

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, JUNE 22, 2015, AT 4:30 P.M.

PRESENT: CHAIRMAN J.M.HIGGINS  
MEMBERS: R.R.CAMPBELL, R.S.FORD,  
ABSENT: A.W.LEWIS, JR.  
LATE: D.W.HINTY, JR. (arrived at 4:36 P.M.)  
CLERK TO BOARD: SPENCER H. SUTER  
COUNTY ATTORNEY: VICKIE L. HUFFMAN  
STAFF: BRANDY WHITTEN  
OTHER: MSA DIRECTOR JERRY HIGGINS

Called to Order

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

**Discussion of Maury Service Authority Bylaw Amendment Request**

County Administrator Spencer Suter briefly reviewed the Agenda Item:  
"Maury Service Authority (MSA) Executive Director Jerry Higgins has  
approached the three member-localities with the request to revise the  
MSA's Articles of Incorporation and Bylaws. It is my understanding that  
the request/suggestion originated with MSA Bond Counsel Carolyn Perry, who  
pointed out the complexities of obtaining project financing under the  
current structure.

"There are several attachments for you to consider. I suggest examining  
them in the order listed below:

- A) June 3 Memorandum from Mr. Higgins - Provides an overview of the MSA  
reasoning for the request.

- B) Restated Articles of Incorporation
- C) Restated Bylaws
- D) Revised Participation Agreement
- E) June 3 Proposed Draft Timeline

As noted in Mr. Higgins' memorandum, these documents appear daunting upon the initial review. Very generally, the document revisions are intended to streamline the process of gaining approvals for borrowing related to capital projects planned to meet the MSA's mission. Important factors to consider with the proposed change include:

- Requirement for creation and maintenance of a 5-year Capital Improvement Plan
- Differentiation between "Participating Localities" (Rockbridge County, City of Lexington and City of Buena Vista) and "Owners" (Rockbridge and Lexington only)
- Requirement that the "Owners" formally approve any borrowing for capital projects
- Requirement to provide "Owners" with a Preliminary Engineering Report (PER) prior to requesting permission to incur debt on a project
- Flexibility for the MSA to restructure, reissue or refinance debt without express locality permission in cases where overall financial benefit may be achieved
- Flexibility for the MSA to incur cost to address emergency projects

- With regard to capital expenditures, these changes require "owner" permission when debt incurrence is contemplated. It does not prohibit the MSA from funding capital projects supported by its fund balance.

"As noted in the proposed timeline (Attachment E), the requested changes would require public hearings in all three member localities and adoption by all, followed by SCC approval. It is the MSA's goal to move ahead with these changes so that it could return to the Board of Supervisors and Lexington City Council to request approval to borrow \$960,000 for replacement of the water line along the Route 11 bypass to the Houston Street tank. This final (funding) request is scheduled for late summer, should all member localities agree to the requested changes to the Articles of Incorporation and Bylaws, and should the SCC then approve. The purpose of the work session is to allow Mr. Higgins to review the reasoning for - and particulars of - the request with the Board and to answer questions in a conversational setting. In addition, and in the spirit of the capital borrowing approvals posited in the revised documents/process, he will provide information on the aforementioned Houston Street tank waterline project, which would require the borrowing."

Chairman Higgins advised that he is the Board of Supervisors representative on the MSA Board and that the request is basically dealing with the Articles of Incorporation.

Jerry Higgins, MSA Director, stated that the Articles of Incorporation must be adopted by the County, Lexington, and Buena Vista.

He asked that the Board look at removing Buena Vista as one of the entities who would be required to approve funding for projects and just leave it up to the Board of Supervisors and City of Lexington to approve loans for larger projects.

Supervisor Campbell asked why Buena Vista would need to be included in anything, because they have shown no interest in participating. He stated that they should be removed entirely and if need be in the future they could rejoin.

Jerry Higgins noted that what was being requested is to leave Buena Vista on the main documents, but that they would not have authorization to vote on matters related to the funding of projects.

Supervisor Ford stated that Buena Vista was included in the original documents because at one time there was a thought of having a regional waste water plant, but it never came about.

Jerry Higgins advised that, without Buena Vista's representative, voting on matters could become a problem as there will be only four members on the MSA Board.

Supervisor Ford advised that Buena Vista currently has to obtain a special permit to use its Waste Water Treatment Plant because it is out of compliance; BV has to buy credits on the open market - to which MSA sells. At some point the EPA may tighten down on the regulations on stream contamination. On another MSA issue, he noted that each year an allocation is approved by the MSA board on how much of the MSA's capital expense will

be paid by Lexington City and the County. He reported that, over the last several years, the capital expense has been split 50/50, even though Lexington has created about 66% of the waste water.

Chairman Higgins stated that, when the plant was built, it was paid for 50/50, but on the operational side Lexington uses about 68-70%.

Supervisor Ford clarified that, on the operational side, Lexington has paid their part, but on the capital side the County is still paying 50/50 even though they don't use the entire 50%.

Mr. Suter asked Jerry Higgins what would happen if the 100% capacity was reached. He asked if MSA would have to purchase credits or upgrade the plant.

County Attorney Vickie Huffman stated that there is no way to exceed 100% of the capacity. She also clarified that state code requires that there be a minimum of five members on an Authority or Board. She stated that any changes to the language or participation would go into the Participation Agreement. She also shared her concern that, should the MSA request be granted in full, the MSA would only be bringing projects before the Board for approval if debt financing were necessary.

Supervisor Ford asked if there should be language added giving the Board additional oversight of all projects.

The Board and County Attorney then discussed the possibility of specifying a minimum amount of new debt that would need to come to the Board for approval.

Jerry Higgins advised that there are only two kinds of projects: the ones that already go through asset management and the ones that are capital improvements. He then asked the Board to consider language in the Agreement that anything causing a 25% increase to the rate must come to the Board verses adding a specific number.

Supervisor Ford stated that no matter what is decided, there would always be water problems. He and Chairman Higgins agreed that some projects are not needed and do not benefit the County.

Chairman Higgins asked if Buena Vista should be consulted. He also asked how many members should be on the MSA Board. He suggested five or six.

Supervisor Ford suggested that a letter be written to Buena Vista asking if they would like to continue participating with the MSA.

Ms. Huffman strongly recommended that the letter be written immediately.

Supervisor Ford recommended that amended language be considered on the Articles of Incorporation. He asked that the County Attorney look into it.

With no further business to discuss, the Work Session was closed at 5:21 P.M.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY  
VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING,  
150 SOUTH MAIN STREET LEXINGTON, VIRGINIA,  
ON MONDAY, JUNE 22, 2015, AT 5:30 P.M.

PRESENT: CHAIRMAN J.M.HIGGINS  
MEMBERS: R.R.CAMPBELL, R.S.FORD, D.W.HINTY, JR.  
ABSENT: A.W.LEWIS, JR.  
CLERK TO BOARD: SPENCER H. SUTER  
COUNTY ATTORNEY: VICKIE L. HUFFMAN  
STAFF: CHRIS SLAYDON, JEREMY GARRETT, STEVEN BOLSTER,  
JULIE WHITESELL, AMY MILLINER, ROBERT FORESMAN,  
BRANDON MITCHELL, BRANDY WHITTEN

#### Call to Order

Chairman Higgins called the meeting to order at 5:30 P.M.

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

#### Recognitions and Presentations

Mr. Bolster read aloud: "It's my pleasure to present Rockbridge County the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ending 2014 audit. The GFOA established this reporting program in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure - and then to recognize individual

governments that succeed in achieving that goal. The goal of the program is not to assess the financial health of participating governments, but rather to ensure that users of their financial statements have the information they need to do so themselves. Reports submitted for the audit program are reviewed by selected members of the GFOA professional staff and the GFOA Special Review Committee, which comprises individuals with expertise in public sector financial reporting and includes financial statement preparers, independent auditors, academics, and other finance professionals. To give you an idea of the depth and breadth of the evaluation, the GFOA submission checklist is 110 pages long and includes 895 checklist items to conform to when submitting the annual audit. In presenting the GFOA Certificate of Achievement for Excellence in Financial Reporting, I would like to thank a number of people and organizations who helped to make this a reality. Julie Whitesell, Ron Argenbright, Amy Milliner, Treasurer Betty Trovato and her office, Commissioner of the Revenue David Whitesell and his office, Brandy Flint, and our component units (the Solid Waste Authority, the Rockbridge County School Division, the Public Service Authority, the Regional Jail, and Social Services). In addition, I greatly appreciate the assistance of CPA Mary Earhart and her staff, and CPA James Kelly and his staff with Robinson, Farmer, Cox Associates. I leaned heavily on James to ensure the County submitted an audit report that met GFOA standards. It's a team effort that involves everyone doing their part to contribute to the integrity of our financial statements. Congratulations to the County for achieving this recognition."

Mr. Bolster presented the Chairman with a framed award.

Mr. Suter then presented the Fiscal Services Department with a Financial Reporting Achievement Award, noting that this award is often difficult to achieve on the first submission, but the County did. He then commended Chris Slaydon for his assistance with the Capital Improvement Plan.

Supervisor Ford reminded the Board that, upon hiring, Mr. Bolster stated that it would take him three years to fully understand the intricacies of the position. However, Mr. Bolster has proved himself more than adept at absorbing the complexities of the position - as evidenced by the County's achieving such splendid recognition. He added that this award shows how important transparency in all matters is to the Board of Supervisors.

Supervisor Campbell added that he hoped the County would never lose Mr. Bolster as the Finance Director.

Chairman Higgins agreed with the comments made and added that this is why the Board of Supervisors decided a few years ago to host an Employee Appreciation Luncheon. He stated that the Board likes to show staff how much they appreciate them for what they do on a daily basis year round. He noted that the Employee Appreciation Luncheon is hosted by the Board Members alone and that all expenses are paid out of pocket by the Supervisors and at no expense to the County. He then invited "Advocate" publisher Doug Harwood and "News Gazette" Assistant Editor Ed Smith to the luncheon.

**Citizens Comments**

Director of the Rockbridge Regional Library, Julie Goyette, introduced the new Library President, Bruce McWilliams.

Then Board welcomed Mr. McWilliams and thanked him for his service.

Mr. McWilliams asked the Board to call on him and Ms. Goyette anytime.

**Items to be added to the Agenda**

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

**Approval of Minutes for June 8, 2015**

Supervisor Ford moved to approve the Minutes for June 8, 2015. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

**Closeout of FY 2014-15 including appropriations and payment of bills**

Mr. Bolster presented an Appropriation Resolution for the closeout of FY14-15 and payment of bills.

Supervisor Campbell moved to approve the Appropriation Resolution.  
 Supervisor Ford provided the second, and the motion carried by unanimous  
 roll call vote by the Board Members present, with Supervisor Lewis being  
 absent.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
 VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING,  
 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,  
 ON MONDAY, JUNE 22, 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:

4-11-32050-5700	4 for Life Funds - Rescue Squads.....	\$5,000.00
4-11-34015-3002	Contracted Services.....	\$4,367.00
4-11-81090-5623	Contrb-Horse Center Debt.....	\$34,747.00
4-11-81090-5696	RANA Line of Credit.....	\$2,000.00
4-11-99010-6192	Transfer to Lined Landfill.....	\$24,714.00

<b>Total General Fund Appropriations</b>	<b>\$70,828.00</b>
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**Current County**

11 - General Fund	<u>\$325,121.18</u>
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<b>Total County Bills</b>	<b>\$325,121.18</b>
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**Current Fiscal Agent**

22 - RANA - Construction	\$200.00
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80 - Regional Jail	\$26,299.08
87 - Commonwealth Atty. Forfeitures	\$264.35
92 - Drug Fund	<u>\$2,014.15</u>
<b>Total Fiscal Agent</b>	<b>\$28,777.58</b>
 <b>TOTAL ALL BILLS</b>	 <b>\$353,898.76</b>

**Approval of payment of final FY 2014-15 payroll**

Mr. Bolster presented a Memorandum requesting payment for the final 2014-15 payroll.

Supervisor Hinty moved to approve the final payroll. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

**Appropriation of FY 2015-16 County Budget**

Mr. Bolster presented an Appropriation Resolution for the FY15-16 Budget and recommended approval.

Supervisor Ford moved to approve the Appropriation Resolution. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING,

150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,  
ON MONDAY, JUNE 22, 2015 AT 5:30 P. M.

On motion of Supervisor \_\_\_\_\_, with second by Supervisor \_\_\_\_\_, the following functions are allowed as appropriations in accordance with the Budget dated FY 2015-2016 that is filed with the records of the Board (to become effective July 1, 2015).

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations be, and the same hereby are made, for the period ending **June 30, 2016**, in the:

**GENERAL FUND, FUND 11:** (To be expended only on order of the Board of Supervisors with the exception of Social Services activities, which are to be expended only on order of the Board of Public Welfare):

Board of Supervisors	\$ 103,498.00
General and Financial Administration	\$ 1,810,555.00
Registrar	\$ 157,261.00
Judicial Administration	\$ 1,460,939.00
Public Safety	\$ 7,370,487.00
Public Works	\$ 3,700,768.00
Health and Welfare	\$ 1,273,932.00
Education	\$ 68,384.00
Parks, Recreation, and Cultural	\$ 1,420,050.00
Community Development	\$ 3,135,837.00
Non-Departmental	<u>\$21,378,881.00</u>
Total General Fund	<b>\$41,880,592.00</b>

**FY 2014-15 School Appropriation Resolution**

Mr. Bolster presented an Appropriation Resolution for 2014-15 and recommended approval.

Supervisor Hinty moved to approve the Appropriation Resolution. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

AYES: Hinty, Campbell, Ford, Higgins

NAYES: None  
ABSENT: Lewis

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, JUNE 22, 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 50, SCHOOL FUND** and expended as follows:

4-50-61100-8201-910	Capital Outlay-Additions.....	\$100,000.00
4-50-64500-8101-915	Capital Outlay-Replacement.....	\$45,000.00
<b>TOTAL FUND 50 APPROPRIATIONS</b>		<b>\$145,000.00</b>

**Appropriation of FY 2015-16 School Budgets**

Mr. Bolster presented an Appropriation Resolution for the 2015-16 Schools Budgets and recommended approval.

Supervisor Ford moved to approve the Appropriation Resolution. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING,  
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,  
ON MONDAY JUNE 22, 2015, AT 5:30 P.M.

On motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the Board, by record vote adopted the following resolution to appropriate the FY 2015-2016 School Fund (Fund 50) and the School Cafeteria Fund (Fund 56) in accordance with the Budget dated FY 2015-2016 which is filed with the records of the Board to become effective July 1, 2015. (The School Administration provided account line numbers for the appropriations):

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriations be, and the same hereby are made, for the period ending **June 30, 2016**, in the **SCHOOL EDUCATION FUND (Fund 50)** and expended on the order of the School Board as follows:

4-050-61000	Instruction.....	\$20,581,527
4-050-62000	Administration & Health.....	\$1,326,508
4-050-63000	Pupil Transportation.....	\$2,277,932
4-050-64000	Operations and Maintenance.....	\$3,094,061
4-050-66000	Facilities.....	\$20,000
4-050-67000	Debt Service.....	\$3,736,246
4-050-68000	Technology.....	\$1,074,227
<b>TOTAL APPROPRIATIONS SCHOOL FUND.....</b>		<b>\$32,110,501</b>

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Board of Supervisors of Rockbridge County, Virginia, that the following appropriation be, and the same hereby is made, for the period ending **June 30, 2016** in the **SCHOOL CAFETERIA FUND (Fund 56)** and expended on the order of the School Board as follows:

4-056-65000	School Cafeteria.....	\$1,208,813
<b>TOTAL APPROPRIATIONS CAFETERIA FUND.....</b>		<b>\$1,208,813</b>

**Convene Solid Waste Authority**

At 5:47 P.M., Chairman Higgins convened the Solid Waste Authority.

**SWA Closeout of FY14-15 including appropriations and payment of bills**

Mr. Bolster presented an Appropriation Resolution and bills list. He recommended approval as presented.

Supervisor Campbell moved to approve the closeout of FY14-15 and payment of bills. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

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, JUNE 22, 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 UNAPPROPRIATED SURPLUS of the **SWA-LANDFILL FUND** and expended as follows:

4-19-19070-3001 Engineering Services.....	\$10,555.00
4-19-19070-3901 Permit Fees.....	\$1,574.00
4-19-19070-7010 Construction-Office Bldg.....	\$12,585.00

**Total SWA-Landfill Fund Appropriations** **\$24,714.00**

**Current SWA**

19 - SWA-Landfill	\$64,361.80
20 - SWA-Recycling	<u>\$11,868.11</u>

**Appropriation of FY 2015-16 SWA Budgets**

Mr. Bolster presented an Appropriation Resolution and recommended approval as presented.

Supervisor Ford moved to approve Funds 19 and 20 for FY2015-16. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

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, JUNE 22, 2015 AT 5:30 P. M.

On motion of Supervisor \_\_\_\_\_, with second by Supervisor \_\_\_\_\_, the following functions are allowed as appropriations in accordance with the Budget dated FY 2015-2016 that is filed with the records of the Solid Waste Authority (to become effective July 1, 2015).

APPROPRIATION RESOLUTION

BE IT RESOLVED: By the Rockbridge County Solid Waste Authority, that the following appropriations be, and the same hereby are made, for the period ending **June 30, 2016**, in the:

**SOLID WASTE AUTHORITY-LANDFILL, Fund 19:** (To be expended only on order of the Solid Waste Authority): **\$2,005,359.**

**SOLID WASTE AUTHORITY-RECYCLING, Fund 20:** (To be expended only on order of the Solid Waste Authority): **\$504,309.**

At 5:48 P.M., Chairman Higgins closed the Solid Waste Authority and reconvened in the Board of Supervisors regular meeting.

**Consideration of Proposal Rankings: Solid Waste and Recycling Material Transportation Services**

Director of Solid Waste and Transportation Jeremy Garrett briefly reviewed the Agenda Item: "As you are aware, since February, the Solid Waste Committee has worked closely with DAA and its sub-contractor (SCS Engineers) to complete publication and advertising of a comprehensive Solid Waste and Recycling Request for Proposals. The RFP was subsequently presented to and approved for advertisement by the full Board. The RFP was advertised on April 29, 2015, and a pre-proposal meeting was held on May 13. All potential proposers were given until May 18 to submit questions, which resulted in a single addendum (clarification of overnight storage in section 3.3.5) that was published on May 22. The deadline for submission was 2:00 p.m. on June 4. The county received two proposals, and both were deemed to be responsive and responsible per the language provided within the published RFP. The proposers were: C&S Disposal, Inc. and County Waste, Inc. Ranking criteria was divided into eight areas:

1. Demonstrated understanding of transportation services required.
2. Transportation fleet, equipment, and other resources to be used to perform the services.
3. Qualifications and experience of Contractor, specifically related to solid waste and recyclable material transportation services for municipalities.

4. Expertise of key personnel.
5. Comment and opinion of references.
6. Impact of Contractor on County resources (personnel, environment, aesthetics infrastructure, etc.) and customers.
7. Proposed prices.
8. Contractor responsiveness and any other relevant information offered or discovered during the course of evaluation and individual discussions.

"On June 11, 2015, the Board Solid Waste Committee, County Administrator, Director of Solid Waste and Transportation and Recycling Coordinator conducted interviews with both proposers. In addition, an SCS Engineers representative and our County Attorney sat in on the interviews. At the conclusion of the interviews, all Committee members and support personnel discussed the above criteria to ensure a clear understanding of each. Subsequently, each member spent several days independently ranking the proposals, considering criteria 1, 2, 3, 4, 6 and 8. Items 5 (References) and 7 (Price) were not scored individually. Rather they were scored in the following manner:

(5) References - Scored via written recommendations, submitted in the proposals, and verbal information solicited from existing customers served by the proposers. When soliciting feedback from customer references, a

standardized form was used. Subsequently, the Committee met to discuss and agree on a score for each proposer/proposal.

(7) Price - As you may recall, the potential scope of the services could vary greatly, depending on the course(s) of action the Board may ultimately take in the area of solid waste. This necessitated a rather complex pricing proposal structure. In order to ensure objectivity, SCS Engineers was tasked with developing a pricing evaluation matrix, into which they input pricing information provided by both proposers, to achieve an objective, mathematical score in this area.

"On June 16, 2015, the evaluation committee met again and each member presented their individual scoring (scale of 1-100) for criteria 1, 2, 3, 4, 6 and 8. Criteria 5 and 7 were then input into a master table and the resultant scores were reduced to a straight line average to determine the final ranking. The results are as follows:

1- C&S Disposal Inc. (93.3)

2- County Waste Southwest Virginia (89.9)

"It should be noted that the Committee agreed that either proposer is qualified to complete the required services. It is the Committee's recommendation that competitive negotiation take place with the top ranked firm. Should efforts in that regard fail, negotiations would cease with the top ranked firm and begin anew with the 2<sup>nd</sup> ranked firm, until a suitable contract is reached for consideration by the Board. At that time, the Committee would return to the Board with a draft contract, for consideration. Based on the previously-established schedule, it is

anticipated that we would return to the Board at its regular, July 13 meeting."

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

Supervisor Ford reiterated that each committee member ranked the proposals individually and that the ranking was very close. He further stated that it was clear that either proposer could accomplish the required work easily.

Supervisor Campbell reiterated that either proposer could do the job required and felt that the top ranked proposer could continue to serve the County well.

Supervisor Hinty also commended Supervisors Ford and Campbell for their participation on the Solid Waste Committee.

Supervisor Ford moved to authorize the Committee to enter into competitive negotiations with the proposers according to ranking, returning to the Board at a later date with a draft contract for further consideration. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

#### **Approval of Fair Housing Resolution**

Chairman Higgins introduced this item.

Supervisor Ford then read aloud the resolution.

Supervisor Ford moved to adopt the resolution. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JUNE 22, 2015

#### RESOLUTION

WHEREAS, the Congress of the United States has enacted the Federal Fair Housing Act of 1968, as amended; and,

WHEREAS, federal and state law provide equal housing opportunity for all citizens regardless of race, color, religion, national origin, sex, age, familial status, or handicap; and,

WHEREAS, the County of Rockbridge has provided programs to assist the development of decent, affordable housing for citizens of all incomes.

NOW, THEREFORE, We, the Board of Supervisors of the County of Rockbridge, Virginia, do endorse the concept of Fair Housing and call upon the citizens of this locality and governmental officials along with those in banking and housing industries to join together in this observance and work together in this observance and work together for free and equal housing treatment for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Rockbridge County, Virginia, to be duly affixed this 22<sup>nd</sup> day of June, 2015.

**Consideration of MSA Request to Amend Articles of Incorporation, Bylaws,  
and Participation Agreement**

Chairman Higgins announced that the Board had discussed this request during the 4:30 Work Session.

Mr. Suter advised that the Board agreed not to take any action on the request at this time and to set this item over to the July 13<sup>th</sup> meeting.

**Appointments**

**RARO Board of Directors- Warren Schmid- Term Expires 6/30/2015**

Supervisor Campbell moved to appoint Joey Jones to the RARO Board in place of Mr. Schmid, who was no longer able to serve. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

**RARO Board of Directors- Hunter McClung- Term Expires 6/30/2015**

Supervisor Ford moved to reappoint Mr. McClung to the RARO Board. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

**Rockbridge Regional Communications Center Management Board- Michael Sandridge- Term Expires 6/30/2015**

On behalf of Supervisor Lewis, Supervisor Ford moved to reappoint Mr. Sandridge to the Regional Communications Center Board. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

**Rockbridge Regional Communications Center Management Board- Robert Hickman- Term Expires 6/30/2015**

Supervisor Hinty moved to reappoint Mr. Hickman to the Regional Communications Center Board. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

**Central Shenandoah Planning District Commission- Chris Slaydon- Term Expires 6/30/2015**

On behalf of Supervisor Lewis, Supervisor Ford moved to reappoint Mr. Slaydon to the Central Shenandoah Planning District Commission. Supervisor Campbell provided the second, and the motion carried by unanimous roll

call vote by the Board Members present, with Supervisor Lewis being absent.

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

**Public Hearings at 6:00 P.M.**

**Zoning Ordinance Amendments- Electronic Message Centers for Fire and Rescue Facilities**

Assistant Director of Community Development Chris Slaydon briefly reviewed the Agenda Item: "Enclosed is recommended language to allow the use of EMC's at Fire and Rescue Facilities for community service messages. This would amend Sections 706.04 and 706.06-4 of the Land Development Regulations. A map of all Fire and Rescue facilities that could qualify for this sign is enclosed. As many of these facilities are located along the Tourism Corridor Overlay Zone, that Board was asked to comment on the amendment. The TCO Board recommended approval of the amendment but was concerned about the brightness of the signs and wanted the Planning Commission to consider ways to shield or reduce the light levels. At the May 13<sup>th</sup> public hearing, concerns were again raised on the allowable light levels and times of operation. A demonstration was set up using the Walkers Creek FD sign following the public hearing. Based on that demonstration, the Commission has determined that the use of these signs could be approved with limitations on light levels, colors and time of operation, which have been addressed in the amendment."

Mr. Slaydon then reviewed the recommended amendments to the Land Development Regulations as such: "(7)For any fire department or rescue squad a name sign up to fifteen (15) square feet or up to a total of thirty-two (32) square feet when a manually lettered bulletin board or EMC as defined in Section 302-183A is included. Such signs must be set on a single monument base, shall be landscaped and in character with the surrounding area and manually lettered bulletin boards may be illuminated with white lights only. The height may not exceed eight (8) feet.

An EMC as defined in Section 302-183A may be allowed under the following conditions:

- a. Displays shall be limited to community messages that appear or disappear from the display and remain static with no movement or scrolling. In no case shall the display use the flash mode of operation.
- b. Each message on the sign shall be displayed for a minimum of one hour; in no case shall the message be changed more than ten (10) times in a twenty-four (24) hour period.
- c. The background the EMC shall remain black or unlit.
- d. Electronic displays shall consist of no more than two (2) colors.
- e. Nighttime illumination shall be limited to nine hundred (900) NITs.
- f. The display may only be used to advertise community messages, time and temperature, and public service announcements. The owner must register with Amber Alerts.

g. Signage shall be turned off between the hours of 10:00 pm and 6:00 am, unless there is an emergency situation or an Amber Alert has been issued.

h. The electrical service lines providing power to such shall be underground.

(8) Memorial signs or tablets, including the names of buildings and date of erection when cut into masonry, bronze or other materials.

(9) On-premises security and warning signs, such as no hunting, no fishing, no trespassing, used by a private landowner, not to exceed two (2) square feet. This type of sign is allowed on trees, fence posts and other such devices."

Chairman Higgins asked Mr. Slaydon if the electrical service lines must go underground.

Mr. Slaydon replied that the proposed ordinance would require underground power.

Lieutenant Timmy Whitesell of the Walkers Creek Fire Department stated that the use of these signs will be for community messages and public safety.

Supervisor Hinty asked if they were allowed to only use white lights.

Mr. Slaydon stated that they were allowed to use two colors.

Chairman Higgins opened the public hearing at 6:10 P.M. There were no comments. Chairman Higgins closed the public hearing.

Supervisor Campbell moved to adopt the ordinance amending the Land Development Regulations. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA,  
HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JUNE 22, 2015

**Ordinance to Amend Article 7 – Use Regulations of the County of Rockbridge Land Development Regulations in Section 706.04 - Permissible Signs in All Districts to Allow Electronic Message Center Signage for Fire Departments or Rescue Squads**

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this amendment to the Land Development Regulations on May 13, 2015, and upon further consideration at its meeting on June 10, 2015, recommended approval to the Board; and,

WHEREAS, the Rockbridge County Board of Supervisors held a public hearing on this amendment on June 22, 2015; and,

WHEREAS, legal notice has been provided in accordance with Section 15.2-2204 of the Code of Virginia (1950, as amended) and Section 802.04 of the County of Rockbridge Land Development Regulations; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, has determined that the provisions of this ordinance generally promote the health, safety and general welfare of the public, that the amendment is required by good zoning practice and accomplishes the objectives set forth in Va. Code Section 15.2-2200, and that the amendment serves one or more of the purposes set forth in Va. Code Section 15.2-2283 of the Code of Virginia.

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

1. That Section 706.04 – Permissible Signs in All Districts, in Section 706.00 – Signs of Article 7 – Use Regulations of the Rockbridge County Land Development Regulations be amended and reenacted as follows:

**ARTICLE 7  
USE REGULATIONS**

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**706.00            SIGNS**

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706.04            Permissible Signs in All Districts. The following signs are allowed in all zoning districts and shall be exempt from permit regulations:

Temporary Signs:

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Permanent Signs:

- (1) Directional signs for parks, playgrounds and other uses of a noncommercial nature erected by a government agency. Such signs shall not exceed four (4) square feet in area and eight (8) feet in height.
- (2) Farm signs relating solely to farm or horticultural produce, livestock, or services sold, produced, manufactured or furnished on such farm and cottage industries as defined. There shall be only one (1) such sign not exceeding a total area of twelve (12) square feet and eight (8) feet in height.
- (3) Bed and Breakfast and Country Inn. There shall be permitted only one (1) such sign not to exceed a total area of twelve (12) square feet in area and eight (8) feet in height in an agricultural and business district and two (2) square feet in area and six (6) feet in height in a residential district. Such signs may be illuminated by white lights only.
- (4) Home occupation signs shall not exceed two (2) square feet in area and six (6) feet in height, shall not be illuminated and shall contain only the name of the business and/or business owner. These signs may be located on an exterior wall, window or door of the premises. (Sec. 706.04(4), formerly Sec. 706.04(d), Amended by Ord. of 4-26-10)
- (5) Name signs and professional name plates not exceeding an area of two (2) square feet. Such signs shall not exceed six (6) feet in height, shall not be illuminated and shall contain no advertising material. (Mail box lettering is addressed in the 911 guidelines).
- (6) For any church, school, park, or other public or semi-public institution, a name sign up to fifteen (15) square feet or up to thirty-two (32) square feet to include a manually lettered bulletin board. Such signs must be set on a single monument base, shall be landscaped and in character with the surrounding area and may be illuminated with white lights only. The height may not exceed eight (8) feet.
- (7) For any fire department or rescue squad a name sign up to fifteen (15) square feet or up to a total of thirty-two (32) square feet when a manually lettered bulletin board or EMC as defined in Section 302-183A is included. Such signs must be set on a single monument base, shall be landscaped and in character with the surrounding area and manually lettered bulletin boards may be illuminated with white lights only. The height may not exceed eight (8) feet.

An EMC as defined in Section 302-183A may be allowed under the following conditions:

- a. Displays shall be limited to community messages that appear or disappear from the display and remain static with no movement or scrolling. In no case shall the display use the flash mode of operation.
  - b. Each message on the sign shall be displayed for a minimum of one hour; in no case shall the message be changed more than ten (10) times in a twenty-four (24) hour period.
  - c. The background the EMC shall remain black or unlit.
  - d. Electronic displays shall consist of no more than two (2) colors.
  - e. Nighttime illumination shall be limited to nine hundred (900) NITs.
  - f. The display may only be used to advertise community messages, time and temperature, and public service announcements. The owner must register with Amber Alerts.
  - g. Signage shall be turned off between the hours of 10:00 pm and 6:00 am, unless there is an emergency situation or an Amber Alert has been issued.
  - h. The electrical service lines providing power to such shall be underground.
- (8) Memorial signs or tablets, including the names of buildings and date of erection when cut into masonry, bronze or other materials.
- (9) On-premises security and warning signs, such as no hunting, no fishing, no trespassing, used by a private landowner, not to exceed two (2) square feet. This type of sign is allowed on trees, fence posts and other such devices.

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2. That this ordinance shall be in full force and effect on and from the date of its adoption.

Adopted this 22<sup>nd</sup> day of June, 2015.

### **Zoning Ordinance Amendments- Source Water Protection Overlay Zone**

Mr. Slaydon briefly reviewed the Agenda Item while providing supporting materials via PowerPoint. The Agenda Item included: "Enclosed is the draft language and map associated with this amendment, which has been some years in the making. The purpose of this overlay zone is to protect our public drinking water supply on the Maury River and prevent incidents like the ones in Charleston, WV, and Danville, VA, this past year, when chemical and coal ash leaks shut down public water supplies. We are very fortunate that the area upstream of the MSA intake on the Maury River is very rural. We have fielded numerous calls since the proposal was mailed to all landowners in the overlay zone, and we received some very good comments at the Planning Commission's public hearing held on May 13<sup>th</sup>. Overall, folks are supportive of the idea, but have pointed out some inaccuracies in the mapping and expressed concern about the restriction on drainfield locations. The mapping inaccuracies are a result of intermittent streams identified on the old USGS 7 ½ Minute Series Quad Maps that are, in fact, drainage ways or no longer exist due to road and

berm construction - as with Highland Belle Elementary School and a stream off of Spring Farm Road. Consequently, we think it would be beneficial to have an administrative process to field review questionable determinations. Additionally, through discussions with the MSA, we have deleted the restrictions on drainfield locations and will let the Health Department continue to regulate those standards. The text has been redrafted accordingly and the mapping has been corrected per field verification. The Planning Commission has recommended approval of this amendment."

Supervisor Ford introduced Sandra Stewart, Jerry Higgins, and Jimmy Carter, who had been working on this matter. He then asked what the process would be for a citizen to try remove a portion of his property that he felt should not be in the overlay zone, based on the somewhat inaccurate FEMA mapping.

Mr. Slaydon replied that any mapping revisions would require a public hearing, and he referred to section 612.06 Field Determinations of the proposed ordinance that states landowners that have concerns with the accuracy of the mapping may request staff to perform a field determination to confirm mapping as requested. If deemed inaccurate, staff may assist the landowner in seeking a correction through the zoning amendment process. A landowner may be required to engage an engineer to assist with this determination. Mr. Slaydon then gave the example of a landowner going through the letter of map amendment process (LOMA) through Federal Emergency Management Agency (FEMA).

Chairman Higgins asked Mr. Slaydon if there had been any known problems along the way of this process.

Mr. Slaydon stated that businesses are aware that they will need to submit a spill control plan and other Environmental Impact information due to this change in the regulations. He also stated that the proposed ordinance will prohibit the disposal or application of septic and sludge for farmers in this zone.

Jimmy Carter, member of the MSA, stated his concern about the changes this will have for the MSA Treatment Plant regarding its sludge.

Chairman Higgins opened the public hearing at 6:36 P.M.

Jimmy Carter shared his concern about the Boy Scout Camp and its releases of silt from Lake Merriweather.

Mr. Slaydon stated the Boy Scout Camp was located outside the proposed SWPOZ.

Leslie Myers of Augusta Lumber asked if the lumber yard could be expanded, and if it purchased new equipment that uses petroleum, what would need to be done.

Mr. Slaydon stated that Augusta Lumber is operating under a Special Exception Permit. He clarified that the lumber yard could be expanded, but that any additional storage or production of hazardous waste could be prohibited.

Chairman Higgins closed the public hearing at 6:47 P.M.

Chairman Higgins asked that, if at all possible, County staff try to handle as much as they can with assisting citizens with finding out if a portion of their property is not within this zone to prevent them from having to pay an engineer.

Supervisor Ford advised that the Health Department is able to assist with drain field studies.

Supervisor Ford moved to adopt the Ordinance amending the Land Development Regulations. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,  
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JUNE  
22, 2015

**Ordinance to Amend Article 6 – Uses in Districts of the County of Rockbridge Land Development Regulations to Add Section 612.00 - Source Water Protection Overlay Zone**

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this amendment to the Rockbridge County Land Development Regulations on May 13, 2015, with continued consideration on June 10, 2015, and recommended approval to the Board; and,

WHEREAS, the Rockbridge County Board of Supervisors held a public hearing on this amendment on June 22, 2015; and,

WHEREAS, legal notice has been provided in accordance with Section 15.2-2204 of the Code of Virginia (1950, as amended) and Section 802.04 of the County of Rockbridge Land Development Regulations; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, has determined that the provisions of this ordinance generally promote the health, safety and general welfare of the public, that the amendment is required by good zoning practice and accomplishes the objectives set forth in Va. Code Section 15.2-2200, and that the amendment serves one or more of the purposes set forth in Va. Code Section 15.2-2283 of the Code of Virginia.

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

2. That Section 612.00 – Source Water Protection Overlay Zone, of Article 6 – Uses in Districts of the Rockbridge County Land Development Regulations be added and enacted as follows:

**ARTICLE 6. USES IN DISTRICTS**

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**612.00 SOURCE WATER PROTECTION OVERLAY ZONE**

612.01 Purpose and Intent. The Source Water Protection Overlay Zone (SWPOZ) regulations are intended to ensure the adequate protection of current public water supply of the Maury River. The establishment of these regulations is intended to protect public health, ensure the availability of safe drinking water, and prevent the degradation of the water supply through the regulation of land uses and development upstream of the withdrawal point.

612.02 Applicability. The special provisions established in this Section shall apply to proposed projects identified as possible contaminating activities within areas designated as SWPOZ. These areas have

been identified through analysis of drainage characteristics, groundwater resources, karst landforms, soils, and geology, and are considered to be essential to protection of the existing water source from the effects of point and non-point source pollution or sedimentation.

The boundaries of the SWPOZ are delineated using the most current and best available location data and are shown on the official zoning map kept on file in the Office of Community Development and in the office of the Clerk of the Circuit Court of Rockbridge County.

These boundaries are defined as the area within the 100 year floodplain of the Maury River and tributaries, or a 100 foot buffer from the centerline of the tributaries and a 100 foot buffer from the banks of the Maury River, whichever is greater. The 100 foot area on the Maury River has some further restrictions described in Section 612.05 below. The zone extends from the Maury Service Authority (MSA) water intake on the Maury River to a point upstream that has been identified as a five hour time of travel to the intake at 95% flow.

612.03

Use regulations. Within the SWPOZ, the permitted uses, special permit uses, accessory uses, dimensional standards and special requirements established by the underlying zoning district shall apply, unless specifically modified by the requirements of this Section.

The following uses shall be specifically prohibited within the SWPOZ areas:

- (1) Storage or production of hazardous materials, as defined in either or both of the following:
  - a. Superfund Amendment and Reauthorization Act of 1986; and,
  - b. Identification and Listing of Hazardous Wastes, 40 C.F.R. 261 (as amended).
- (2) Disposal of hazardous materials or solid wastes.
- (3) Treatment of hazardous material, except rehabilitation programs authorized by a government agency to treat hazardous material present at a site prior to the adoption of this Section.

- (4) Dry-cleaning, dyeing, printing, photo processing and any other business that stores, uses, or disposes of hazardous material.
- (5) Disposal of septage or septic sludge.
- (6) Junked storage and automobile graveyards/holding yards/salvage yards.

612.04

Review requirements for Development in the Source Water Protection Overlay Zone.

- (1) Applications for commercial development within the SWPOZ shall be evaluated by the Zoning Administrator to ensure that:
  - a. Non-point source pollution is prevented to the maximum extent possible, by taking into account site conditions such as slope, soil type and erosivity, and vegetative cover.
  - b. Management practices are in place sufficient to remove or neutralize those pollutants that present a potential hazardous impact to the intake valve.
  - c. Grading and removal of vegetation at a development site is minimized and erosion and sediment control measures are in place and properly installed.
  - d. All sewage disposal systems will be monitored, inspected and maintained on a regular basis to ensure proper functioning as required by the Lexington-Rockbridge County Health Department.
  - e. Businesses involved in potential contaminating activities within the SWOPZ, but which have received a special use permit, must submit a

spill control plan for approval. This plan shall include the following elements for the proposed project, and shall be updated and approved no less than every three (3) years:

- (i) Disclosure statements describing the types, quantities, and storage locations of all contaminants.
  - (ii) Contaminant handling and spill prevention techniques.
  - (iii) Spill reporting procedures, including a list of affected agencies to be contacted in the event of a spill.
  - (iv) Spill recovery plans, including a list of available equipment.
  - (v) Spill clean-up and disposal plans.
- (2) Existing land uses located within the SWPOZ and identified as potential contaminating activities by the County of Rockbridge, Virginia shall comply with the requirements of Section 612.04, Subsection (1)(e) listed above.

612.05

Buffer Requirements. A 100 foot (100') wide buffer strip shall be maintained along the edge of the Maury River within the SWPOZ. The required setback distance shall be measured from the edge of the bank.

- (1) All commercial development shall be located outside of the required buffer strip, except for the following:
- a. The buffer strip requirement shall not apply to development which is appurtenant to the production, supply, distribution or storage of water by a public water supplier.
  - b. Encroachment into or through the required buffer by roads, main-line utilities, or storm water management structures may be permitted provided the following performance standards are met:

- (i) Road and main-line utility crossings shall be designed to cause the least amount of land disturbance and alteration to the hydrology of the watershed.
  - (ii) Any storm water management facilities located within the buffer should be sited within the context of a larger watershed storm water management program.
  - (iii) No more land shall be disturbed than is necessary.
  - (iv) Indigenous vegetation shall be preserved to the maximum extent possible.
  - (v) Wherever possible, disturbed areas shall be planted with trees and shrubs.
- c. Water related uses that may be required by the Maury Service Authority.

(2) The following uses shall not be permitted within the 100' buffer strip:

- a. trash containers and dumpsters, which are not under roof or which are located so that leachate from the receptacle could escape unfiltered and untreated;
- b. fuel storage in excess of fifty (50) gallons;

- c. sanitary landfills;
  
- d. activities involving the manufacture, bulk storage or any type of distribution of petroleum, chemical or asphalt products or any materials hazardous to a water supply (as defined in the Hazardous Materials Spills Emergency Handbook, American Waterworks Association, 1975, as revised) including specifically the following general classes of materials:
  - (i) oil and oil products;
  
  - (ii) radioactive materials;
  
  - (iii) any material transported in large commercial quantities that is a very soluble acid or base, highly biodegradable, or can create a severe oxygen demand;

- (iv) biologically accumulative poisons;
- (v) the active ingredients of poisons that are or were ever registered in accordance with the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 USC 135 et seq.); or,
- (vi) substances highly lethal to mammalian or aquatic life.

612.06            Field Determinations. Landowners that have concerns with the accuracy of the mapping may request staff to perform a field determination to confirm mapping as requested. If deemed inaccurate, staff may assist the landowner in seeking a correction through the zoning amendment process. Staff may be required to engage an engineer to assist with this determination.

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2. That this ordinance shall be in full force and effect on and from the date of its adoption.

Adopted this 22<sup>nd</sup> day of June, 2015.

**Board Member Salaries**

Mr. Suter advised that the second advertisement for this public hearing mistakenly did not appear in the local paper. Therefore, this public hearing would be held at the July 13<sup>th</sup> meeting.

## Adjourn

With no further business to discuss, Supervisor Hinty moved to adjourn the meeting at 6:50 P.M. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Lewis being absent.

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