

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, FEBRUARY 9, 2015, AT 5:30 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
COUNTY ATTORNEY: VICKIE L. HUFFMAN
FISCAL DIRECTOR: STEVEN BOLSTER
STAFF: SAM CRICKENBERGER, WAYNE NICELY, MELISSA ALEXANDER,
BRANDON MITCHELL, BRANDY WHITTEN

Call to Order

Chairman Higgins called the meeting to order.

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

Citizen Comments

Susan Lawrence of the Kerrs Creek Magisterial District expressed her displeasure that the Board has reached out to the Commonwealth's Attorney regarding a problem her neighbor has with their driveway and feels that it is an abuse of power by the Board. She stated that the Commonwealth's Attorney then reached out to the schools. She further stated that the a representative of the schools came out to her property at the Commonwealth's Attorney's request and she feels this was inappropriate.

Chairman Higgins stated that this was news to him and that he was not aware of this situation.

Kerrs Creek District Supervisor Ford stated that he was not aware of this situation either.

Ms. Lawrence stated that she assumed Supervisor Ford was involved since this was his district. She further stated that the property being looked at is owned by a member of Supervisor Hinty's family.

Chairman Higgins reiterated that this matter has not been brought to his attention prior to this meeting, and therefore he would like more information on what happened.

Ms. Lawrence asked Supervisor Hinty to inform the Board on this matter since he was involved. She also asked that Board Members not become involved in family problems.

Chairman Higgins stated that Board Members are not prohibited from participating in family matters and trying to help out just because they are a Board Member.

Ms. Lawrence stated that she had no problem with Supervisor Hinty trying to help his family; however, she felt it was not right for him to involve either the Commonwealth's Attorney nor the schools. She further stated that she does not believe that this matter was properly handled.

Chairman Higgins asked Ms. Lawrence to meet with with him or the County Administrator to provide more information and more details of the situation.

Ms. Lawrence stated that there was nothing else to discuss other than the information she had presented.

Chairman Higgins asked Ms. Lawrence to write him a letter with all relevant details, and should the full Board need to be involved, he would make sure that it would happen.

Ms. Lawrence again asked Supervisor Hinty to provide the Board with all the details, since he was a party to this matter. She reiterated her unhappiness at "misuse of powers" by Supervisor Hinty as a Board Member.

Chairman Higgins stated that it is fine that this was brought to the Board's attention; however, they would need more information on the matter.

On another topic, Ms. Lawrence stated that she did not understand what was going on with the Highland Belle School. She shared her concern about so much going on without enough information to the public.

Chairman Higgins advised that there would be a public hearing on the Highland Belle property and advertisements of that public hearing would go out to the local news media for two consecutive weeks prior to the hearing.

Ms. Lawrence stated that BARC, the prospect to take over the facility, seems to have money and should pay for the property.

Henley Gabeau of the Walkers Creek Magisterial District thanked the Board of Supervisors for the steps they have taken to help the Virginia Horse Center. She also thanked the Virginia Horse Center and its management for working towards improving and stabilizing the Horse

Center's operations. She noted that a year ago she had criticized the Horse Center but now appreciates the steps that have been taken. She also noted that she supports the VHC Conservation Easement and feels that the donating the easement will allow the public to use that area for years to come. She then asked that the Board consider changing the sign ordinance to allow good signage of the Virginia Horse Center's shows and activities. She then thanked Chairman Higgins and Supervisor Hinty for taking the time to talk with her last year about her concerns.

Items to be added to the Agenda

Supervisor Lewis added a Closed Session at the end of the meeting.

Chairman Higgins added a discussion on the School Board/Board of Supervisors Finance Committee of the whole.

Approval of January 26, 2015 Minutes

Supervisor Ford moved to approve the January 26, 2015, Work Session and regular meeting Minutes. Supervisor Lewis provided the second, and the Minutes were approved by the following roll call vote, with Supervisor Campbell absent:

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

Financial Report

Fiscal Services Director Steven Bolster reviewed his Monthly Memorandum. Activities for the Commissioner included: Business License renewals and business personal property due March 1st; State income tax business increasing; processing Tax Relief for Elderly and Disabled applications; produced Personal Property supplement for 2014; presenting to Treasurer for billing; and reconciling monthly DMV additions and deletions to gain accurate data.

Activities for the Treasurer included: Debt Set-off very active; Compensation Board budget complete; collecting Business, Professional and Occupational License Tax (due March 2nd); sending decal notices February 27th (due April 15th); compare files for non-payment of dog tags (past due after January 31st); Personal Property Supplement bills multiple years (due March 13th); and anniversary confirmation of Sale (Real Estate Auction on December 12, 2013) which occurred on February 18, 2014 - at the 2-year mark (February 16, 2016), the County will be eligible to request remaining unclaimed funds from that auction.

Mr. Bolster provided a procurement update, stating that the County would receive bids through February 12, 2015 at 2:00 P.M. for custodial services for the Administration Building.

Mr. Bolster then provided a financial update, noting that the additional 1% lodging tax receipts totaled \$7,483.54 in January 2015 (YTD, August 2014-January 2015, \$88,995.72).

With regard to County payments to USDA for Horse Center debt, he noted the following:

- The Rockbridge County Treasurer will produce a check this week to pay \$385,546.57 to the USDA based on the remaining 2% and 1% lodging receipts collected between February 1, 2014 and January 31, 2015.
- Total collections over the past 12 months for the 2% lodging tax were \$417,230.92.
- The County paid \$120,680 towards USDA debt arrearage from May, 2014, to November, 2014.

Supervisor Lewis made a statement that the action the County took to increase the Transient Occupancy Tax by 1% seemed to be working to the benefit of all.

Mr. Bolster then noted that the School Board has changed its meeting schedule to the 2nd Tuesday of the month, and therefore a School Appropriation Resolution will no longer be brought to the Board for approval on the 1st Board Meeting of the month - but instead at the 2nd meeting monthly. He then reminded the Board of the budget meeting on Wednesday, February 11, 2015 at 5:30 P.M.

He then reviewed the Revenues vs. Expenditures Line Chart, followed by the County Appropriation Resolution.

Supervisor Lewis moved to approve the County Appropriation Resolution. Supervisor Ford provided the second, and the Resolution was approved by the following roll call vote, with Supervisor Campbell absent:

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

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, FEBRUARY 9, 2015 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:

4-11-21010-5402 Tech Trust Fund.....	\$3,000.00
4-11-31030-7001 Homeland Security Grant.....	\$880.00
4-11-31040-7002 Capital Outlay - Firing Range.....	\$3,300.00
4-11-34015-3002 Contracted Services.....	\$5,693.00
4-11-81090-5625 Contrb-VA DHR Grant (NB Survey).....	\$3,750.00
4-11-81090-5696 RANA Line of Credit.....	\$275.00
4-11-99010-6192 Transfer to Lined Landfill.....	\$53,704.00
Total General Fund Appropriations	\$70,602.00
Current County	
11 - General Fund	\$564,902.57
94 - Central Stores	<u>\$2,977.56</u>
Total County Bills	\$567,880.13
Current Fiscal Agent	
80 - Regional Jail	\$91,806.52
92 - Drug Fund	<u>\$880.22</u>
Total Fiscal Agent	\$92,686.74
TOTAL ALL BILLS	\$660,566.87

Convene Solid Waste Authority (SWA) if needed

Chairman Higgins convened the Solid Waste Authority.

Mr. Bolster presented the Solid Waste Appropriation Resolution.

Supervisor Ford moved to approve the Solid Waste Appropriation Resolution. Supervisor Lewis provided the second, and the Resolution was approved by the following roll call vote, with Supervisor Campbell absent:

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

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, FEBRUARY 9, 2015 AT 5:30 P. M.

On motion of Supervisor Ford, with second by Supervisor Lewis, 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 UNAPPROPRIATED SURPLUS of the **SWA-LANDFILL FUND** and expended as follows:

4-19-19050-8001 Rental of Equipment.....	\$7,046.00
4-19-19070-3001 Engineering Services.....	\$24,237.00
4-19-19070-7010 Construction-Office Bldg.....	\$29,467.00
Total SWA-Landfill Fund Appropriations	\$60,750.00

Current SWA

19 - SWA-Landfill	\$68,665.45
20 - SWA-Recycling	<u>\$6,357.60</u>

TOTAL SWA BILLS **\$75,023.05**

Chairman Higgins reconvened the Board of Supervisors' regular meeting.

Presentation by Virginia Horse Center (VHC)

County Administrator Spencer Suter briefly reviewed the Agenda Item: "In June of 2014, the Board of Supervisors (BOS) and Economic Development Authority (EDA) approved an agreement with the Virginia Horse Center (VHC). A copy is attached. With an effective date of August 1, 2014, the agreement called for a 1% increase in the transient occupancy tax assessed in Rockbridge County. The term of the agreement is 2 years from the effective date. In accordance with the Code of Virginia, the revenues generated by this portion of the increase can be spent for tourism-related activities. Via the agreement, the Board and EDA determined that the increase will be used to (in order):

- 1) Satisfy USDA debt arrearage
- 2) Satisfy future annual USDA debt service payments
- 3) Potentially provide for capital safety maintenance projects, upon presentation of a capital improvement plan and authorization by the EDA and BOS.

The agreement also states that the VHC may not undertake any material change to its debt or equity structure will neither refinance any portion of the existing USDA loan, nor place any portion of VHC property into a conservation easement without prior written approval by the EDA and BOS. In September, VHC Treasurer Tom Clarke orally presented the Board with a draft plan that included provisions to place approximately 445 acres of

the VHC property in a conservation easement held by the Virginia Outdoors Foundation, resulting in approximately \$1.98M in cash from sales of state tax credits. Per his presentation, the cash would be applied to immediate capital improvement needs at the VHC in order to retain existing, revenue generating shows, and also to attract new shows. However, per the language in the USDA loan agreement, any such funds could only be applied to the loan principal. Should such paydown occur, the USDA annual USDA debt service payment would be reduced from \$605,000 to approximately \$501,000 and thus create a surplus of funds generated by the existing 3% lodging tax currently dedicated to debt service payment (2% from the Code of Virginia and 1% dedicated by the Board of Supervisors and EDA for a period of 2 years in accordance with the 2014 agreement).

Since the September meeting, the VHC has:

- 1) Negotiated with the USDA and has obtained approval for the proposed conservation easement and repayment of \$1.98M of the loan principal.
- 2) Entered into preliminary discussions with lending institutions to secure a secondary loan for an amount not to exceed \$1.98M in order to complete near-term capital improvements at the facility.
- 3) Developed a draft capital improvement plan for use of the funding.
- 4) Remitted a letter (January 5, 2015) to Chairman Higgins and EDA Chairman Lingon Jones describing the approach and request to the EDA and Board, as well as the basic capital improvement plan.

The aforementioned letter includes two basic requests:

- 1) Approval of the conservation easement
- 2) Dedication of the resulting annual surplus funds to service the secondary loan (#2 above) for a term not to exceed the term of the existing USDA loan (approximately 30 years).

Per the June agreement, the VHC is required to submit a capital improvement plan to the EDA for consideration in January of each year the agreement is in force. The EDA is then tasked with making a recommendation to the Board of Supervisors. At the January 15 EDA meeting, Mr. Clarke presented the information contained in the aforementioned letter, as well as the request for approval of the easement. After discussion, the EDA recommended approval of the conservation easement to the Board of Supervisors, with the request that the VHC return with a more detailed capital improvement plan and more detailed exhibit maps, to clarify boundaries and rights-of-way. In addition to the June agreement and January 5 letter, revised maps/exhibits of the proposed easement are included in this package for your consideration. Tom Clarke will be in attendance on Monday night to discuss the request in greater detail. EDA Clerk Sam Crickenberger will also be available to answer any questions you may have relative to EDA discussions."

Tom Clarke with the VHC presented an update on the Horse Center's finances, which included the information provided in the Agenda Item (as seen above). After reviewing the positive actions the Virginia Horse Center has made over the past year, he asked the Board to consider an

alternative approach: rather than seeking a 30 year commitment from the Board on the additional 1% lodging tax, the VHC would request consideration for a 3 year extension of the existing agreement, for a total of 5 years. Based on projections of revenue surpluses from the combined 3% lodging tax coming from the County and City, the VHC could potentially borrow funds against the anticipated revenue for a 5 year period, allowing it to make necessary capital upgrades now, with the goal of preserving the shows it has and attracting new shows. He noted that such a commitment from the localities could help in challenging donors to increase targeted gifts.

Otis Mead of Lexington, leader of the group that brought VHC to Rockbridge, announced that this week was the 30th year anniversary of the 1st meeting that led to creation of the VHC.

Chairman Higgins called for a break so that staff could work out some issues with the wireless internet router.

Chairman Higgins reconvened the meeting at 6:26 P.M.

VDOT Road Additions- Willow Lake and Greenhouse Village

Director of Community Development Sam Crickenberger introduced Peter Boutros, whose family owns the Willow Lake Subdivision. He then briefly reviewed the Agenda Item: "The roads in Willow Lake Subdivision were built to State standards but proposed to be private when the Kooglers family

began the project. Consequently, it has been quite a process for the new owners, the Boutros's, to work with all of the utility companies to subordinate the utility easements to VDOT in order to dedicate the rights-of-way to public use. All of that has finally been completed and the revised plat, which is in your package, has been recorded."

Supervisor Lewis moved to approve the resolution adding the Willow Lake Subdivision under the Secondary System of State Highways. Supervisor Hinty provided the second, and the resolution was adopted by the following roll call vote, with Supervisor Campbell absent:

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

The Board of Supervisors of Rockbridge County, in a regular meeting on the 9th day of February, 2015, adopted the following:

RESOLUTION

WHEREAS, the streets described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on a plat entitled 'Plat Showing Right-of-Way Dedication and Revision of Willow Lake Subdivision Phase 1', recorded in the Clerk's Office of the Circuit Court of Rockbridge County in Plat Cabinet 4, Slide 772, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the streets described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Adopted this 9th day of February, 2015.

Mr. Crickenberger briefly reviewed the Agenda Item for Greenhouse Village: "Village Way, the main road in Greenhouse Village, was completed using bond proceeds following default by the developer. Consequently, the County is the developer in this case and, as such, is responsible for both paying the fees and posting a maintenance bond in order to get the road into the State system. In lieu of posting the \$15,000 bond, you may pass the attached resolution, separate from the resolution for addition of the road to the V-DOT system, which obligates the County for any required repairs that may come along during the one year maintenance period. The road appears to be in very good condition and we are not expecting any problems, but you do need to be made aware of this risk. The associated fees for acceptance total \$1,875, which can be covered out of the Economic Development budget for Park Site Development."

Supervisor Ford moved to approve the resolution adding Village Way in Greenhouse Road under the Secondary System of State Highways. Supervisor Lewis provided the second, and the resolution was adopted by the following

roll call vote, with Supervisor Campbell absent:

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

The Board of Supervisors of Rockbridge County, in a regular meeting on the 9th day of February, 2015, adopted the following:

RESOLUTION

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, is shown on a plat entitled 'Plat Showing Division of the Property of Campbell Development Investments, Inc.', recorded in the Clerk's Office of the Circuit Court of Rockbridge County in Plat Cabinet 4, Slide 175, and on a 'Plat Showing Greenhouse Village – Parcel 6 – Phase 1 – Lots 1 Thru 6, recorded in the aforesaid Clerk's Office in Plat Cabinet 4, Slide 327, with the former portion of Village Way having been vacated pursuant to Ordinance adopted by the Board of Supervisors of Rockbridge County on April 25, 2011, recorded in the aforesaid Clerk's Office as Instrument #120000492; and,

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Adopted this 9th day of February, 2015.

Supervisor Ford then moved to approve the resolution obligating the County for any required repairs that may come along during the one year maintenance period. Supervisor Lewis provided the second, and the

resolution was adopted by the following roll call vote, with Supervisor Campbell absent:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, FEBRUARY 9, 2015

RESOLUTION

WHEREAS, the Rockbridge County Board of Supervisors has been a strong supporter of Rockbridge Area Habitat's housing production project, Greenhouse Village;

WHEREAS, the road serving Greenhouse Village, Village Way, has been dedicated to public use and is ready to be adopted into the State system;

WHEREAS, the developer of this project defaulted and the County was required to use the performance bond to complete the road work and has consequently become the developer of the project;

WHEREAS, in order for VDOT to accept this road into the State system, a surety bond is required to be posted for a one year maintenance period.

THEREFORE BE IT RESOLVED, that for the 0.25 miles of the Greenhouse Village subdivision's new Route 1066 (Village Way) the County of Rockbridge shall ensure the performance of the street construction and warranty the quality of the roadway to the Virginia Department of Transportation from the date of this resolution for a period of one year. The warranty shall be limited to amount of up to \$15,000.00.

Adopted this 9th day of February, 2015.

Highland Belle- disposition of underground fuel storage tank

Mr. Crickenberger briefly reviewed the Agenda Item: "BARC has encountered an underground fuel storage tank during their environmental

site assessment of Highland Belle and has asked that we close it out. Commonwealth Environmental Associates was hired to complete a tank assessment. Their report is attached. The tank is a 10,000 gallon fuel storage tank located adjacent to the back side of the building. There has been some associated soil contamination, but it is below reporting levels. The options for closure are both cleaning it out and filling in place with a concrete slurry - or removal. Commonwealth has estimated that filling in place would cost about \$7000, while removal would cost about \$5900. The removal cost does not include the cost to temporarily stabilize an adjacent Dominion power pole during the process. BARC has agreed to stabilize this pole if Dominion will allow them to. I have not had the opportunity to discuss this with Dominion but hope to have a decision by your meeting date. Removal is the better option as it allows for reuse of the space versus leaving a 10,000 gallon mass in the ground twelve inches below the surface. We can use the Economic Development budget for Engineering Services to cover this cost."

Supervisor Ford asked if the area directly beneath the tank has been tested.

Mr. Crickenberger noted that industry standard testing had been completed.

Supervisor Lewis asked if the tank remediation would be necessary even if a contract were not issued with BARC.

Mr. Crickenberger replied in the affirmative.

Supervisor Lewis moved to authorize staff to procure services for the tank removal. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Campbell absent:

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

Ingress/Egress License to McClung through Fairfield Recreational Center

Parks and Recreation Director Wayne Nicely briefly reviewed the Agenda Item: "Robert L. McClung and Daniel R. McClung are new owners of a 195-acre tract of land adjoining the Fairfield Recreational Center and Pool. They are timbering and clearing portions of the property for agricultural purposes. The McClungs have requested access through the Fairfield Pool property to enable clearing of the trees along the boundary between the County and the McClung properties. The proposed ingress and egress would lead from the end of state maintenance for Greystone Lane, through the Fairfield Recreational Center property about 300 feet, to the McClung property line. The McClungs' plans include laying down gravel for the access and cutting the boundary fence, which is later to be repaired or replaced. The benefits to the County will be to get some gravel in a parking area, and the removal of trees that create a nuisance in maintaining the pool."

Supervisor Hinty moved to approve the grant of a license for ingress/egress to the McClungs and authorize the County Administrator to

execute the Agreement, subject to approval as to form by the County Attorney. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Campbell absent:

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

Consideration of County Vehicle Policy

Mr. Suter presented the agenda item which stated: "At its last regular meeting on January 26, the Board discussed a policy which would govern certain aspects of employee use of County vehicles. A draft policy is attached, per the Board's request."

Supervisor Ford requested that Mr. Suter review the major changes in the policy.

Mr. Suter explained that certain employees have been provided take-home vehicles for use in their position, and that the Board had requested a more clearly defined policy for assignment and use of such vehicles. He noted that this policy also addresses vehicles taken out of the County. He advised that it will allow for the Board's Personnel Committee to consult with the County Administrator and the full Board on any individual matters regarding take-home vehicles. Mr. Suter noted that the policy also specifies that use of take-home vehicles, in accordance with the IRS policy, constitute taxable earnings and that the policy now accommodates this fact.

Supervisor Lewis stated that he could not support this change because he did not feel it had been given enough time to be thought out and that adopting this policy might allow for an inappropriate decision by some future Board. He further stated that this policy does not coincide with the Personnel Policy, which states that the Board would solely be responsible for making decisions.

Chairman Higgins noted that the policy could be amended at any time. He stated that the Board's Personnel Committee makes sound decisions and will bring back any concerns before the entire Board to have the final say on any changes.

Supervisor Ford moved to adopt the proposed County Vehicle Policy. Supervisor Hinty provided the second, and the motion carried by the following roll call vote, with Supervisor Campbell absent:

AYES: Ford, Hinty, Higgins
NAYES: Lewis
ABSENT: Campbell

Appointments

Community Services Board- Paul Carter's Term Expired 12/31/2014

There were not nominations for this position.

RARO Board of Directors- Lorne Bates resigned- Term Expires 6/30/2017

There were not nominations for this position.

**Board of Zoning Appeals- Roy Powell, Jr. resigned- Term Expires
9/30/2017**

There were no nominations for this position.

Supervisor Ford mentioned that the Board of Supervisors has had trouble finding and retaining citizens who are willing to serve on committees, boards, and commissions, due to new requirements for filing personal information on Disclosure Forms.

Staff Reports

Supervisor Ford moved to accept the Staff Reports as presented. Supervisor Lewis seconded the motion, and the reports were approved by the following roll call vote, with Supervisor Campbell absent:

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

Items Added to the Agenda

School Board/Board of Supervisors Finance Committee discussion

Chairman Higgins advised that this was a continued discussion from the School Board and Board of Supervisors' Joint Meeting on February 5, 2015. He stated that the School Board has decided that all of their members be on their Finance Committee. He asked the Board of Supervisors for their opinions on becoming a Finance Committee as a whole.

Supervisor Ford stated his concern over making the jobs of the County Administrator and Finance Director - as well as school staff - more difficult as they would have to organize and attend more meetings. He reserved the right to read a prepared statement later in the discussion

Supervisor Lewis stated that this change would provide better communication among the Board Members and did not feel this would be a burden on staff.

Supervisor Hinty stated that this would benefit the Board.

Chairman Higgins requested that the School Board present a budget before the Finance Committee's next meeting.

Supervisor Lewis moved that the Board of Supervisors meet with the schools as a finance committee of the whole for budget year 15-16.

Supervisor Ford then read the following statement aloud: "It used to be, during the last century, that the Board of Supervisors appointed the School Board. Then the Supervisors appointed a special body (The School Board Selection Commission) whose sole purpose was to recruit and appoint school board members. In 1992 State law changed, permitting the non-

partisan election of School Boards as a local option. And so Rockbridge voted to elect school boards. It still remained to the Supervisors to approve the overall school budget, since they retained their responsibility to the taxpayers for prudent use of tax dollars and not raising taxes any more than was necessary. Thus, the relationship between these two boards radically changed. The School Board would set policy, while the Board of Supervisors became the financial watchdog. Supervisors were not and are not supposed to interfere in day to day school business, but instead concentrate on keeping the schools financially stable.

"Our two Boards have their respective constituencies and different duties. The School Board's constituencies include students and parents and others who are particularly interested in public education. The Board of Supervisors has a wider constituency: all the taxpayers in Rockbridge County - including those interested in education. The Board of Supervisors is charged with finding a fair balance between more educational spending and higher local taxes.

"There remains a considerable degree of tension between the two boards. On one hand, the Board of Supervisors exercises restraint and strives to provide all the county's services fairly and equitably, while keeping everyone's taxes as low as possible. On the other hand, the School Board's mission requires that it advocate for increased local support for schools. This tension reflects the intent of the voters, and it is necessary to maintain this dynamic balance, whereby the School Board advocates for increased local support, while the Board of Supervisors

exercises restraint and fiscal prudence.

"For the past several years, work on the details of the county's annual budgets has been performed in committee - as in fact almost all of the Board's preliminary work is carried out. We have committees for personnel, for solid waste, for setting up and running the new emergency radio system, for planning improvements to county buildings, and so on and so forth. Committees report to the full Board, and committee members keep other Board members informed as projects proceed. In the case of the school budget, Mr. Higgins and I meet regularly with Mr. Lewis and Mr. McDaniel from the School Board. It's a system that works pretty well, except that now we have this proposal to determine the school budget as a 'committee of the whole.'

"I submit that is neither fair nor equitable to change the way our school budget is prepared from the work of two committees to that of two entire boards. To begin with, such a change requires that all budget activities be performed in a big public meeting, required by law to follow two weeks' advance notice, and inevitably leading to difficulties in scheduling the presence of all members. For instance, in this past year's budget committee meetings, both Mr. Higgins and I attended every one, but there were at least two meetings during budget season where one or the other of the school board members did not attend.

"Vastly more difficult, and probably more expensive, is the extra burden this change would place on our already overworked school and county staffs. In addition to handling schedules and notifications, they would

have to prepare full meeting agendas and up-to-date budget books for all members, and then spend many more evenings at meetings during their busiest time of the year.

"Finally, we get to accountability. Again, I believe the voters look to the Supervisors to maintain at the least an arm's length distance from operations of the School Board at all times. Let us not forget that the three newest supervisors took office as strong advocates of accountability in all we do. This includes holding the school board accountable for expenses and capital planning. Without getting into particulars, I can state with confidence that over the last few years there have been - and continue to be - many instances where the school board has failed to follow the supervisors' stated policy on use of reserved funds, has made incomplete financial disclosures, and has stated claims about school finances that are in some cases ill-informed and in others disingenuous. Simply put, we supervisors are not doing our jobs because we are not holding our school board accountable. Going to a committee of the whole will only make the situation worse, since it would include supervisors who very clearly do not stay at the proverbial arm's length in their dealings with the schools. This change would violate the intent of the voters."

A motion was on the floor from Supervisor Lewis who moved that the Board of Supervisors meet as a committee of the whole as the Finance Committee for budget year 15-16. Supervisor Hinty provided the second, and the motion carried by the following roll call vote, with Supervisor Campbell absent:

AYES: Lewis, Hinty, Higgins
NAYES: Ford
ABSENT: Campbell

Added Item to the Agenda

Closed Meeting as permitted by Virginia Code §2.2-3711(A)(6)

At 6:57 P.M. Supervisor Lewis moved to enter into a Closed Meeting as permitted by Virginia Code §2.2-3711(A)(6), discussion or consideration of a matter involving the investment of public funds where competition or bargaining is involved, and where, if made public initially, the financial interest of the government unit would be adversely affected, namely disposition and/or acquisition of water and sewer service area. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Campbell absent:

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

Supervisor Lewis moved to reconvene in open session following the Closed Meeting. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Campbell absent:

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

Supervisor Ford moved that the Board certify that, in the closed meeting just concluded, to the best of each member's knowledge, nothing

was heard, discussed or considered except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed as excepted from open meeting requirements under the provisions of the Virginia Freedom of Information Act cited in that motion. Supervisor Lewis provided the second, and the motion carried by the following roll call vote, with Supervisor Campbell absent:

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

Continued Meeting

Supervisor Lewis moved to continue the meeting until Wednesday, February 11, 2015 for a Budget Work Session at 5:30 P.M. in the Extension Office Meeting Room located on the 2nd floor of the County Administration Office Building at 150 South Main Street, Lexington, Virginia. Supervisor Hinty provided the second, and the meeting was continued by the following roll call vote, with Supervisor Campbell absent:

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

