

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, JULY 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: SAM CRICKENBERGER, BRANDON MITCHELL, VICKY AGNOR,  
BRANDY FLINT, BRANDY WHITTEN

**Called to Order**

Chairman Higgins called the meeting to order at 5:30 P.M. He then recognized Owen Swisher, a Boy Scout who was present to earn his Citizenship and Community Badge.

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

**Recognitions and Presentations**

Chairman Higgins called for recognitions and presentations.

**Mohawk**

Director of Community Development Sam Crickenberger introduced Todd Shail, Site Manager for Mohawk Industries' Glasgow plant. Mr. Crickenberger stated that this is Mohawk's 80<sup>th</sup> year in Glasgow; thus it is one of the longest-lasting businesses in the County, still at its original location. He noted that James Lees Carpets [Mohawk's predecessor] was

looking for an abundant water supply and a great labor source; they found the perfect location right here on the Maury River. He then commended Mohawk for their many accomplishments.

Mr. Shail thanked the Board of Supervisors and the community for recognizing Mohawk. He stated that he is extremely proud of the Glasgow facility and that Mohawk has invested over \$35 million in the last seven years in new equipment and infrastructure at the facility. He stated that, when the company began, it was believed to be using the most modern carpet manufacturing in the world; and he would argue that it remains just that today.

He also stated that Mohawk has invested around \$534,000 in the community, donating to various community organizations and groups to show that they (Mohawk) are true partners to the community. He indicated that the success of the business is not due to the equipment or the building - but because of the dedicated employees. He advised that Mohawk, to show its appreciation to the community and employees, would be hosting a family fun day on October 17, 2015. He invited the Board and their families to this event.

Supervisor Hinty asked over what period of time the \$534,000 had been donated to the community.

Administrative Assistant of Community Development Brandy Flint responded that the donations in the sum discussed stretched back to 2006.

Supervisor Lewis read aloud a resolution of appreciation to Mohawk.

Supervisor Lewis moved to approve the resolution. Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

AYES: Lewis, Hinty, Ford, Campbell, 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, JULY 13, 2015

### **RESOLUTION**

WHEREAS, Mohawk Industries has been located in the Town of Glasgow for the past eighty (80) years providing employment opportunities and tax base to the Town and County; and,

WHEREAS, Mohawk Industries has been a leader in the textile industry with new innovations and production techniques that have kept them vital over these years; and,

WHEREAS, Mohawk Industries has also made significant financial contributions over these many years to local charities and emergency service providers; and,

WHEREAS, the Rockbridge County Board of Supervisors recognizes the importance of maintaining a healthy business environment for the area.

THEREFORE, BE IT RESOLVED, that the Rockbridge County Board of Supervisors does hereby express its appreciation to Mohawk Industries for the many contributions they have made to our community over these past eighty (80) years.

Adopted this 13<sup>th</sup> day of July, 2015.

Following adoption of the resolution, the Board left the dais and collectively presented a framed copy to Mr. Shail.

**Added note:**

Chairman Higgins commended the staff members who assisted with planning the Employee Appreciation Luncheon held on June 24, 2015. He noted that there were about 80 attendees.

**Citizens Comments**

Chairman Higgins called for citizen comments. There were none.

**Items to be added to the Agenda**

Chairman Higgins called for items to be added to the Agenda.

County Administrator Spencer Suter added two items: the first was a resolution declaring a vehicle at the County Maintenance Garage as surplus , to be included in the Financial Report presented by the Finance Director; and the second item Mr. Suter added was a Closed Session at the end of the meeting to discuss personnel matters.

**Approval of the June 22, 2015 Minutes**

Supervisor Ford moved to approve the June 22, 2015 Minutes. Supervisor Campbell provided the second, and the motion carried by the following roll call vote, with Supervisor Lewis abstaining due to is absence during the June 22<sup>nd</sup> meeting:

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

## County Financial Package/Approval of Appropriation Resolutions

Finance Director Steven Bolster presented the Financial Memorandum.

Activities for the Commissioner of Revenue included: printed supplemental tax books for 2014 Personal Property and completing the first round of 2015 Real Estate supplements; continued work on the 2015 Personal Property tax book; working on summons for business licenses not paid in March 2015; analyzing new construction assessments; part-time employee Lacy Cline began work on July 6th - initial task is scanning and shredding documents; and as a result of the p/t position, permanent staff will begin an audit program later this month to review gross receipt and Schedule C reporting by County businesses.

Supervisor Ford noted that he had heard that the part time employee, Lacy Cline, is doing a fabulous job.

Mr. Bolster then reviewed the Activities for the Treasurer: preparing FY 2014-15 report on delinquent taxes - will brief at August 10, 2015 Board meeting; DMV Stops continue - this project will benefit our collection efforts for delinquent Personal Property; Delinquent Real Estate letters were sent to homeowners on June 19, 2015; and Delinquent Real Estate parcels that were in the Special Programs of Land Use or Tax Relief that remained delinquent as of June 1, 2015 were reported to the Commissioner on June 10, 2015 for removal from program.

Mr. Bolster then presented the resolution declaring a dump truck at the Maintenance Garage as surplus.

Supervisor Lewis moved to approve the resolution. Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

AYES: Lewis, Hinty, Ford, Campbell, 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, JULY 13, 2015

**RESOLUTION TO DECLARE A VEHICLE 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 dump truck vehicle 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
1978	International	1600 Dump Truck	B31240	UNK

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 13th day of July, 2015.

Mr. Bolster then reviewed the County Appropriation Resolution.

Supervisor Lewis asked if the predicted surplus was \$800,000 and what the reason was for the increase.

Mr. Bolster replied that during the most recent budget process, he had predicted a year-end surplus of around \$825,000. He noted that this prediction assumed full expenditure of all operational budget lines. He further noted that the \$825,000 estimate had been based on knowledge that some major planned expenditures had been delayed or deferred. These included delay of assuming debt on the radio system upgrade, ambulance service contract, and hiring of a Human Resources Manager. Supervisor Ford asked if all of the paybacks related to the "Aid to Localities" program had been given back to the State yet.

Mr. Bolster replied that the Board had previously agreed to take the option of not paying the state directly, but accepting a downward adjustment on funding received from the State. He clarified that all state reductions had been included in the year end surplus calculation.

Supervisor Ford moved to approve the County Appropriation Resolution. Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

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, JULY 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, 2016**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-21010-5402 Technology Trust Fund.....	\$1,219.00
4-11-99010-6192 Transfer to Lined Landfill.....	\$1,464.00
<b>Total General Fund Appropriations</b>	<b>\$2,683.00</b>
<b>Current County</b>	
11 - General Fund	\$443,013.09
94 - Central Stores	<u>\$2,927.42</u>
<b>Total County Bills</b>	<b>\$445,940.51</b>
<b>Current Fiscal Agent</b>	
80 - Regional Jail	<u>\$64,007.89</u>
<b>Total Fiscal Agent</b>	<b>\$64,007.89</b>
<b>TOTAL ALL BILLS</b>	<b>\$509,948.40</b>

The next item Mr. Bolster presented was an Appropriation Resolution related to the Community Development Block Grant associated with the Greenhouse Village Housing Infrastructure Project.



Supervisor Ford moved to approve the Appropriation Resolution.

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

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, JULY 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 appropriation/s are, and the same hereby is made, for the period ending **June 30, 2016**, from the UNAPPROPRIATED SURPLUS of the **GENERAL FUND** and expended as follows:

4-11-81090-3007 GHV - Infrastructure Grant..... \$96,361.00

**Total General Fund Appropriation** **\$96,361.00**

**Convene Solid Waste Authority (SWA) if needed**

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

**Solid Waste Authority Financial Package/Approval of Appropriation Resolution**

Mr. Bolster presented the Appropriation Resolution for the Solid Waste Authority.

Supervisor Hinty moved to approve the Appropriation Resolution.

Supervisor Ford provided the second, and the motion carried by the following roll call vote:

AYES: Hinty, Ford, Campbell, Lewis, 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, JULY 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, 2016**, from the UNAPPROPROATED SURPLUS of the **SWA-LANDFILL FUND** and expended as follows:

4-19-19070-7010 Construction-Office Bldg..... \$1,464.00

**Total SWA-Landfill Fund Appropriations** **\$1,464.00**

**Current SWA**

19 - SWA-Landfill \$42,484.79  
20 - SWA-Recycling \$12,318.29

**TOTAL SWA BILLS** **\$54,803.08**

Chairman Higgins closed the Solid Waste Authority at 5:49 P.M. and reconvened the Board of Supervisors Meeting.

## **Update on Solid Waste and Recycling Material Transportation Services**

### **Contract Negotiations**

Mr. Suter briefly reviewed the Agenda Item: "As you will recall, two proposals were received for solid waste hauling services in the County. The evaluation committee interviewed the two offerors, evaluated the proposals and presented a ranking to the Board at its regular, June 22<sup>nd</sup> meeting. The Board subsequently approved the ranking and authorized the Solid Waste Committee to enter into negotiation in the order of ranking. Since that time, the committee has met twice with the top-ranked offeror, C&S Disposal, and has made significant progress on a draft contract. County Attorney Vickie Huffman has worked in parallel in development of suitable contract language, to capture and memorialize a fair and equitable agreement. However, based on the complexity and importance of this agreement, it is not yet ready for presentation to the Board. Our original schedule projected Board consideration of the agreement at the Board's regular, July 27 meeting. In that this meeting has been cancelled, we will be bringing the agreement to you for consideration at the August 10 meeting."

He then noted that the pending reassessment contract with Wingate and Associates is on a similar schedule, and that the Board could expect to have a final contract in hand for consideration at the August 10 meeting.

### **Consideration of Comcast Franchise Agreement- Schedule Public Hearing**

Mr. Suter briefly reviewed the Agenda Item: "In 1997, the County

approved a franchise agreement with Cooney Cable Company to provide cable services in the County. Over the years, the ownership of the service provider has transferred twice, first to Adelphia and then to Comcast - the current owner/service provider. Comcast is in the process of cleaning up its records and has recognized that the prior franchise agreement with the County has expired. Comcast representatives have approached the County - as well as the Cities of Lexington and Buena Vista - with standard franchise agreements. Approval of such an agreement requires holding a public hearing and adoption of an ordinance. A copy of the draft agreement is attached. The proposed agreement, with a term of 15 years, is being reviewed by County Attorney Vickie Huffman. It is important to note that the proffered agreement does not limit competition from any other provider which may wish to sell like services in the County." He noted that this could allow for a \$10,000 grant and, and he then requested advertising for a public hearing for the August 24, 2015 meeting.

Supervisor Lewis stated that 15 years is a long time. He asked how an agreement could allow for competition.

County Attorney Vickie Huffman replied that the Cable Act allows for other companies who would provide the same service to be allowed the same rights under the same terms. She noted that it is very important that this contract be consistent with what would be anticipated in another franchise agreement. She further clarified that this would be a non-exclusive contract. She advised the Board that she would be meeting with the County's Comcast representative and asked the Board to let her know of any

questions or concerns they may have and she would ask the representative when they meet.

Supervisor Ford stated that, 15 years ago, no one could have foreseen broadband spreading throughout the County. He asked, now that there are many different outlets for services, what the law says about the provider of one type of service moving into another's area of sales.

Ms. Huffman replied that the law that applies to the cable franchise is exclusive to them. She stated that other telecommunication franchises have different regulatory provisions, and that they could compete with one another, subsequently giving customers more options and better prices. She told Supervisor Ford that she would give him a more detailed answer after the meeting.

Supervisor Campbell moved to authorize publication for a public hearing on August 24, 2015. Supervisor Hinty provided the second, and the motion carried by the following roll call vote:

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

### **Appointments**

#### **Building Code Board of Appeals- Richard Siler- Term Expires 7/13/2015**

Supervisor Hinty moved to reappoint Richard Siler to the Building Code Board of Appeals. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

AYES: Hinty, Lewis, Ford, Campbell, Higgins

NAYES: None  
ABSENT: None

### **Staff Reports**

Supervisor Ford moved to accept the Staff Reports. 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

### **Break**

There was a two (2) minute break before the public hearing at 6:00 P.M.

### **Public Hearing at 6:00 P.M.**

#### **Board Member Salaries**

Chairman Higgins opened the public hearing at 6:00 P.M.

Tom Bundy of the South River District stated that he was fairly new to Rockbridge County. He commended the Board of Supervisors for the amount of work they do for the small amount of pay they receive. He noted that he moved here from Orange County, where the Supervisors did less work for twice the amount of money. He suggested that the Board consider giving themselves a raise.

The Board thanked Mr. Bundy for his comment.

Chairman Higgins closed the public hearing at 6:03 P.M.

Supervisor Campbell moved to adopt the ordinance as presented making no changes. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JULY 13, 2015

**ORDINANCE TO ESTABLISH AND AUTHORIZE THE ANNUAL SALARY OF THE MEMBERS OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY AT \$5,500 PER YEAR, AND TO ESTABLISH THE ADDITIONAL ANNUAL SALARY OF THE CHAIRMAN AT \$1800, AND ADDITIONAL COMPENSATION TO THE VICE-CHAIRMAN AT \$23 PER WEEK TO SERVE AS SUBSTITUTE FOR THE CHAIRMAN DURING EXTENDED ABSENCES, UP TO A MAXIMUM OF \$1200 PER YEAR**

WHEREAS, Virginia Code §15.2-1414.3 establishes the maximum annual salaries of members of boards of supervisors within certain population brackets, and allows for an annual adjustment by an inflation factor not to exceed 5%; and,

WHEREAS, the Board of Supervisors of Rockbridge County, Virginia, has heretofore established the annual salaries of Board members at the maximum of \$5,500.00, with the additional annual salaries of \$1,800.00 for the Chairman and \$1,200.00 for the Vice-Chairman; and,

WHEREAS, for the 2010-2011 fiscal year, the Board determined to reduce the additional compensation to the Vice-Chairman from an annual salary to an amount of \$23.00 per week, up to a maximum of \$1,200.00 per year, for serving in the place and stead of the Chairman during any extended absence; and,

WHEREAS, the Board has determined not to adjust the annual salary by an inflation factor and to continue the compensation to the Vice-Chairman based upon the time serving in the place and stead of the Chairman; and,

WHEREAS, the establishment of Board member salaries requires the adoption of an ordinance, following notice and a public hearing, which was held on July 13, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, as follows:

1. The annual Board member salary of \$5,500.00 is hereby established and authorized pursuant to Virginia Code §15.2-1414.3.
2. An additional annual salary of \$1,800.00 shall be paid to the Chairman of the Board.
3. Additional compensation shall be paid to the Vice-Chairman of the Board in the amount of \$23.00 per week, up to a maximum of \$1,200.00 per year, to serve in the place and stead of the Chairman during any extended absence.
4. This ordinance shall be effective on and from July 1, 2015.

Adopted this \_\_\_\_ day of July, 2015.

**Board Comments**

Chairman Higgins announced that the July 27, 2015 Work Session and Regular meeting had been canceled.

**Closed Meeting**

Supervisor Lewis suggested entering a Closed Meeting for the following purpose(s): " As permitted by Virginia Code section 2.2-3711(A)(1), a personnel matter involving discussion, consideration or interviews of prospective candidates for employment; appointment or



promotion of particular officers, appointees or employees; and demotion, discipline or resignation of specific officers, appointees or employees."

Supervisor Hinty moved to enter into the Closed Meeting. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

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

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

Supervisor Lewis 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 Hinty provided the second, and the motion carried by unanimous roll call vote by the Board Members present, with Supervisor Hinty being absent.

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

## **Adjourn**

With no further business to discuss, the meeting was adjourned by unanimous vote by the Board.