

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY  
VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING,  
150 SOUTH MAIN STREET LEXINGTON, VIRGINIA,  
ON MONDAY, APRIL 13, 2015, 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  
FINANCE DIRECTOR: STEVEN BOLSTER  
STAFF: SHERIFF CHRIS BLALOCK, SAM CRICKENBERGER,  
BRANDY FLINT, JEREMY GARRETT, KENNY WILSON,  
RHONDA MILLER, BRANDY WHITTEN

**Called to Order**

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

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

**Recognitions and Presentations**

Chairman Higgins called for recognitions and presentations.

**Recognition of an employee- Rhonda Miller- for  
education/certification**

Building Official Kenny Wilson recognized Rhonda Miller, Permit Technician, for having earned State and ICC certification to perform inspections on footers, foundation walls, draintile, framing, concrete slabs, and insulation.

The Board of Supervisors congratulated Ms. Miller for her accomplishment.

**Shenandoah Valley Partnership- Introduction of Carrie Chenery-  
Executive Director**

Chairman Higgins moved this Agenda Item to Recognitions and Presentations. Director of Community Development Sam Crickenberger introduced Carrie Chenery, new Executive Director of the Shenandoah Valley Partnership.

Ms. Chenery stated that she was only one (1) month into this position but was ready to begin marketing sites throughout the County. She had spent the day getting familiar with local sites with Mr. Crickenberger.

The Board Members welcomed Ms. Chenery.

**Items to be added to the Agenda**

Chairman Higgins called for items to be added to the Agenda. There were none.

**Citizen Comments**

Chairman Higgins called for citizen comments. There were none.

**Items to be added to the Agenda**

Supervisor Campbell asked to add a business related matter under Board Comments.

**Approval of Budget Minutes for: February 11, 2015; February 25, 2015;  
March 9, 2015; March 12, 2015; March 17, 2015; and March 19, 2015**

Supervisor Ford moved to approve the Budget Minutes as presented. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**Financial Report**

Finance Director Steven Bolster reviewed his monthly memorandum.

Activities for the Commissioner of the Revenue included: "Reconciling DMV report with local records to confirm actual registered vehicles; finalizing real estate book and getting ready to incorporate any changes in tax rate; continue to process state income tax returns; updating personal property files for taxpayers to purchase decals; preparing delinquent business license renewal letters to mail; and preparing a 2014 real estate supplement book for billing."

Activities for the Treasurer included: "County decals continue on sale through April 15, 2015; continuing processing debt set-off transactions; largest payment associated with debt set-off is scheduled for April 17th - \$98,918.33 associated with 742 filings; State Income tax due May 1, 2015; sent out letters to citizens delinquent on real estate tax: if they are part of the Land-use and Tax Relief Programs and wish to remain in the program, they must have outstanding debt paid before June 1,

2015; and letters sent out to owners for delinquent dog tags (due on 01-31-2015).

Mr. Bolster then presented a procurement update stating that the sale of surplus items last month will garner the County \$14,829.09 in revenue. This included over 490 bids during the open session on govdeals.com.

Mr. Bolster then presented the County Appropriation Resolution and recommended approval as presented.

Supervisor Ford moved to approve the County Appropriation Resolution. Supervisor Hinty provided the second, and the motion carried 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, APRIL 13, 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:

4-11-31020-1008 Overtime (DMV-ADEP Grant).....	\$4,305.00
4-11-31020-7005 Police Equipment (DMV-ADEP Grant).....	\$2,519.00
4-11-32050-5700 Four 4 Life Funds - Rescue Squads.....	\$1,222.00
4-11-32060-3911 Comp Board Transfer to LX (911).....	\$2,187.00

4-11-34015-3002 Contracted Services.....	\$1,015.00
4-11-43050-3404 Repairs-Court Complex Bldg.....	\$5,069.00
4-11-81010-3202 Payment for Planning Services.....	\$2,550.00
4-11-81090-3004 Wayfinding Signage Grant.....	\$1,613.00
4-11-81090-5623 Contrb-Horse Center Debt.....	\$42,209.00
4-11-81090-5696 RANA Line of Credit.....	\$4,972.00
4-11-99010-6192 Transfer to Lined Landfill.....	\$28,326.00

**Total General Fund Appropriations** **\$95,987.00**

**Current County**

11 - General Fund	\$332,901.31
94 - Central Stores	<u>\$2,929.58</u>

**Total County Bills** **\$335,830.89**

**Current Fiscal Agent**

80 - Regional Jail	\$86,524.36
92 - Drug Fund	<u>\$1,760.68</u>

**Total Fiscal Agent** **\$88,285.04**

**TOTAL ALL BILLS** **\$424,115.93**

**Convene Solid Waste Authority**

Chairman Higgins convened the Solid Waste Authority at 5:45 P.M.

**SWA Financial Report**

Mr. Bolster reviewed the Solid Waste Authority Appropriation Resolution and recommended approval as presented.

Supervisor Campbell moved to approve the SWA Appropriation Resolution. 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 COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, APRIL 13, 2015 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:

4-19-19050-3006 Seeding/Mowing/Erosion Control.....	\$54.00
4-19-19070-3001 Engineering Services.....	\$18,343.00
4-19-19070-7010 Construction-Office Bldg.....	\$9,983.00

**Total SWA-Landfill Fund Appropriations** **\$28,380.00**

**Current SWA**

19 - SWA-Landfill	\$77,929.16
20 - SWA-Recycling	<u>\$7,497.04</u>

**TOTAL SWA BILLS** **\$85,426.20**

**Consideration of Utility Easement for BARC Electric at the Rockbridge  
County Regional Landfill**

Mr. Suter advised that this was a housekeeping matter and then reviewed the following Agenda Item: "As you are aware, Solid Waste staff has been working diligently on the new administrative quarters at the entrance to the landfill. Despite inclement weather in the late winter, our team has been able to press ahead and make significant progress. We are nearing the point where electric power will need to be run to the building. This will require granting an easement to BARC across a portion of SWA property. The attached copy of the draft easement has been reviewed by the County Attorney and is prepared for execution. However, as owner, the SWA Board must approve."

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

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

Chairman Higgins closed the Solid Waste Authority at 5:47 P.M. and returned to the regular Board Meeting.

Mr. Suter 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 the Regional Communications Board have executed four extensions, totaling over 1 year. The latest extension will expire on April 26<sup>th</sup>. As a reminder, the Regional Emergency Communications Board is the body which would determine whether or not the necessary tower sites have been secured in order to provide Harris Communications with the final notice to proceed. When that occurs, the County, as the financing agent, would then execute its agreement with PNC Bank to secure the funding stream. At the time of the latest extension (January), there were two main points of concern with regard to securing tower sites.

- 1) Landfill - The site is owned by the Solid Waste Authority and the tower is owned by US Cellular. The issue with the site was that the tower would need to be reinforced to accommodate our new equipment. This meant that the guy wires would need to be extended in a greater



radius, which in turn caused a conflict with design of the new road in the planned landfill expansion. The engineers were able to find a solution wherein the guy wires could be elevated to accommodate both purposes. The cost of the upgrade to the tower site is being negotiated with US Cellular.

2) US Cellular 2 - California Site - Located on the slopes of North Mountain, just south of I-64, this tower also required an engineering study which resulted in an affirmation that the new system equipment could be added. As with the Landfill site, cost sharing negotiations are underway.

"Ultimately, we expect that Harris will be coming to the Regional Communications Board on April 16<sup>th</sup> to report that they will be able to build the system as designed, thus ensuring the coverage guarantee. However, on April 7, we received an estimate of additional site work that Harris believes will need to occur in order to complete the project. In that it significantly cuts into our contingency funds, I have requested a meeting with Harris representatives on Friday, April 10<sup>th</sup>. Chris Blalock, Chair of the Regional Communications Board, and Project Manager Jon Ellestad will be in attendance. Our goal will be to understand the source of the costs and attempt to reduce the overall expenditure. The potential remains however, that we will be coming back to the Board to request some additional funding in the planned financing, so that we will have sufficient contingency available during the project."

Mr. Suter then recognized Harris representatives Helen Mohler and Wayne Duff, who were in attendance. He noted that Harris had indeed supplied a letter of assurance regarding installation of equipment in the necessary locations to honor the coverage guarantee contained in the contract. He also thanked Mr. Ellestad and others, including Sheriff's Office Lt. Tim Hickman, who had worked hard on the project.

Jon Ellestad stated that Harris Communication has done a great job through this lengthy project. At this time, he noted, there are only three (3) towers where negotiations have resulted in a lease agreement. However, it is apparent that lease agreements will be forthcoming on the remaining towers and there is a need for the Communications Board's approval to proceed.

Mr. Suter explained that, during the course of the due-diligence period, additional costs have arisen, mainly concerned with reinforcing towers and adding appurtenances where required. He noted that, after calculating credits, most of the \$450,000 in contingency funding will be used up. He offered the Board two scenarios for payment of any additional costs not covered by contingency: 1) Increase initial borrowing in anticipation of potential additional costs, and 2) Continuing with the planned borrowing plan and relying on reserves to pay for any overruns. He noted that the all partners in the project would need to pay their percentage share of any additional costs.

Supervisor Campbell moved to go with option two (2) - to use the reserve funds as needed, and to authorize staff to finalize the financing agreement with PNC bank in the originally planned amounts, pending notice to proceed by the Regional Communications Board.

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

#### **Event Application- Green Water Music Festival**

Director of Community Development Sam Crickenberger introduced Amanda Baxter and Will Tillery, who were present and representing the Green Water Music Festival. He advised that Lazy Acres has filed an Event Application to host the Green Water Music Festival August 15, 2015.

Supervisor Higgins asked if the neighboring property owners had been contacted.

Ms. Baxter confirmed that she had contacted the immediate neighbors.

Supervisor Lewis asked that the Board hold off on approving this application until all neighbors had been contacted.

Mr. Tillery asked what the radius would need to be as far how far out to contact neighbors.

Supervisor Lewis stated that 4 of the 11 neighbors had already been informed of this event and asked that the others be notified as well. He

then reminded the Board that the Code requires more information for this type of application such as a sample admission ticket and a list of the bands playing at the event. He noted that he felt that staff should be ensuring that all required elements of an application are included.

Supervisor Ford moved to approve the request, on condition that the applicants contact all 11 neighbors; submit a sample admission ticket; and submit a list of the bands, turning in all materials to Mr. Crickenberger. 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

**Review of Business Incentive Policy- Boards final comments**

Mr. Suter reviewed the Agenda Item: "On February 19th, the Board and EDA conducted a facilitated, joint meeting with the broad goal of promoting economic development in Rockbridge County. A copy of a draft Business Incentive Policy was reviewed and amended. Action items resulting from the meeting included:

- Further, independent review of the draft Business Incentive Policy by the EDA and Board of Supervisors.
- Staff development of a draft Existing Business Support Policy for review by the two bodies.
- Upon further independent review of the draft Business Incentive Policy and review of the draft Existing Business Support Policy, the

two bodies would meet again with the goal of jointly adopting the two documents.

"The EDA met on March 16 and reviewed both draft policies. Several suggested amendments and additions were made to the draft Business Incentive Policy. The Existing Business Support Policy drafted by staff was accepted without amendment. Subsequently and in a March 23<sup>rd</sup> work session, the Board, by consensus generally agreed with the EDA's recommended additions/amendments. However, it was determined that some additional time would be needed for more detailed review before consideration of joint adoption with the EDA. As such, staff is bringing the proposed drafts back to the Board for final consideration. Both drafts are attached. Sam Crickenberger and I will be in attendance on Monday night to answer any questions the Board may have and to record any additional amendments which are agreed upon. The final draft will then be taken to the EDA at their regular, April 20 meeting for final consideration. Ultimately, if both groups agree, final adoption would occur at joint meeting coinciding with the Board's next regularly scheduled meeting on April 27<sup>th</sup>."

Supervisor Hinty commended everyone who participated in the amendment process of the policy stating that they did a good job addressing all of the Board Members requests.

#### **Consideration of Reassessment RFP**

Mr. Bolster reviewed the Agenda Item: "The County of Rockbridge is soliciting sealed proposals from qualified firms for services to complete the General Reassessment of Real Property. The selected firm is responsible for furnishing all labor, equipment, materials, and insurance to perform work described in the Request for Proposals.

BACKGROUND: In accordance with Section 58.1-3252 of the code of Virginia, 1950, as amended, the County of Rockbridge Board of Supervisors has elected to conduct its General Reassessment at 6-year intervals. The County is seeking a qualified contractor to provide reassessment services, a proposed work schedule for each phase of the reassessment project, and a description of work in each phase. All phases must be completed in time for the general reassessment to become effective January 1, 2017. The estimated work should be based on 26,990 taxable parcels and 676 non-taxable parcels.

SCOPE OF SERVICE: To perform a General Reassessment of Real Property in the County of Rockbridge, Virginia, excluding public service properties, in accordance with Section 58.1-3252 of the Code of Virginia, 1950, as amended.

SELECTION CRITERIA: The following criteria, not necessarily listed in the order of importance, will be used in evaluating the responses to this RFP with weighting as determined at the sole discretion of the

County of Rockbridge:

1. Overall professional skill and experience of the firm

2. Professional qualifications of management and staff to be assigned to the project.
3. Written comment and opinions from Proposer's references.
4. Specific plan or methodology proposed for this project.
5. Demonstrated knowledge of local conditions.
6. Proposal date and time schedule to meet County needs.
7. Estimated cost of services to complete the General Assessment

Evaluation may also include, at no additional cost to Rockbridge County, an oral presentation of the proposal by the Offeror to the County's evaluation committee and/or submission of additional clarifying and/or amplifying written information.

RECOMMENDATION:

- Staff believes this work falls under the definition of 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.'
- Staff deems that, in order to ensure that we gain the best service for the County and to meet the intent of the scope of services, we will be

better served by issuing a Request for Proposals, rather than a Invitation for Bids. This recommendation is based on the fact that the County would be best served by soliciting the most technically-qualified provider of services, rather than the lowest bidder. In addition, an experienced proposer may offer recommendations which may prove beneficial and cost-effective to the County."

After brief review of the Agenda Item, Mr. Bolster requested two (2) actions:

1) Board action to authorize issuance of a Request for Proposal for the services outlined in the scope of services, finding that an Invitation for Bids is neither practicable nor fiscally advantageous to the public for the reasons set forth above.

2) Selection of a Supervisor to serve on the proposal evaluation committee. Evaluation committee currently includes County Administrator Spencer Suter, Fiscal Services Director Steve Bolster, and Commissioner of the Revenue David Whitesell.

Mr. Lewis asked if Mr. Whitesell had been in on discussions with regard to creation of the RFP. Mr. Bolster affirmed.

Supervisor Hinty moved to authorize issuance of the RFP. 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



Supervisor Campbell nominated Supervisor Ford to serve on the Proposal Evaluation Committee due to his previous experience. 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

**Approval of a Mutual Aid Agreement with Augusta County**

Mr. Suter reviewed the Agenda Item: "State Code authorizes mutual aid agreements between localities to augment emergency services response within the respective jurisdictions. Augusta and Rockbridge are adjoining localities, so mutual assistance in an emergency would be feasible. Augusta County has requested an executed agreement. The agreement provides that neither party would recover expense reimbursement in the event of a mutual aid response to a call for assistance from the other. Response is not mandated. Staff recommends approval for the benefit of the citizens of both jurisdictions."

Discussion at the Board level resulted in a request that staff review files to determine if suitable mutual aid agreements are in place with all adjacent localities. Supervisor Hinty moved to approve the Agreement with Augusta County. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote.

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

## **Appointments**

### **TCO- Charles Barger- Term Expires 4/8/2015**

Supervisor Ford moved to reappoint Charles Barger to the Tourism Corridor Overlay Board. 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

## **Staff Reports**

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

## **Board Comments**

Supervisor Campbell requested that the word be spread among the County Business to contact Dominion Power and ask about the energy saving light bulbs and fixtures that can reduce energy used by up to 90%.

## **Closed Meeting**

Supervisor Lewis moved to enter a Closed Meeting as permitted by Virginia Code Section 2.2-3711(A)(3), discussion or consideration of a

matter involving acquisition of real property for public purposes, where discussion in open meeting would adversely affect the County's bargaining position or negotiating strategy. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Supervisor Lewis moved to reconvene in open session following the Closed Meeting. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

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 exempt from open meeting requirements under the provisions of the Virginia Freedom of Information Act cited in that motion. Supervisor Campbell provided the second, and the motion carried by the following roll call vote:

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

## **Adjourn**

With no further business to discuss, the meeting was adjourned.