

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY  
VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING,  
150 SOUTH MAIN STREET LEXINGTON, VIRGINIA,  
ON MONDAY, APRIL 27, 2015, AT 4:30 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  
STAFF: STEVEN BOLSTER, JEREMY GARRETT, TRACY SHAFER,  
BRANDY WHITTEN

Call to Order

Chairman Higgins called the Work Session to order at 4:30 P.M.

**Consideration of RFP for Solid Waste and Recycling Hauling Services**

Director of Solid Waste and Transportation Jeremy Garrett reviewed the Agenda Item: "As you are aware, the County's existing waste hauling contract is through RRR, Inc. Last summer, the Board of Supervisors determined to provide RRR with official notice of termination. Notice was sent on July 15, 2014, as per the contract requirement, thus terminating the contract as of August 31, 2015. Additionally, during the regularly scheduled Board of Supervisors meeting on February 23, 2015, the Board agreed to enter into a task order for professional services with Draper Aden Associates under the existing master engineering services contract to complete the following:

- **Task 1:** Prepare a Request for Proposal (RFP)/Bid to outsource solid waste and recyclable material hauling services.

- **Task 2:** Evaluate the proposals/bids and provide owner with a recommendation.
- **Task 3:** Assist owner with contracting and negotiations.

Since February, the Solid Waste Committee has worked closely with DAA and their subcontractor SCS Engineers to complete **Task 1**, resulting in a draft RFP for Board consideration. The proposed schedule for this RFP solicitation is provided below. Please note that due to the tight schedule, we must strive to meet deadlines in order to ensure continuous service during this time of transition."

Request for Proposals Issued:	April 29, 2015
Pre-Proposal Conference:	May 13, 2015 at 9:00a.m.
All Questions Due:	May 18, 2015 at 3:00 p.m.
Addendum Published:	May 22, 2015
Proposals Due:	June 4, 2015 by 2:00 p.m.
Anticipated Ranking of Offerors	June 16, 2015
Competitive Contract Negotiations	June 22, 2015
Contract Start Date	August 20, 2015

Mr. Garrett then introduced Bob Dick of SCS Engineers, who provided a power point presentation on an overview of the Solid

Waste Management Strategic Plan. The presentation included: an overview of the RFP; a chart entitled "Discarded Material Transportation Scenarios/Options"; Scope of Services; Qualifications; Proposal Requirements; and Proposal Evaluation and Selection Process.

During the review of the RFP, Supervisor Lewis asked if it is expected of the respondents to suggest end use recycling destinations, to which Mr. Dick responded in the affirmative.

Supervisor Ford noted that the Solid Waste Committee has previously discussed that the current hauling service picks up recycling and solid waste from sites not shown on the maps or listed in the RFP - in particular, at some local schools. He stated the Committee's intention not to ignore those other government agencies' needs in the new hauling contract.

Mr. Dick and Mr. Suter explained that those additional sites could be added, based on the pricing model contained in the RFP.

Mr. Suter noted that the RFP prohibits disposal of recyclable materials, stating that if items are brought in to be recycled, then they must be recycled and not disposed of in the Landfill.

Supervisor Lewis asked what will happen if glass is determined not to be worth hauling and selling.

Mr. Garrett explained that the glass can be given for the

purpose of reuse.

Mr. Dick further explained that the RFP is intended to give the County full discretion to identify materials as either recyclable or solid waste at the collection centers.

Mr. Garrett stated that Appendix "C", referenced in the Proposal Evaluation and Selection Process slide of the PowerPoint, was omitted from the final document. He further stated that the Committee felt that Appendix C was inappropriate and unnecessary; however, the minimum criteria expressed in section 6.1 remain as part of the final document. Mr. Suter further explained that it is not standard practice for the County to include its evaluation matrix in an RFP.

Mr. Suter then advised that there were a few changes made to the RFP over the previous weekend, and that all changes could be found highlighted in red on the draft RFP presented to the Board.

Supervisor Ford commended Mr. Garrett, Mr. Bolster, Tracy Shafer, and Mr. Suter for the hard work they put into the RFP. He stated that, with such a complicated document, he appreciated the time staff spent on the RFP to make sure that it would be accessible to a wide range of prospects - from local, family owned businesses to regional operators, allowing for the maximum number of proposers.

Supervisor Campbell also commended staff for working on the RFP throughout the previous weekend.

Mr. Suter stated that many of the best suggestions made in regards to the RFP came from Tracy Shafer, Solid Waste and Recycling Coordinator, who had been at the heart of the project from the start.

Supervisor Lewis shared his concern that any company smaller than Waste Management would have a hard time responding to the RFP without the help of lawyers, accountants, or creative writers - and without the budget to allow for hiring such help.

Mr. Garrett stated that this was one of the Committee's first concerns at the beginning of the process and remained throughout. Mr. Suter concurred that the final RFP is designed to be accessible to all potential proposers, and that the Solid Waste Committee made sure this was a primary objective throughout the RFP creation process.

Supervisor Lewis asked if a month will give enough time to proposers to prepare. Mr. Suter responded that it would. He added that a schedule was created which allows for a month's preparation time; he believes that is enough time for proposers.

Chairman Higgins commended Supervisors Ford and Campbell for their participation on the Solid Waste Committee.

Mr. Suter added that the Agenda for the 5:30 P.M. meeting includes an Item under the Solid Waste Authority [SWA] entitled "Consideration of RFP for Solid Waste and Recycling Hauling Services", and that this needed to be moved to the Board of

Supervisors' items. He stated that he would be reading a standard declaration asking for this to be considered an RFP versus RFB.

Supervisor Hinty commended everyone who worked on the RFP.

Supervisor Ford suggested that the Board look into setting up community meetings throughout the County to provide information on solid waste and recycling, and to solicit citizen feedback. The Supervisors agreed that such a program would be beneficial to citizens.

With no further business to discuss at the Work Session, Chairman Higgins closed the meeting at 5:20 P.M.

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STAFF: SAM CRICKENBERGER, JEREMY GARRETT, BRANDON MITCHELL,  
STEVEN BOLSTER, BRANDY WHITTEN  
EDA MEMBERS: CHAIRMAN J. LINGON JONES, JR., JANIE HARRIS,  
JOHN M. WHITESELL, B.G. LOCHER, JR., GENE TILLES,  
ROY POWELL, JR., ROBBIE FAULKNER

**Call to Order**

Chairman Higgins called the meeting to order at 5:32 P.M.

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

**Recognitions and Presentations**

There were none.

**Disclosure Statement by Supervisor Hinty**

Supervisor Hinty read aloud the following Disclosure Statement: "I abstain from all matters, discussions, or voting related to the Dominion Virginia Power's transmission line project from Lexington to Dooms, and my disclosure statement under Virginia Code §2.2-3115(F) is on file with the Clerk to the Board of Supervisors."

Supervisor Hinty left the dais.

## **Citizen Comments**

Jeremiah Henderson indicated that he had given Chairman Higgins documents to look over and asked that he send him a response letter once he had time to review them.

Chairman Higgins stated that either the County Administrator or he would be sending a response letter to Mr. Henderson within the next couple of days.

### Dominion Virginia Power Transmission Line Project Comments:

Kristopher Baumann of Washington, DC, landowner in the Dutch Hollow area of Walkers Creek District, spoke in regard to Dominion Virginia Power's transmission line project from Lexington to Doods. He asserted that Dominion was building "an industrial corridor" through Rockbridge and Augusta Counties while misleading the public, the Counties, and State agencies. He further stated that according to State Code, such a project is required to be preceded by a process of letting interested parties know what exactly is to be built, the size of what was to be built, and the impact the size of the structures will have on scenic areas and the environment in general. He added that Federal Energy Regulatory Commission [FERC] guidelines require that new towers resemble the previous ones in size and color and ability to blend in with the environment; however, the towers now being built throughout the County are taller than the previous ones and shinier. Mr. Baumann stated that Dominion created a website making false statements to the public, telling people the towers would average 115 feet. He stated that Dominion left this false information on



its website for years until 6 weeks ago when he filed a complaint, and then they "tried to recreate the record" by changing the average to 133 feet instead. Mr. Baumann advised that the towers are as much as 178 feet tall. For these reasons, Mr. Baumann contended that the County and its residents had been misled and given false information; this situation led him to file a formal complaint to the SCC earlier in the day - April 27, 2015. He further asserted that the SCC approved the towers' height to be at a maximum of 144 feet. Mr. Baumann stated that Dominion deprived residents of the ability to come before the Board of Supervisors and ask for action to be taken before the structures were standing, and that the Board of Supervisors were likewise deprived of the opportunity to take action to stop the project - all because of false representations that were brought to the Board in 2012. He asked the Board to stand for its citizens and see what can be done at this point in the project, noting that there are Virginia Statutes at the Board's disposal that can ultimately be used to keep the County from being "run into the ground".

James Gercke of McElwee Road in Walkers Creek stated that there had been no direct notices given to County residents - or even notices in the local papers by Dominion to inform residents of the project. He reiterated what Mr. Baumann stated previously: that there is a requirement for such notification which it was not abided by, and that the structures do not resemble what previously stood. As such they contradict FERC guidelines that towers be built as short as possible. He asked the Board to take this

situation seriously - that it is the County's duty to file a formal complaint to the SCC asking for a remedy.

Tasha Walsh of Kerrs Creek District stated that she and her husband run a bicycle touring company in the County which may be impacted by the "eyesore" of these towers. She stated that something can be done even at this late date, asking that the Board seek to turn this around and keep the County beautiful.

Ann Turnicky, of Hays Creek Road in Walkers Creek District, stated that her farm is probably the most impacted and that she feels "defeated". She asked that the Board of Supervisors to do something about this; if not, what is the point of citizens voting if the people they vote for do not stand up for their citizens?

Dale Buckner, of Wind River Subdivision in Walkers Creek District, stated that he once had a beautiful view of the Maury River, but now looks out to find 12 towers. He stated that he believes the towers have devalued his property and asked the Board of Supervisors to make sure all the permits and the process taken were true and accurate - and if not, to take action.

Mark Poe stated that he lives in Augusta County at the border with Rockbridge, and he opposes the Dominion transmission lines' being larger, stating that there are alternative energy sources, such as solar or wind,

that could be more localized and thus reduce the need to transmit electricity over great distances. He further stated that the County should regulate the amount of light businesses can use, so that not so much electricity is needed. He asked the Board to consider the impact of planned new lighting in the area of the truck stops in Raphine.

Boards Comments:

Chairman Higgins asked for Board Comments.

Supervisor Campbell stated that he remembered when Dominion came to the Board of Supervisors to present and recalls that there was talk about how big the replaced line would be. He recommended that the Board look back at those Minutes from that meeting, and if they were misled send a formal complaint to the SCC. Supervisor Campbell asked that each Board Member meet with the County Administrator following review of those Minutes to make a decision on filing a formal complaint or not.

Supervisor Ford agreed with Supervisor Campbell's request.

Supervisor Lewis asked that the County Attorney look into the Code, particularly section 56-43, and to issue an opinion. He noted that whether or not the County was misled, the result is horrendous.

Chairman Higgins stated that he had personally traveled to that district and looked at the towers and spoke to several citizens about the towers. He stated that it was owed to the citizens in those areas to look into the statutes to see if anything can be done. He asked the County Attorney to pull the Code sections and report back to the Board.

### **Called Break**

Chairman Higgins called for a break at 6:13P.M.

### **Reconvened Meeting**

Chairman Higgins reconvened the meeting at 6:20 P.M.

### **Rearranged Agenda**

Chairman Higgins rearranged the Agenda in order to conduct business with the Economic Development Authority (EDA).

The EDA called their meeting to order at 6:22 P.M.

### **Adoption of the Business Incentive Policy and Existing Business**

#### **Support Plan- Jointly with the EDA**

Director of Community Development Sam Crickenberger introduced the two incentive policies and asked for both the EDA's and Board of Supervisors' approval.

County Administrator Spencer Suter commended members of the Board of Supervisors, Economic Development Authority, and staff members Brandy Flint and Sam Crickenberger, for their involvement in developing the policies. He added that the revised policies are designed to assist both new and existing businesses.

The EDA approved the policies by unanimous roll call vote.

Supervisor Campbell moved to approve the policies. Supervisor Lewis provided the second, and the policies were approved by unanimous roll call vote by the Board.

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

The EDA closed their meeting at 6:24 P.M.

**Items to be added to the Agenda**

There were none.

**Approval of Minutes for: March 23, 2015 Budget Work Session; March 23, 2015 BOS Work Session; March 23, 2015 Regular BOS Minutes; April 2, 2015 Budget Minutes; April 13 Regular BOS Meeting Minutes; April 15, 2015 Budget Public Hearing Minutes; April 22, 2015 Budget Adoption Minutes**

Supervisor Ford moved to approve all Minutes listed. Supervisor Hinty provided the second, and the Minutes were approved by unanimous roll call vote by the Board.

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

**School Appropriation Resolution**

Finance Director Steven Bolster presented the School Appropriation Resolution and requested approval as presented.

Supervisor Lewis moved to approve the School Appropriation Resolution. Supervisor Ford provided the second, and the Resolution was approved by unanimous roll call vote by the Board.

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

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150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,  
ON MONDAY, APRIL 27, 2015 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 70, SCHOOL CONSTRUCTION FUND** and expended as  
follows:

4-70-66200-3160-950 Purchases Services ..... \$1,690.00

**TOTAL FUND 70 APPROPRIATIONS** **\$1,690.00**

**Declaration of Surplus Equipment**

Mr. Bolster presented a Declaration of Surplus Resolution and  
recommended approval.

Supervisor Hinty moved to approve the Resolution. Supervisor Campbell  
provided the second, and the Resolution was approved 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 ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, APRIL 27, 2015

**RESOLUTION TO DECLARE A VEHICLE AND EQUIPMENT HELD AT THE ROCKBRIDGE COUNTY MAINTENANCE GARAGE AS SURPLUS AND TO AUTHORIZE DISPOSAL THROUGH PUBLIC SALE OR AUCTION, INCLUDING ONLINE PUBLIC AUCTION**

**WHEREAS**, County Departments have turned in a vehicle and trailer formerly used in staff operations to the Rockbridge County Maintenance Garage and these assets are the property of the County of Rockbridge; and,

**WHEREAS**, staff has evaluated the need for use of the former staff vehicle and equipment by other County departments or agencies, and recommends that the items be declared as surplus and sold through public sale or auction, including online public auction.

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

1. That the following Rockbridge County Maintenance Garage vehicle and equipment be, and hereby are, declared surplus property;

Year	Make	Model	VIN	Mileage
1990	Ford	B600 Bus	A38393	169,211
1978	Haulette	Trailer	8730F	N/A

2. That the County Administrator or the Fiscal Services Director, as the County Purchasing Agent, is hereby authorized to dispose of said surplus property through public sale or auction, including online public auction, and to sell said property to the highest competitive bidder.

3. That the proceeds of the sale be paid into the General Fund of the County.

4. That the County Administrator or the County Purchasing Agent is hereby authorized to execute such documents and take such actions on behalf of the County as are necessary and appropriate to accomplish the sale of said property, all of which shall be on form approved by the County Attorney.

5. That this resolution shall be effective on and from the date of its adoption.

Adopted this 27th day of April, 2015.

#### **Convene Solid Waste Authority**

Chairman Higgins convened the Solid Waste Authority at 6:27 P.M.

#### **Declaration of Surplus Equipment**

Mr. Bolster presented a Declaration of Surplus Equipment Resolution and requested approval.

Supervisor Hinty moved to approve the Resolution. Supervisor Lewis provided the second, and the Declaration of Surplus Equipment Resolution was approved by unanimous roll call vote by the Board.

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



**RESOLUTION TO DECLARE EQUIPMENT HELD AT THE ROCKBRIDGE COUNTY LANDFILL AS SURPLUS AND TO AUTHORIZE DISPOSAL THROUGH PUBLIC SALE OR AUCTION, INCLUDING ONLINE PUBLIC AUCTION**

**WHEREAS**, the Landfill Department has identified equipment formerly used in staff operations and these assets are the property of the Solid Waste Authority; and,

**WHEREAS**, staff has evaluated the need for use of the Solid Waste Authority equipment by other County departments or agencies, and recommends that the items be declared as surplus and sold through public sale or auction, including online public auction.

NOW, THEREFORE, be it RESOLVED by the Solid Waste Authority of Rockbridge County, Virginia, as follows:

1. That the following landfill equipment be, and hereby are, declared surplus property;

Year	Make	Model	Serial #	Hours
1970s	Koehring	SkyTrack 5522	6G5177	7,973
UNK	Butty Mfg.	Tire Cutter 1000	00780	N/A

2. That the Solid Waste Authority Secretary or the Fiscal Services Director, as the Purchasing Agent, is hereby authorized to dispose of said surplus property through public sale or auction, including online public auction, and to sell said property to the highest competitive bidder.

3. That the proceeds of the sale be paid into the Landfill Fund of the Solid Waste Authority.

4. That the Solid Waste Authority Secretary or the County Purchasing Agent is hereby authorized to execute such documents and take such actions on behalf of the Solid Waste Authority as are necessary and

appropriate to accomplish the sale of said property, all of which shall be on form approved by the County Attorney.

5. That this resolution shall be effective on and from the date of its adoption.

Adopted this 27th day of April, 2015.

### **Reconvened Board of Supervisors Meeting**

Chairman Higgins closed the Solid Waste Authority at 6:27 P.M. and reconvened the Board of Supervisors meeting.

### **Consideration of RFP for Solid Waste and Recycling Hauling Services**

(This item was listed on the Agenda under the Solid Waste Authority but was moved in order for the Board of Supervisors to take action instead)

Mr. Suter read aloud the following Statement: "Staff and the Committee feel that this work falls under the definition of non-professional services. Virginia Code §2.2-4303(C) states, '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.' The recommendation of staff and the Solid Waste Committee is based on their determination 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 Ford moved that, upon finding that an invitation for bid is neither practicable nor fiscally advantageous to the public for the reasons stated by the County Administrator, the County proceed with procurement of the specified services via issuance of the proposed RFP and competitive negotiation. 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

#### **Appointments**

##### **Social Services Board- Duaine Fitzgerald- term Expires 4/30/2015**

Supervisor Ford moved to reappoint Duaine Fitzgerald to the Social Services Board. 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

#### **Adjourn**

On a motion by Supervisor Hinty, seconded by Supervisor Campbell, the meeting was adjourned at 6:31 P.M. by unanimous vote by the Board.