the Rockbridge Area Network Authority 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 easement, 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>
Dwight Wade Robinette	89C-1-1	Forge Road
Tamera B. Robinette		(underground)

2. That the sum of \$17.00, is hereby appropriated and approved for recordation of the deed 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 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 9th day of June, 2014

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

Approval of a South River Property Lease- Donale Clark

Ms. Huffman briefly reviewed the Agenda Item: "The County owns a number of properties on South River that were acquired in connection with the South River Flood Mitigation Project. The Open Space Policy adopted by the Board of Supervisors gives leasing priority to former property owners, then to adjoiners. Donale L. Clark, the former owner, has been leasing the 2.095-acre portion of land identified as Tax Map #52-3-3K. He is interested in continuing to lease the parcel for another five (5) years. A copy of the tax map is attached for the Board's reference. In accordance with the Open Space Policy, the lease to Mr. Clark would be for a five (5) year period at a total annual rental of \$62.70, and would be subject to all of the conditions imposed on the property in connection with the FEMA grant. The proposed new lease is the same as the previous one, with appropriate date changes. Approval of the lease requires adoption of an Ordinance, following a public hearing. A proposed Ordinance is attached for the Board's review and consideration, as well as a copy of the proposed Lease Agreement."

Supervisor Hinty asked what the process would be to get all lease renewals on the same cycle.

Ms. Huffman explained that the process could begin after five (5) years when the leases are up for renewal.

Supervisor Hinty asked Mr. Crickenberger if all the leased properties continue to meet all requirements.

Mr. Crickenberger answered that they did.

Supervisor Hinty moved to schedule a public hearing on the ordinance. 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

Consideration of VDOT Resolutions

Mr. Crickenberger explained that one of the polices of VDOT's Rural Rustic Road program is for the Board to pass a resolution for each project in order for VDOT to proceed with construction. He presented the four (4) resolutions and requested approval by the Board.

Supervisor Campbell moved to approve each of the four (4) resolutions. Supervisor Lewis provided the second, and the resolutions were adopted upon unanimous roll call vote by the Board.

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

The Board of Supervisors of Rockbridge County, in regular meeting on the 9th day of

June, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia (“Board”) desires to consider whether Route 65, Hartsook Road, From: 00.14 Mi N Int Rte 608, To: Rte 608 should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Adopted this 9th day of June, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

The Board of Supervisors of Rockbridge County, in regular meeting on the 9th day of

June, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia (“Board”) desires to consider whether Route 717, McClung Road, From: 0.1 Mi W Int Rte 11, To: 0.1 Mi S Int Rte 716 should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Adopted this 9th day of June, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

The Board of Supervisors of Rockbridge County, in regular meeting on the 9th day of

June, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia (“Board”) desires to consider whether Route 815, School House Road, From: Int Rte 606, To: 0.1 Mi N Rte 606 should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Adopted this 9th day of June, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

The Board of Supervisors of Rockbridge County, in regular meeting on the 9th day of

June, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia ("Board") desires to consider whether Route F234, Dixon Lane, From: 0.4 Mi S Rte 699, To: Rte 699 should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Adopted this 9th day of June, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

Consideration of LEOS Resolution

Mr. Suter briefly reviewed the Agenda Item: "As you may recall, the Commonwealth has mandated that, with a few exceptions, employees hired after January 1, 2014 be covered under the State's new 'Hybrid' retirement plan. Included in the list of exceptions are Law Enforcement and Fire/EMS employees. Director of Fire and EMS Craig Bryant was hired as a fully certified Fire/EMS responder, with the intent that he be covered under the traditional Virginia "Plan 2" retirement plan. When we submitted his credentialing to VRS, it was learned that the County must first adopt a resolution declaring full time Fire/EMS personnel inclusion under the LEOS plan, similar to previous actions taken on behalf of Law Enforcement personnel. It is important to note that this irrevocable resolution will have lasting impacts, should the County ever hire full-time Fire/EMS personnel. However, inclusion of Fire and EMS personnel been under the

LEOS program has become the standard in this region." He then recommended approval of the resolution to elect benefits equivalent to those provided under the State Police Officer's retirement system for full time salaried firefighters and emergency medical technicians.

Supervisor Campbell moved to adopt the resolution as presented. Supervisor Lewis provided the second, and the resolution was adopted upon 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, JUNE 9,
2014

Resolution To Elect Benefits Equivalent to Those Provided Under the State Police
Officer's Retirement System, as Set Out in Virginia Code Section 51.1-138, for Full
Time Salaried Firefighters/Emergency Medical Technicians

Be it hereby resolved that the County of Rockbridge, Virginia, a political subdivision currently participating in the Virginia Retirement System under Title 51.1, Chapter 1, Article 5 of the Code of Virginia, as amended, acting by and through its Board of Supervisors does hereby elect to have such employees of the County of Rockbridge who are employed in positions as full time salaried Firefighters/Emergency Medical Technicians and whose tenure is not restricted as to temporary or provisional appointment, to become eligible, effective July 1, 2014, to be provided benefits in the Virginia Retirement System equivalent to those provided for State police officers of the Department of State Police, as set out in Section 51.1-138 of the Code of Virginia, in lieu of the benefits that would otherwise be provided as such code has been or may be amended from time to time, and the County

of Rockbridge agrees to pay the employer cost for providing such employees such benefits.

Be it further resolved that Spencer H. Suter, County Administrator, and Spencer H. Suter, Clerk, be and they are hereby authorized and directed in the name of the County of Rockbridge to execute any required contract in order that the above described employees of the County of Rockbridge may become entitled to retirement benefits equivalent to those provided for State police officers of the Department of State Police. In execution of any contract which may be required the seal of the County of Rockbridge shall be affixed and attested by the Clerk and, said officers of the County of Rockbridge are hereby authorized and directed to do any other thing, or things, incident and necessary in the lawful conclusion of this matter. The Treasurer of the County of Rockbridge be and is hereby authorized and directed and pay over to the Treasurer of Virginia from time to time such sums as are to be paid by the County of Rockbridge and its employees for this purpose.

Adopted this 9th day of June, 2014.

Recorded Vote:

AYES:

NAYES:

ABSENT:

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

CERTIFICATE

I, Spencer H. Suter, Clerk of the Board of Supervisors of Rockbridge County, Virginia, certify that the foregoing is a true and correct copy of the resolution passed at a lawfully organized meeting of the Rockbridge County Board of Supervisors held at the Rockbridge County Administrative Offices, 150 South Main Street, Lexington, Virginia, at 5:30 o'clock p.m. on Monday, June 9, 2014. Given under

my hand and seal of the Clerk of the County of Rockbridge this _____ day of _____, 2014.

Clerk

Staff Reports

Supervisor Ford moved to accept the staff reports 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

Board Comments

Supervisor Hinty stated that he had received several calls from parents of children who participate in RARO sports, asking him for a book of procedures on how children are selected for teams.

Chairman Higgins asked Mr. Suter to write a letter to Chris Cartwright, Chairman of the RARAO Board of Directors, to try to retrieve and forward the requested materials.

Closed Meeting

Supervisor Hinty moved to enter into a Closed Meeting as Permitted by Virginia Code Section 2.2-3711(A)(1), a personnel matter involving appointment or promotion of particular officers, appointees or employees, and demotion, discipline or resignation of specific officers, appointees or employees. Supervisor Lewis provided the second, and the motion was approved by unanimous roll call vote.

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

Supervisor Hinty moved to reconvene in open session, seconded by Supervisor Ford, and the motion was approved by unanimous roll call vote by the Board.

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

Supervisor Hinty moved that the Board certify that, in the closed meeting just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. A second was provided by Supervisor Lewis, and the motion carried by unanimous roll call vote by the Board.

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

Adjourn

With no further business to discuss, the meeting was adjourned by unanimous vote by the Board.

