

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

PRESENT: CHAIRMAN J.M.HIGGINS
MEMBERS: R.S.FORD, A.W.LEWIS, JR., R.R.CAMPBELL, D.W.HINTY, JR.
CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN
FISCAL DIRECTOR: STEVEN BOLSTER
STAFF: SHERIFF CHRIS BLALOCK, BRANDON MITCHELL,
ROBERT FORESMAN, CHRIS SLAYDON, BRANDY WHITTEN

Call to Order

Chairman Higgins called the meeting to order at 5:31 P.M.

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

Recognitions/Presentations

Introduction of new Director of Fire and EMS- Brandon Mitchell

County Administrator Spencer Suter introduced Brandon Mitchell, who began working with the County on October 1, 2014 as the new Director of Fire and EMS. Mr. Suter advised that Mr. Mitchell and Emergency Management Coordinator Robert Foresman have been working on a response to the Ebola issue. Mr. Suter stated that, since being hired by the County, Mr. Mitchell has been working to make contact with area Fire and EMS agencies. Mr. Suter also stated that there was a "Meet and Greet" on Tuesday, October 7, 2014, at which Mr. Mitchell was able to meet many members of Fire and EMS from both Rockbridge County and surrounding localities.

Mr. Mitchell came forth to thank the Board and Mr. Suter for the opportunity to work for Rockbridge County. He gave a special thank you to Supervisor Lewis for visiting with him and his family upon his arrival to

the County. He stated that the visit meant a lot to him and his wife. He also thanked the community for the way they welcomed his family to the County.

Resolution Honoring Torben Pedersen

Mr. Suter asked that the presentation for Mr. Pedersen be held off until later in the meeting when Mr. Pedersen could be present, following his last meeting serving on the PSA which was occurring concurrently with the Board of Supervisor's meeting.

Resolution of Appreciation for FireFighters/Fire Prevention Month

Mr. Suter stated that all County residents owe our thanks to Firefighters and EMTs for their tremendous sacrifices, not only in rolling out of bed in the middle of the night to help a neighbor during their time of greatest need, but also for the time spent in training, meetings and raising funds. This also translates to a debt owed to their families, who share these heroes with us. He further noted that in the spring, we honor EMS providers and that in October, we are honoring firefighters in recognition of Fire Prevention Month.

Supervisor Ford then read aloud the following proclamation:

**PROCLAMATION EXPRESSING THE APPRECIATION OF THE
BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO
LOCAL FIRE AGENCIES AND FIREFIGHTERS**

WHEREAS, The President of the United States traditionally designates the week in which the date of October 9 falls as National Fire Prevention Week; and,

WHEREAS, the men and women of the Fire agencies serving Rockbridge County, the City of Lexington, and the City of Buena Vista provide a vital public service by responding to the fire suppression and technical rescue 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 fire service providers; and,

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

WHEREAS, Firefighters 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; and

WHEREAS, Firefighters participate in numerous hours of rigorous training and continuing education in order to enhance their life and property-saving skills; and,

WHEREAS, Firefighters demonstrate a high level of commitment and dedication to their communities and fellow citizens by providing constant presence and 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 entire month of October, 2014 as National Fire Prevention Month, during which all of our residents may join in celebrating the dedication of our local Fire Departments and Firefighters, past and present, and their families, whose support allows them to serve our community.

Adopted this _____ day of _____, 2014

John M. Higgins
Chairman Board of Supervisors

ATTEST:

Spencer H. Suter
County Administrator

[SEAL]

Following his reading of the proclamation, Supervisor Ford moved to adopt the proclamation 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

Chairman Higgins asked the County Administrator to be sure each fire agency receives a copy of the executed Proclamation.

Citizens Comments

Chairman Higgins called for citizens comments. There were none.

Items to be added to the Agenda

Chairman Higgins added an appointment to the Planning Commission.

Approval of Minutes- September 22, 2014

Supervisor Ford indicated that prior to the Board Meeting the County had received a request from Robert Gorrell asking the Board to consider additional wording to the proposed draft Minutes for September 22, 2014. He asked that the additional wording be added for the public hearing related to Rockbridge Stone. Supervisor Ford reviewed Mr. Gorrell's amendment request, and added the following: "Supervisor Campbell asked if the Planning Commission took into consideration the maximum and minimum slopes. Mr. Slaydon stated that the Planning Commission had not discussed the maximum or minimum slopes. Supervisor Ford then asked Mr. Orrison how surveyors' measure sloped land when making plats. Mr. Orrison replied that all plats are based on horizontal distances, so steeper slopes lead to greater distance on the ground between Mr. Gorrell's boundary and the proposed limit of mining activity."

Following his review of the amendment to the Minutes, Supervisor Ford moved to approve the September 22, 2014 Minutes, as amended. 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

Financial Report

Finance Director Steven Bolster reviewed his monthly memorandum. Activities for the Commissioner included: working on adjustments to personal property accounts; preparing the first 2014 supplemental book for personal property, continuing efforts on the December 2014 real estate tax book; working on land-use revalidations for 2015; and assessing new construction.

Mr. Bolster then presented the activities for the Treasurer: collections of personal property taxes due October 6, 2014 continue; begin work on delinquent notifications for personal property; preparing list of outstanding Delinquent real estate (2011 and earlier) files advancing to Taxing Authority Consulting Services attorney for collection; delinquent Real Estate Tax Sale held Oct 10, 2014 10AM in the Circuit Court; state Auditor completed fieldwork September 24 - 26, 2014; auditors on site to complete final fieldwork for FYE 2014 October 6 - 9, 2014; auditors to complete final fieldwork for FYE 2014 October 27 - 30, 2014; and end of month preparation of Real Estate billings (due December 5, 2014).

Mr. Bolster then provided procurement updates for the Greenhouse Village Housing Production project and the Rockbridge Middle School development. He noted that the RFP for the Rockbridge Middle School was published on the eVA website as well as local and regional papers.

After reviewing the Revenues Versus Expenditures Chart, Mr. Bolster presented the School Appropriation Resolution.

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

AYES: Hinty, Campbell, Ford, 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 TUESDAY, OCTOBER 14, 2014 AT 5:30 P.M.

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

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby are made, for the period ending **June 30, 2015** in **FUND 50, SCHOOL FUND** and expended as follows:

Grants

Title II 2013

4-50-61100-3160-910-100-831 Grant Coordinator..... \$2,000.00
Sub Total..... \$2,000.00

ISAEP 2014

4-50-61100-3160-312-500 Purchased Services..... \$1,200.00
4-50-61100-6013-312-500 Materials & Supplies..... \$800.00
Sub Total..... \$2,000.00

School Division Facility Upgrades (multiple schools)

4-50-61100-8201-910 Capital Outlay Additions.....	\$74,237.00
4-50-64200-3160-920 Contracted Svs-Safety Inspect.....	\$11,753.00
4-50-64200-3160-940 Contracted Svs-Safety Inspect.....	\$11,950.00
4-50-64200-3160-960 Contracted Svs-Safety Inspect.....	\$3,700.00
4-50-64200-3160-970 Contracted Svs-Safety Inspect.....	\$9,891.00
4-50-64200-3160-990 Contracted Svs-Safety Inspect.....	\$11,492.00
4-50-64200-6007-915 Building Materials.....	\$20,195.00
4-50-64600-5800-915 Non-Capital Security.....	\$45,703.00
4-50-68200-6050-910 Non-Capital Tech Hardware.....	\$137,452.00
Sub Total.....	\$326,373.00

TOTAL FUND 50 APPROPRIATIONS **\$330,373.00**

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby are made, for the period ending **June 30, 2015** in **FUND 70, SCHOOL CONSTRUCTION FUND** and expended as follows:

4-70-66200-3160-950 Purchases Services	\$16,149.00
--	-------------

TOTAL FUND 70 APPROPRIATIONS **\$16,149.00**

RECORDED VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

John M. Higgins
Chairman

Attest: _____

Spencer H. Suter
County Administrator

Mr. Bolster then presented the County Appropriation Resolution.

Supervisor Hinty moved to approve the County Appropriation Resolution as presented. 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

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

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

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations are, and the same hereby is made, for the period ending **June 30, 2015**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-31020-1008 Overtime (DMV ADEP Grant).....	\$3,675.00
4-11-31030-7001 Homeland Security Grant.....	\$881.00
4-11-32050-3006 Contrb-Medical Physician Stipend.....	\$2,500.00
4-11-34015-3002 Contracted Services.....	\$3,077.00
4-11-42030-3003 Professional Services.....	\$7,689.00
4-11-81090-3004 Wayfinding Signage Grant.....	\$1,690.00
4-11-81090-5696 RANA Line of Credit.....	\$3,135.00
4-11-99010-6192 Transfer to Lined Landfill.....	\$46,414.00
4-11-99010-6501 Transfer to School Fund (Ops).....	\$326,373.00

Total General Fund Appropriations **\$395,434.00**

Current County

11 - General Fund	\$547,924.97
94 - Central Stores	<u>\$2,960.72</u>

Total County Bills **\$550,885.69**

Current Fiscal Agent

80 - Regional Jail	\$78,359.94
92 - Drug Fund	<u>\$2,840.21</u>

Total Fiscal Agent

\$81,200.15

TOTAL ALL BILLS

\$632,085.84

RECORDED VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

John M. Higgins
Chairman

Attest:

Spencer H. Suter
County Administrator

Convene Solid Waste Authority

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

Mr. Bolster presented that Solid Waste Authority Appropriation Resolution.

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

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

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON TUESDAY, OCTOBER 14, 2014 AT 5:30 P. M.

On motion of Supervisor_____, with second by Supervisor_____, the Authority, by record vote, adopted the following appropriation resolution and payment of bills for the month as follows:

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Rockbridge County Solid Waste Authority, that the following appropriations are, and the same hereby is made, for the period ending **June 30, 2015**, from the UNAPPROPROATED SURPLUS of the **SWA-LANDFILL FUND** and expended as follows:

4-19-19050-3002 Professional Services.....	\$368.00
4-19-19050-3006 Seeding/Mowing/Erosion Control.....	\$118.00
4-19-19070-3001 Engineering Services.....	\$46,414.00
Total SWA-Landfill Fund Appropriations	\$46,900.00

Current SWA

19 - SWA-Landfill	\$85,242.15
20 - SWA-Recycling	<u>\$6,549.86</u>

TOTAL SWA BILLS **\$91,792.01**

RECORDED VOTE:
AYES:
NAYS:
ABSTAIN:
ABSENT:

John M. Higgins
Chairman

Attest: _____
Spencer H. Suter
County Administrator

With no further business to discuss, the Solid Waste Authority was closed and the Board of Supervisors reconvened in their regular meeting.

Consideration of Communications System Contract extension

Mr. Suter introduced those involved with the project: 911 Board Chairman, Sheriff Blalock; Wayne Duff and Helen Molher of Harris Corporation; and the new Project Manager, Jon Ellestad. He then briefly reviewed the Agenda Item: "As you are aware, our original agreement with Harris Communications for a new, regional radio system provided for a 60 day no-fault exit - the Regional Emergency Communications Board could exit the contract at any time during that period with no further obligation. The primary purpose of the grace period was to: 1) Provide time for the County to secure necessary financing, and 2) Gain assurances that leased tower space will be available, in accordance with system design. Since that time, the County and Regional Communications Board have executed two extensions, for a total of 150 days, to allow Harris to satisfy the obligations regarding tower assurances. While Harris and the Regional Communications Board have worked diligently on this issue, it has proven to be a tougher issue to tackle than was originally expected. Discussions with Harris indicate that another 60 day extension is recommended. Two extensions will need to take place - The first is the extension by the Communications Board for the actual Harris contract. The second, related extension is between the County, as the financing vehicle, and PNC Bank."

Chairman Higgins asked Mr. Suter if the holdup was because of just a couple of the towers.

Mr. Suter generally confirmed, noting that there were multiple issues with timing of some of the tower review processes and the parties were collectively trying to work out the issues.

Supervisor Hinty asked how many towers.

Ms. Mohler of Harris Corporation replied that there are four towers still under review; she provided further specifics for each.

Supervisor Campbell asked the County Attorney to clarify if a statement from a previous Board member was accurate. The statement was that, during the initial consideration of the towers before constructed, the agreement was made that the county would have a space on the cell towers.

County Attorney Vickie Huffman replied that, in zoning approvals that is the case; however, tower owners are not required to provide space for free, and the county is still required to comply with their structural analysis requirements.

Supervisor Campbell asked Ms. Huffman if the Agreement included language to provide the County with tower space.

Ms. Huffman stated that to force the issue could be considered condemnation or "taking" the space.

Supervisor Lewis asked Ms. Huffman if anything in the older Agreements stated that space on the towers would be available for the County's use even though it would not be free.

Ms. Huffman stated that, per the zoning ordinance, in order to be approved for a permit, owners must provide space for 911 purposes if the space is available.

Supervisor Campbell asked if the wording of the zoning ordinance should be reworded.

Ms. Huffman advised against rewording the ordinance, stating that the County cannot take what is considered private property.

Supervisor Campbell stated that he had met individuals from a company in Arlington who provide free space on their towers in exchange for

allowing them to build their towers. He stated that he believes there are ways to help the county in the future.

Ms. Huffman offered to look into it.

Supervisor Lewis asked the total number of towers that are being considered for use with the new radio system.

Ms. Mohler replied that there are 13 tower sites.

Supervisor Lewis asked for clarification on there being eight (8) that are cleared and ready to go and five (5) that are still being considered.

Ms. Mohler confirmed.

Supervisor Lewis asked Sheriff Blalock to reassure the public that the County is not and will not be held accountable for work done, should the project ultimately fail.

Sheriff Blalock confirmed that the County will in no way be held accountable for any of the work done, should the project fail, as written in the agreement with Harris Corporation. He stated his hopes that the Board will consider an additional 90 day extension, so that the project can be completed. He further stated that he is now under the assumption that the County will not have any leverage through zoning and therefore do not have guaranteed space on the towers. He noted that rates for space on the towers have been negotiated for a discounted price for some of the towers but not all.

Supervisor Ford asked if the County would get preferential treatment from the owners of the towers as far as available space.

Sheriff Blalock stated that he, at first, was under the assumption that the County would have some guaranteed space on the towers even though

the County would not get the space for free. He stated that he now knows that there is no guaranteed space because there isn't anything in writing guaranteeing space.

Ms. Huffman stated that the questions and concerns have never come to her before and therefore she would have to look into it because she did not have answers at that time.

Supervisor Ford stated that he, like Sheriff Blalock, was under the assumption that the County would be given space on the towers should the structural analysis allow it.

Ms. Huffman clarified that the space must be reserved in order for the County to receive it.

Supervisor Lewis asked Ms. Huffman to research to see when the zoning was approved and what the exact wording was because, as he recalls, he read it was guaranteed space.

Assistant Director of Community Development Chris Slaydon explained that there were no conditions set to guarantee space.

Mr. Suter explained that there has not been any denial of space from the tower owners. He stated that there have been some negotiations to give a cost break to leasing space but have not been guaranteed free space.

Supervisor Campbell moved to authorize the County Administrator to work with the Regional Emergency Communications Center Board and Attorney Brian Kearney to execute an additional 90 day deadline extension with Harris Regional Emergency Communications Center Board and also to authorize the County Administrator to negotiate a similar extension of terms with PNC Bank. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Committee Report on Unmanned Aerial Vehicle (UAV)

Mr. Suter briefly reviewed the Agenda Item: "During the September 22 work session, the Board received a staff report on the potential advantages for use of an Unmanned Aerial Vehicle (AKA - Drone) in certain emergency responses. At that time, it was made clear that such a unit would not be used for law enforcement surveillance. A generalized listing of policies was discussed as well, resulting in Board direction for further, committee study.

A committee was subsequently formed, with the following membership:

- Robert Foresman - Emergency Management Coordinator
- Chris Blalock - Sheriff
- Matt Paxton - Citizen and pilot
- Spencer Suter - County Administrator

The committee met on September 29th to discuss potential additions or amendments to the draft set of policies. It was agreed that the majority of the previously presented general policies were sound and there were no significant additions. However, one area of concern was the public nature of data obtained via over-flights in an emergency response. Mr. Paxton agreed to research the issue. He reported his findings that all data (video/still pictures) recorded by the device would be considered public information. The implication is that anyone could request the data. The group further discussed which entity (Sheriff or Fire/EMS/Emergency Management) would house and maintain control of the unit. No committee

recommendation has yet been reached. In that work has not been fully completed, this committee report is primarily an update to the Board, as requested during the work session. Should the Board wish for the committee to continue moving ahead, additional meetings will be scheduled to finalize the draft policies."

Chairman Higgins stated that there were all good ideas presented at the Work Session; however, there are still many unanswered questions and still some concerns. He suggested that the Board agree to not take any action on this for at least a year.

Mr. Foresman was asked where the UAV came from that was used last year. He replied that it was a citizen's personal UAV. He noted that Albemarle County recently borrowed a UAV from VA Tech and that the County could probably just borrow theirs also if needed. Sheriff Blalock confirmed that, if needed, the Sheriff's Department could most likely borrow the UAV owned by VA Tech.

Supervisor Lewis stated that this is the second time the Board of Supervisors have gotten cold feet on making a decision on this, and if the funds are available, the Board should move forward with the process of obtaining a UAV because of how beneficial it will be.

Supervisor Campbell stated that it would be very beneficial for the County to own a UAV; however, he feels that the County does not desperately need one at this time and, if needed, could borrow one from another locality.

Supervisor Campbell moved to put this off for a year. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

Recognitions/Presentations continued...

Resolution honoring Torben Pedersen

Chairman Higgins asked Mr. Pedersen to come forth while Supervisor Lewis read aloud the following resolution:

RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO TORBEN H. PEDERSEN FOR DISTINGUISHED SERVICE ON THE ROCKBRIDGE COUNTY PUBLIC SERVICE AUTHORITY BOARD

WHEREAS, Torben H. Pedersen was appointed to the Rockbridge County Public Service Authority Board on September 11, 2006; and,

WHEREAS, Mr. Pedersen has worked diligently over the past eight years to provide consistently high quality water and sewer service to the citizens of Rockbridge County; and,

WHEREAS, Mr. Pedersen also served as Chairman of the Rockbridge County Public Service Authority for six years; and,

WHEREAS, Mr. Pedersen provided outstanding leadership and guidance to the Rockbridge County Public Service Authority Board of Directors and the Authority staff; and,

WHEREAS, during his term of service, Mr. Pedersen was instrumental in numerous projects of significant, positive impact, including the assimilation of the Long Hollow water system, the Raphine/Fairfield Wastewater and Collection Treatment System, the Deep Hole Relocation Project and the 16" Transmission Main Project; and,

WHEREAS, Mr. Pedersen's service was marked with great honor, integrity and distinction.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Supervisors of the County of Rockbridge, Virginia, does hereby express deep appreciation to Torben H. Pedersen for his dedicated service to the citizens of Rockbridge County.

Adopted this 14th day of October, 2014.

Chairman of the Rockbridge County Board of Supervisors:

John M. Higgins, Chairman

Spencer H. Suter, Clerk

The Board of Supervisors unanimously adopted the resolution and left the dais to take a photo with Mr. Pedersen.

**Continued Discussion on Special Exception Permit for Reginald Schofield-
holding yard in B-1**

Assistant Director of Community Development Chris Slaydon reminded the Board of the discussion that took place at the previous Board Meeting in which an application for a Special Exception Permit was considered following a public hearing. During the previous meeting, the Board decided to delay voting on the matter until additional information could be obtained regarding citizen complaints about the unsightly nature of the property Mr. Schofield's garage currently occupies. Mr. Slaydon read aloud the conditions for the proposed Special Exception Permit as follows:

1. Install a ten foot solid board fence along the south, east and north sides of the yard allowing for a gate on the south side facing Mr. Schofield's shop. A six foot solid board fence to be constructed on the west side.
2. Landscape fabric topped with asphalt milling material shall be placed over the yard area.
3. Pine trees shall be planted outside of the fence every twenty feet along the east and north sides of the yard.
4. No more than ten vehicles shall be held within the yard at any given time.
5. Shall meet all requirements of Section 23-103 of the County Code.
6. Shall be licensed through the DMV as a vehicle removal operator.

Applicant Reggie Schofield spoke on behalf of himself and his business, stating that he was not aware that the property seemed unappealing. He stated that he has several vehicles surrounding the property because he does run a business fixing tractor trailers and also a business for used vehicle sales. He noted that there were only three (3) vehicles stored on the property and that after the Sheriff's Department advised him to put car covers over them, he complied. Mr. Schofield then advised that, in accordance to the contract he has with the previous land owner of the property the shop resides on, the previous land owner can repossess the land at any time should he feel it is unsightly or overcrowded. To do so, Mr. Schofield stated that the previous land owner

must give a written notice asking him to make attempts at cleaning it up before repossession can occur. He further stated that he has yet to receive a notice from the previous land owner asking him to clean anything up or stating that it is unsightly. Mr. Schofield then assured the Board the he has all required business licenses to run his various enterprises on the property.

Supervisor Lewis stated that many citizens have complained about the state of the property surrounding the shop, indicating that it is unsightly. He stated that he has since seen improvements to make the facility and its surrounding more appealing. Supervisor Lewis then stated that because the Special Exception is for a separate piece of land, he feels there is no reason for the permit to be denied.

Supervisor Lewis moved to approve the ordinance, amending number five (5) of the conditions to state the following: "Shall meet all requirements of Section 23-103 of the County Code, and all applicable federal, state and county codes shall be complied with." Supervisor Campbell provided the second, and the motion carried by unanimous roll call votes 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 TUESDAY, OCTOBER 14, 2014

Ordinance to Grant a Special Exception Permit to Reginald Schofield for a Wrecked/Abandoned Vehicle Holding Yard in the General Business District (B-1) on a Parcel of Land Owned By Robert N. Smith (Portion of Tax Map No. 38-5-1) Located on the West Side of Ridge Road, Approximately 500 Feet North of Sterrett Road in the Walkers Creek Magisterial District

WHEREAS, the Planning Commission has held a public hearing on this matter on September 10, 2014;
and,

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

WHEREAS, the Board of Supervisors has held a public hearing on this matter on September 22, 2014;
and,

WHEREAS, the Board of Supervisors, after review of the application and all other documentation submitted by the applicant, the Planning Commission and the public, after due consideration to the presentations and comments at the public hearing hereon, and after evaluation of the factors set forth in §802.03-5 of the Rockbridge County Land Development Regulations, finds and determines that the proposed use, with the herein specified conditions, is consistent with the Comprehensive Plan, the policies of Rockbridge County, and the public interest.

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

1. That the Board finds that the granting of a special exception permit to Reginald Schofield for a wrecked/abandoned vehicle holding yard, pursuant to Rockbridge County Code Section 23-101(B) and Section 23-103, in the General Business District (B-1), on a 100' x 85' parcel of land depicted on 'Map Showing Proposed Holding Yard' on file in the department of Community Development, located on the west side of Ridge Road, approximately 500 feet north of Sterrett Road in the Walkers Creek Magisterial District of Rockbridge County, owned by Robert N. Smith (Portion of Tax Map No. 38-5-1), is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended) and said special exception permit is hereby approved with and subject to the conditions set out on Exhibit A attached hereto and incorporated herein by reference.

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

Adopted this ____ day of October, 2014.

ROCKBRIDGE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

Attest: _____
Spencer H. Suter, Clerk

EXHIBIT A

REGINALD SCHOFIELD

SPECIAL EXCEPTION PERMIT CONDITIONS

FOR WRECKED/ABANDONED VEHICLE HOLDING YARD:

1. Install a ten foot solid board fence along the south, east and north sides of the yard allowing for a gate on the south side facing Mr. Schofield's shop. A six foot solid board fence to be constructed on the west side.
2. Landscape fabric topped with asphalt milling material shall be placed over the yard area.
3. Pine trees shall be planted outside of the fence every twenty feet along the east and north sides of the yard.
4. No more than ten vehicles shall be held within the yard at any given time.
5. Shall meet all requirements of Section 23-103 of the County Code, and all applicable federal, state and county codes shall be complied with.
6. Shall be licensed through the DMV as a vehicle removal operator.

Consideration of Classification, Compensation Plan, and Performance

Evaluation Study

Mr. Suter briefly reviewed the Agenda Item: "In August, the County Administrator requested that the Board consider delaying the hiring of a Human Resources Manager for approximately 6 months and use the savings to conduct a salary and pay plan study for staff. During research for the initiative, it became clear that the study should include the following segments: Classification, Compensation Plan, and Performance Evaluation. A draft request for proposals was subsequently developed and shared with Chairman Higgins and Supervisor Campbell (the Board's personnel committee), who expressed support. A copy of the proposed RFP is attached. In that the scope of the project has been expanded, it is likely to cost more. We will not know costs until proposals are received, but it is anticipated that the savings from deferred hiring of a Human Resources Manager will be more than adequate to cover costs. The schedule to complete the process will need to be aggressive to complete in time for FY16 budget consideration. However, I feel that it is vitally important to ensure that our pay plan and evaluation system are updated, in the interest of the County's employees. In terms of procurement, staff and the committee feel that this work falls under non-professional services. Virginia Code section § 2.2-4303.C, states that, "Upon a determination made in advance by the public body and set forth in writing that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, goods, services, or insurance may be procured by competitive negotiation. The writing shall document the basis for this determination." Given this information, staff feels that, in order to

ensure that we gain the best product for the County and to meet the goals of the committee and scope of services, we will be better served by issuing a Request for Proposals, rather than a Request for Bids. This recommendation is based on the fact that the County would be best served by soliciting the most qualified provider of services, rather than the lowest bidder. In addition, an experienced proposer may offer recommendations, alternatives or phases, with varied pricing, which may prove beneficial to the County."

Supervisor Hinty stated that he believes it is time to consider these studies. He moved to authorize issuance of the attached Request for Proposals, finding that an Invitation to Bid is neither practicable nor fiscally advantageous to the public for reasons set forth. Supervisor Campbell provided the second.

Supervisor Ford agreed with having a salary survey and encouraged having a classification study also.

Supervisor Ford asked Mr. Suter if the goal is to have the study completed before the next budget consideration.

Mr. Suter confirmed that it is the goal.

Supervisor Lewis stated that if a study is to be done, then let's do it right by conducting a study not only on salary survey, but a full study including classification, compensation, and performance. He noted that he believed this study should have been done a long time ago and if the process isn't complete before consideration of the next budget then so be it.

Chairman Higgins stated that this is something that needs to be completed as a tool for the County Administrator to do his job.

The Board of Supervisors unanimously agreed for the County Administrator to proceed with the study.

The motion on the floor was to authorize issuance of the attached Request for Proposals, finding that an Invitation to Bid is neither practicable nor fiscally advantageous to the public for reasons set forth. Supervisor Hinty made the motion, Supervisor Campbell made the second, and the motion was approved by unanimous roll call vote by the Board.

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

Mr. Suter noted that the process to hire an HR Manager will begin soon and hopes to hire someone in February 2015.

Consideration of Emergency Operations Plan Update

Emergency Management Coordinator Robert Foresman explained that the Emergency Management Operations Plan (EOP) must be updated every four (4) years. He stated that the original plan was adopted by the County along with the City of Buena Vista and the City of Lexington in 2010. He further stated that, over the last several months, the County and two cities have worked together to update the EOP.

Supervisor Lewis asked why the resolution approving the updated EOP was just for the County if the three localities adopt the same EOP.

Mr. Foresman replied that each of the three localities must adopt its own resolution.

Citing regional cooperation, Mr. Suter noted that it is very uncommon for localities to adopt the same EOP. He stated that the three localities have put in a tremendous amount of work to update the plan. He also stated

that an Emergency Management Advisory Group (EMAG) has been created to put the EOP into positive action in the event of a regional emergency.

Supervisor Lewis moved to adopt the resolution approving the updated EOP. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

RESOLUTION ADOPTING A REVISED EMERGENCY OPERATIONS PLAN FOR THE COUNTY OF ROCKBRIDGE, VIRGINIA

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and,

WHEREAS, Rockbridge County has a responsibility to provide for the safety and well being of its citizens and visitors; and,

WHEREAS, Rockbridge County has established and appointed a Director and Coordinator of Emergency Management; and,

WHEREAS, Rockbridge County has maintained an Emergency Operations Plan for many years; and,

WHEREAS, the Commonwealth of Virginia requires that all localities revisit, revise and readopt emergency operations plans every four years; and,

WHEREAS, Rockbridge County has, in coordination and cooperation with the cities of Lexington and Buena Vista, reviewed and updated the plan in accordance with requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Rockbridge County, Virginia, officially adopts this revised Emergency Operations Plan; and,

BE IT FUTHER RESOLVED, AND ORDERED, that the Director of Emergency Management, or his/her designee, is tasked and authorized to maintain and revise this document as may be necessary over the next four (4) year period.

Chairman, Rockbridge County Board of Supervisors

John M. Higgins, Chairman

ATTEST:

Spencer H. Suter, Clerk

Adopted this ____ day of _____ 20____

Staff Reports

Supervisor Lewis moved to accept the staff reports as presented.

Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Appointments

Planning Commission (added item)

Supervisor Hinty moved to reappoint Mike Stolarz to the Planning Commission for an additional four (4) year term. 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

Board Comments

Supervisor Lewis made a comment related to United Way. He stated that, in the past, some employees were willing to donate a portion of their pay check to United Way. He asked Mr. Suter to look into a payroll deduction study to see if staff would consider donating any amount of their pay directly to United Way.

Supervisor Hinty added that on United Way donation forms, a donor can direct their donation to go to a specific agency, such as a Fire Department.

Continued Meeting

Chairman Higgins continued this meeting until Wednesday, October 15, 2014 for an Intergovernmental Meeting at The Natural Bridge Hotel, commencing at 6:00 p.m., in the Washington Hall Ballroom for a presentation by Tom Clarke on The Natural Bridge.

**AT A CONTINUED MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE NATURAL BRIDGE HOTEL IN THE
WASHINGTON HALL BALLROOM,
ON WEDNESDAY, OCTOBER 15, 2014, AT 6:00 P.M.**

**PRESENT: CHAIRMAN J.M.HIGGINS
MEMBERS: R.S.FORD, A.W.LEWIS, JR., D.W.HINTY, JR.
ABSENT: R.R.CAMPBELL
CLERK TO BOARD: SPENCER H. SUTER**

OTHER:

**LEXINGTON AND BUENA VISTA CITY COUNCIL MEMBERS AND
MANAGERS**

Chairman Higgins called the Intergovernmental Meeting to order at 6:20 p.m. Following a dinner sponsored by the County, Mr. Tom Clarke gave a presentation called "Natural Bridge- Where We Were, Where We Are, and Where We Are Going." At the conclusion of the presentation, Chairman Higgins thanked everyone for attending. Supervisor Lewis moved to adjourn the meeting. Supervisor Ford provided the second, and the meeting adjourned at 8:15 p.m. by the following roll call vote:

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