

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, AUGUST 10, 2015, AT 5:30 P.M.

PRESENT: CHAIRMAN J.M.HIGGINS
MEMBERS: R.R.CAMPBELL, R.S.FORD, A.W.LEWIS, JR.
ABSENT: D.W.HINTY, JR.
CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN
FINANCE DIRECTOR: STEVEN BOLSTER
STAFF: SAM CRICKENBERGER, BRANDY WHITTEN

Called 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

Chairman Higgins called for recognitions and presentations.

County Administrator Spencer Suter distributed "challenge coins" to all Board members, on behalf of the Kerrs Creek Volunteer Fire Department, as requested by Kerrs Creek Chief P.J. Sibold. He noted that the coins are popular in many organizations and symbolize pride in a department. Board members expressed appreciation.

Citizens Comments

Suzanne McTaggart spoke in regard to Dominion Virginia Power drones. She presented the Board with a letter and read it aloud:

"Dear Members of the Rockbridge County Board of Supervisors: A July 23, 2015 Richmond Times article entitled "Dominion to deploy drones to inspect power lines" reports that Dominion Virginia Power plans to fly 25-30 pound drones hovering 8-15 feet from high voltage power lines, which as you know now run through many back yards and farms in Rockbridge County.

Dominion says the drones have the potential to replace helicopters "commonly" used to inspect transmission lines. That may sound as though Dominion is trying to improve our lives by replacing those big noisy low flying helicopters with small quiet drones. But since we did not have these exceptionally tall, high-voltage power lines here in Rockbridge County until a few months ago, we did not have helicopters flying over our former below tree-top transmission lines. This is not a technological advancement to mitigate a currently existing problem. This is the introduction of a new low altitude surveillance flight pattern over our homes and farms in Rockbridge County.

- In one statement Virginia Dominion says it "hopes to use drones after storms to determine exactly where and how lines are damaged before sending in repair crews." Using drones in an emergency after a major storm sounds reasonable.
- But in another statement Dominion says they hope "to find issues on the line and correct them ahead of time." Now it sounds like Dominion will use drones as they see fit.

- And then Dominion says "Sensors could eventually be added to the drones to provide more data to the company." Where will this stop?
- In fact the CEO of Hazon Solutions, one of the three drone companies that Dominion is contracting with says "The only limitation is going to be our imagination in the future."

In my imagination, in the future, these private companies are going to want to maximize profits by piggy backing other projects onto these drones and once the air space is established, why not continue to use it for other public and private surveillance drones? There are very few rules yet established.

There is one rule though. According to the Richmond Times, "Federal Regulations require the drones to fly no higher than 200 feet and always within the pilot's line of sight." Each drone will be flown "using a two-person team, with one controlling the flight and the other scanning the area for any safety concerns and operating the camera."

We are not talking about our locally employed line workers here. We are talking about crews of complete strangers that work for one of three drone companies outside our area code, walking through our back yards and farms, and in their words "scanning the area using cameras that can zoom with enough precision to read the name plates on individual parts" of the towers and "capturing photos (and videos) that would be nearly impossible (to capture) from a helicopter or from a line worker." Imagine that.

As the Richmond Times articles states "Drones have been used for years by the military for bombing and surveillance overseas." In fact the

commercial use of drones is currently banned by the Federal Aviation Agency except by special waiver.

How did these 3 commercial companies get waivers? How do they decide who gets to fly? Where and when and for how long do they get to fly? Who has access to the videos they create? How long are the videos kept? Are they shared with other companies much as our phone numbers, email addresses and even the web sites we visit are shared?

I would ask the County to look into this and see what they can do to pin this down before it takes flight here. What control do we have over the use of drones in our area? What are the parameters? Dominion has about 6,400 miles of transmission lines. The first test around live wires is scheduled this month for the Northern Neck peninsula of Virginia.

Unlike some areas, the high voltage transmission towers here in Rockbridge County do not necessarily line the federal interstates, the state highways or even county roads. They cut across private back yards and farms on very old right of ways whos past and current owners never imagined this invasion of privacy."

Julie Goyette, Director of the Rockbridge Regional Library, provided a statistics report including the following:

- The Rockbridge Regional Library serves a region of 40,000
- Circulation is up 5% from last year, with 287,971 items circulated
- Patron usage is up 4% from last year, at 229,756 patron transactions

She then advised that the library would be closed on August 18-28 to re-carpet the public areas. She stated that there was a news release on this closure. Chairman Higgins thanked her for the update.

Items to be added to the Agenda

There were no items added to the Agenda.

Approval of July 13, 2015 Minutes

Supervisor Ford moved to approve the July 13, 2015 Minutes.

Supervisor Campbell provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

County Financial Package/ Approval of Appropriation Resolutions

Finance Director Steven Bolster reviewed his Monthly Memorandum.

Items for the Commissioner of the Revenue included: "preparing personal property file to send to NADA for pricing; manually pricing personal property items that NADA is unable to assess, as well as business personal property; print personal property book and present to the Treasurer on or before August 25th; preparing land use re-validation forms for 2016; entering the August DMV report; and scanning personal property files for 2015, all land use files."

Supervisor Ford noted that he had visited the Commissioner of the Revenue earlier in the day, and that he is fully in agreement with the proposed General Reassessment Contract.

Mr. Bolster reviewed activities for the Treasurer which included FYE 2015 Report of Delinquent Taxes. In Ms. Trovato's absence, Mr. Bolster presented Chairman Higgins with the report.

Mr. Bolster then provided a procurement update. The first item was related to the surplused 1978 dump truck, confirming that it sold for \$1,116 on GovDeals.com, exceeding the reserve of \$800. He noted that there were 21 bids on this piece of equipment. The second item was related to the previous Petroleum Products annual bids. He stated that County staff discovered a lack of clarity in the way they communicated the ethanol-free fuel requested. He further stated that a revised IFB was posted online and those bids would be opened on Tuesday, August 18, 2015.

Supervisor Ford asked about the cutoff date of manufacture on the equipment that requires ethanol free fuel. Mr. Bolster replied that he was unsure but would speak with the Fleet Manager Steve Kingery.

Following review of expenditures versus revenues, Mr. Bolster added that Schools Superintendent Jack Donald has provided the County Administrator with a request to move the FY 2015 operational balance of \$167,292.74 into the County's Restricted Cash- School Capital Account. He then recommended approval of the transfer of funds.

Supervisor Campbell stated that he had no problem transferring the funds; however, he did not understand why expenditures for the month of

June are much higher than the rest of the year. He stated that he had asked Superintendent Donald why this happens each year, and Dr. Donald stated that it was technology costs. He asked that the Finance Committee look into this at their next meeting.

Supervisor Ford stated that the Finance Committee has already begun looking at this and that generally the school board waits until the end of the fiscal year to make larger purchases after all other expenses have been charged. He added that he hoped the remainder was spent on upgrading networks at the high school.

Chairman Higgins stated that most of the higher expense in June was under the salary line, as ten-month employees take their summer paychecks in a lump sum. He agreed that the Finance Committee needed to look into this and also all other lines in the budget for that month. He then asked if the transferring of the funds to the capital escrow account at the end of the year had been done this way in the past. Mr. Bolster confirmed that it had.

Supervisor Campbell again stated that he had no problem with the capital escrow agreement the County has with the school system but for the last several years he has been trying to track the June expenditures for the school system. He stated that each year the expenditures have increased from \$400,000 to \$600,000 and now \$800,000. He again asked that the Finance Committee look into this.

Supervisor Campbell moved to carry over the funds. Supervisor Lewis provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

Mr. Bolster reviewed the School Appropriation Resolution and recommended approval as presented.

Supervisor Ford moved to approve the School Appropriation Resolution. Supervisor Lewis provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

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, AUGUST 10, 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, 2016** in **FUND 50, SCHOOL FUND** and expended as follows:

Carryover Grants

IDEA Section 619 2014

4-50-61100-6013-910-200-839 Materials & Supplies..... \$140.00
Subtotal **\$140.00**

IDEA Section 611 2014

4-50-61100-1121-910-200-840	Teacher Salaries.....	\$282,457.00
4-50-61100-2100-910-200-840	FICA.....	\$21,608.00
4-50-61100-2210-910-200-840	VRS.....	\$32,935.00
4-50-61100-2300-910-200-840	Medical.....	\$35,777.00
4-50-61100-2400-910-200-840	GLI.....	\$3,362.00
4-50-61100-2500-910-200-840	RHIC.....	\$3,136.00
4-50-61100-3160-910-200-840	Purchased Services.....	<u>\$9,140.00</u>
Subtotal		\$388,415.00

Title I, Part A 2014

4-50-61100-1121-910-100-842	Teacher Salaries.....	\$200,520.00
4-50-61100-2100-910-100-842	FICA.....	\$15,340.00
4-50-61100-2210-910-100-842	VRS.....	\$23,381.00
4-50-61100-2300-910-100-842	Medical.....	\$6,847.00
4-50-61100-2400-910-100-842	GLI.....	\$2,387.00
4-50-61100-2500-910-100-842	RHIC.....	\$2,226.00
4-50-61100-6013-910-100-842	Materials & Supplies.....	<u>\$100.00</u>
Subtotal		\$250,801.00

Title II 2014

4-50-61100-1121-910-100-843	Teacher Salaries.....	\$75,800.00
4-50-61100-2100-910-100-843	FICA.....	\$5,724.00
4-50-61100-3160-910-100-843	Purchased Services.....	\$22,870.00
4-50-61100-5540-910-100-843	In-Service.....	<u>\$1,000.00</u>
Subtotal		\$105,394.00

Title II 2013

4-50-61100-3160-910-100-831	Purchased Services.....	\$6,386.00
4-50-61100-5540-910-100-831	In-Service.....	<u>\$569.00</u>
Subtotal		\$6,955.00

21st Century CES 2014

4-50-61100-1153-220-010-833	Cleric Wages.....	\$1,725.00
4-50-61100-1621-220-010-833	Teacher Supplement.....	\$10,902.00
4-50-61100-2100-220-010-833	FICA.....	\$966.00
4-50-61100-3160-220-010-833	Purchased Services.....	\$620.00
4-50-61100-4000-220-010-833	Indirect Costs.....	\$9,190.00
4-50-61100-6013-220-010-833	Materials & Supplies.....	<u>\$777.00</u>
Subtotal		\$24,180.00

21st Century CES 2013

4-50-61100-4000-220-010-821	Indirect Costs.....	\$3,010.00
4-50-61100-6013-220-010-821	Materials & Supplies.....	<u>\$12,239.00</u>
Subtotal		\$15,249.00

21st Century NBES 2013

4-50-61100-6030-270-010-822	Materials & Supplies.....	<u>\$66,727.00</u>
Subtotal		\$66,727.00

New Grants

GAE 2015

4-50-61100-1321-312-700-845	Part-time Teachers.....	\$7,656.00
4-50-61100-2100-312-700-845	FICA.....	<u>\$634.00</u>
Subtotal		\$8,290.00

ABE 2015

4-50-61100-1130-312-700-846	Grant Coordinator.....	\$2,925.00
4-50-61100-1321-312-700-846	Part-time Teachers.....	\$41,745.00
4-50-61100-2100-312-700-846	FICA.....	\$3,837.00
4-50-61100-3160-312-700-846	Purchased Services.....	\$3,875.00
4-50-61100-5510-312-700-846	Mileage.....	\$10,506.00
4-50-61100-6013-312-700-846	Materials & Supplies.....	<u>\$12,916.00</u>
Subtotal		\$75,804.00

RACE 2015

4-50-61100-1321-312-700-847	Part-time Teachers.....	\$8,575.00
4-50-61100-2100-312-700-847	FICA.....	\$656.00
4-50-61100-3160-312-700-847	Purchased Services.....	\$3,774.00
4-50-61100-5510-312-700-847	Mileage.....	\$1,679.00
4-50-61100-6013-312-700-847	Materials & Supplies.....	<u>\$1,700.00</u>
Subtotal		\$16,384.00

CIVICS 2015

4-50-61100-1130-312-700-848	Grant Coordinator.....	\$1,156.00
4-50-61100-1321-312-700-848	Part-time Teachers	\$14,231.00
4-50-61100-2100-312-700-848	FICA.....	\$1,288.00
4-50-61100-3160-312-700-848	Purchased Services.....	\$2,650.00
4-50-61100-5510-312-700-848	Mileage.....	\$2,150.00
4-50-61100-6013-312-700-848	Materials & Supplies.....	<u>\$2,156.00</u>
Subtotal		\$23,631.00

TOTAL FUND 50 APPROPRIATIONS

\$981,970.00

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

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

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

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, AUGUST 10, 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:

4-11-11010-3001 Professional Services.....	\$16,677.00
4-11-43020-7003 Renovations-Admin Bldg.....	\$40,000.00
4-11-44010-7001 Capital Outlay.....	\$39,051.00
4-11-99010-6192 Transfer to Lined Landfill.....	\$25,919.00

Total General Fund Appropriations	\$121,647.00
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Current County

11 - General Fund	\$813,886.23
94 - Central Stores	<u>\$4,177.56</u>

Total County Bills	\$818,063.79
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Current Fiscal Agent

80 - Regional Jail \$84,257.85

94 - Drug Fund \$1,960.67

Total Fiscal Agent \$86,218.52

TOTAL ALL BILLS \$904,282.31

Convene Solid Waste Authority

Chairman Higgins convened the Solid Waste Authority at 5:54 P.M.

Solid Waste Authority Financial Package/ Approval of Appropriation

Resolution

Mr. Bolster presented the Board with the Solid Waste Authority's Appropriation Resolution and recommended approval.

Supervisor Campbell moved to approve the Solid Waste Authority Appropriation Resolution. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON,

VIRIGNIA, ON MONDAY, AUGUST 10, 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:

4-19-19050-3006 Seeding/Mowing/Erosion Control.....	\$900.00
4-19-19070-3001 Engineering Services.....	\$557.00
4-19-19070-3901 Permit Fees.....	\$1,432.00
4-19-19070-7010 Construction-Office Bldg.....	\$23,930.00
Total SWA-Landfill Fund Appropriations	\$26,819.00
4-20-42080-7001 Purchase of Containers.....	\$27,721.00
Total SWA-Recycling Fund Appropriations	\$27,721.00
Total SWA Appropriations	\$54,540.00
Current SWA	
19 - SWA-Landfill	\$57,350.34
20 - SWA-Recycling	<u>\$4,462.84</u>
TOTAL SWA BILLS	\$61,813.18

Chairman Higgins closed the Solid Waste Authority and reconvened in the Board of Supervisors meeting at 5:55 P.M.

Consideration of Agreement to add Buena Vista as a member of RARO

Mr. Suter reviewed the Agenda Item, stating the position as of August 5: "At its regular June 9 meeting, the Board briefly discussed Buena Vista's request to become a member of the Rockbridge Area Recreation Association (RARO). The Board agreed with the idea in concept and since that date, I have worked with RARO and the Lexington and Buena Vista City Managers to develop a short term agreement for consideration by the Board and Councils of all three localities. A short term agreement is required in order to allow youth sports to be consolidated for the fall athletic seasons. A longer term agreement would require amendment to RARO's Articles of Incorporation, as well as the Joint Services Agreement between Lexington and the County. There simply is not enough time to complete these amendments prior to the fall season. The draft agreement is attached for your consideration. It provides for pro-rata sharing of costs between the localities, using the existing formula applied by the County and Lexington, with Buena Vista as an added member. You'll note that it also requires Buena Vista to fund any equipment (ie: football pads, etc.) required as a result of the increased overall number of participants, includes a listing of facilities (fields, gymnasiums, etc.) which Buena Vista brings to the table, and requires each locality to maintain its own facilities. It is expected that a final agreement would be contemplated by the end of the calendar year. It is anticipated that the Lexington and Buena Vista City Councils will have considered this agreement on Thursday, August 6th. RARO Executive Director John "Rocky"

Trudgeon will be in attendance at the Board of Supervisors meeting on Monday, August 10th to help answer any questions you may have.”

Mr. Suter then noted that the City of Lexington had approved the agreement on August 6th, and that Buena Vista Council had previously authorized their City Manager to enter into agreement. He then notified the Board of two minor changes to the Memorandum of Understanding [MOU] included on BoardDocs [the public online agenda website] and provided the Board with the revised MOU. He thanked Mr. Trudgeon for his dedicated work on the process and invited him to provide additional comment. Mr. Trudgeon commended the Board of Supervisors and the two councils for their assistance with making the MOU come to fruition. He stated that this is a good opportunity for the children of Buena Vista.

Chairman Higgins expressed his support, noting that it was time to go see a ballgame.

Supervisor Lewis moved to approve the revised MOU. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

MEMORANDUM OF UNDERSTANDING

BETWEEN

The City of Lexington

The County of Rockbridge

The City of Buena Vista

and

Rockbridge Area Recreation Organization and Public Recreational Facilities Authority

This Memorandum of Understanding (MOU) is entered into by the City of Lexington, a Virginia municipal corporation, (hereafter “Lexington”), the County of Rockbridge, (hereafter “County”), the City of Buena Vista, (hereafter “Buena Vista”), the Rockbridge Area Recreation Organization and Public Recreational Facilities Authority, (hereafter “RARO”), (jointly, “Parties”), for the purpose of confirming the City of Buena Vista as a member of RARO, do agree as follows:

WHEREAS, the current members of RARO, namely, Lexington and the County, have agreed to add the City of Buena Vista, Virginia as additional member, and

WHEREAS, the Parties have agreed to allow Buena Vista to function as a member during the fall, 2015 athletic season(s), under the terms of this Memorandum of Understanding, and

WHEREAS, such addition may require: (1) Amendment of the Articles of Incorporation, (2) Amendment of Bylaws, and (3) Amendment of the Joint Services Agreement between the County and Lexington (together, “the Documents”), and

WHEREAS, logistical and schedule constraints will preclude formal amendment or creation of such Documents prior to the fall, 2015 athletic season(s), and

WHEREAS, Buena Vista agrees to be bound by the same terms and conditions as Lexington and the County until the new or amended Documents are adopted as specified under the terms hereof.

NOW THEREFORE, for and in consideration of the mutual covenants and promises contained herein the Parties agree as follows:

1. The Parties agree to use the current funding formula as described in the Lexington / County Joint Services Agreement.
2. Under the current formula Buena Vista’s estimated payment of its annual cost share for the fiscal year 2016, will be based on the fiscal year 2015 figures and determined by adding the following:

- Buena Vista youths participating in the Buena Vista Recreational Leagues, and
 - Buena Vista youths participating in RARO sports programs.
3. Beginning in August, 2015, each participating locality shall make monthly payments in the amount of one-twelfth (1/12) of its annual estimated cost share to the fiscal agent. All cost shares received from the Parties shall be deposited in RARO's General Fund account.
 4. The final fiscal year 2016 payment for each of the Parties will be determined based on actual participation rates, which payments will be consistent with RARO's formula.
 5. Lexington and the County shall continue to provide the use of existing fields currently being utilized by RARO. Buena Vista shall provide use of those of its existing fields currently used by Buena Vista's Department of Recreation (Exhibit A) for RARO's use. Each of the Parties shall be responsible for the maintenance of its respective athletic fields in the customary manner.
 6. Buena Vista shall provide suitable equipment sufficient for all Buena Vista youths engaged in RARO activities not already provided for under the existing RARO program. Should the enrollment of additional Buena Vista participants (above the number of Buena Vista youths currently involved in RARO programs) require the purchase of additional equipment for any given activity, Buena Vista agrees to provide same on a timely basis or reimburse RARO the actual cost expended by RARO to provide the equipment. All equipment provided by Buena Vista shall become the property of RARO upon Execution of the revised and updated agreement between the parties.
 7. The Parties will make every effort to amend and create the Documents, as required, by December 31, 2015, consistent with the intent expressed herein.
 8. In the event that any of the participating jurisdictions fails to meet the minimum expectations of the other jurisdictions with regard to field and facility maintenance, funding, and capital participation then the other jurisdictions may determine that such participating jurisdiction may no longer participate in the RARO program. Upon making such determination any equipment previously donated to the RARO program shall be returned.

In witness whereof the undersigned have executed this Agreement on the dates set forth beside their respective signatures.

City of Lexington

County of Rockbridge

By: _____

By: _____

Title:

Title:

ATTEST:

ATTEST:

The City of Buena Vista

Rockbridge Area Recreation Organization

By: _____

By: _____

Title:

Title:

ATTEST: _____

ATTEST: _____

Exhibit A

- Laurel Park fields, lighted
- Buddy Secrist field
- Camden field, lighted
- Parry McCluer middle school gym
- Soccer field on Paxton House Road

Public Hearings 6:00 P.M.

Special Exception- Washington & Lee University- Practice Field in R-1

Director of Community Development Sam Crickenberger introduced Washington and Lee University representatives John Hoogakker, Tom Contos

and Truman Payne. He then briefly reviewed the Agenda Item: "Enclosed are plans from W&L to develop a simple grass practice field in the overflow parking area which is planned for development in the former 'bone yard' area of campus. The field will primarily be used for throwing sports events but could also serve as a practice field for other sports. The lighting on the plan is for the parking area which has already been approved. The Planning Commission has recommended approval with the condition that the field will not be lit."

Mr. Hoogakker commended County staff who have helped throughout the process. He stated his satisfaction of how everything turned out and how efficiently staff worked on this.

Chairman Higgins opened the public hearing at 6:02 P.M. There were no public comments. Chairman Higgins closed the public hearing.

Supervisor Ford stated that this would be a fine move for the safety of the athletes and others; he moved to adopt the ordinance granting the Special Exception Permit to Washington and Lee University. Supervisor Campbell provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA,
HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON MONDAY, AUGUST 10, 2015

**Ordinance Granting a Special Exception Permit to Washington and Lee University to
Expand the Private School Facilities in the Residential General District (R-1) Per Section**

604.03-4 of the Land Development Regulations in Order to Build an Unlit Grass Practice Ball Field in the Former “Bone Yard” Area, Off of Denny Circle Which Intersects With West Midland Trail and Is Adjacent to the City of Lexington in the Kerrs Creek Magisterial District and Further Identified As a Portion of Tax Map #61-A-46

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on July 8, 2015, and recommended to the Board of Supervisors that the special exception permit be approved with the conditions that: (1) the field be in substantial compliance with the concept plan; and, (2) the field shall remain unlit; and,

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

WHEREAS, the Board of Supervisors has held a public hearing on this matter on August 10, 2015; and,

WHEREAS, the Board of Supervisors, after review of the application and all other documentation submitted by the applicant, the Planning Commission and the public, after due consideration to the presentations and comments at the public hearing hereon, and after evaluation of the factors set forth in §802.03-5 of the Rockbridge County Land Development Regulations, finds and determines that, with the specified conditions, the proposed use is consistent with the Comprehensive Plan, the policies of Rockbridge County and the public interest.

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

1. That the Board of Supervisors finds that the granting of a special exception permit to Washington and Lee University to expand the private school facilities on its property off of Denny Circle in the Residential General District (R-1) identified as Tax Map #61-A-46, in order to build an unlit grass practice ball field in the former “bone yard” area, is substantially in accord with the Comprehensive Plan of the County adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said special exception permit is hereby granted and approved with and subject to the following conditions:

a. The field shall be in substantial compliance with the concept plan designated as 'Site and Dimensional Plan Washington & Lee Boneyard Athletic Facilities and Parking Lot' (the "Plan") dated April 16, 2015, prepared by Draper Aden Associates, a copy of which is attached hereto as Exhibit A; and,

b. The playing field shown on the Plan shall not be illuminated.

2. That this ordinance shall be effective on and from the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be, and the same hereby are, repealed.

Adopted this 10th day of August, 2015.

Zoning Ordinance Amendment- Service Station Canopy Regulations

Mr. Crickenberger introduced Mr. Bobby Berkstresser, owner of Lee-Hi Travel Plaza and White's Travel Center. He then briefly reviewed the Agenda Item: " Enclosed is the proposed amendment to the regulations that would allow for the lighting of the sides of fuel island canopies. Lee-Hi Travel Plaza has proposed to upgrade their canopies to include lighting the fascia and had asked the Planning Commission to consider this amendment. Canopies are currently allowed 30 square feet of lit signage on the fascia. The Commission considered this carefully but has recommended not to amend the regulations, thinking that existing lighting under the canopies, 30 square feet of lit signage on the fascia and parking lot lighting was adequate for both safety and advertising purposes.

Additionally, the Commission felt that the proposed amendment opened the door for other store fronts to request the same. Currently all structures, buildings and canopies are prohibited from installing strings of lights or light bars. Finally, the Commission noted that some service stations are located in rural areas or in close proximity to existing homes and that the amendment could have a negative effect in those areas."

Mr. Berkstresser stated that the canopy at Lee Hi Travel Plaza is about 25 years old and there is opportunity for a new modern-day canopy at low cost. He further explained that Shell is willing to pay for the majority of the costs to upgrade the canopy to include lights under the fascia. He stated that his businesses are known for their good lighting and clean facilities. He noted that what brought this on was a trip he and his sons had taken to Shenandoah, Virginia where they stopped at a Shell gas station where the canopy had been upgraded and the entire facility looked better because of it. Mr. Berkstresser then invited the Board of Supervisors to an open house at White's Travel Center on September 16th. He advised the Board of a comment made by an individual outside of the County who was visiting Rockbridge County. He stated that the individual made the comment that Rockbridge County is the nicest place he had ever visited out of all the places he had been all over the United States.

Chairman Higgins, on behalf of the Board, commended Mr. Berkstresser for his businesses and for creating so many jobs for County residents.

Supervisor Campbell commended Mr. Berkstresser for the landscaping surrounding the creek at White's Travel Center. He noted that the creek

had been cleaned out along its banks and that the gazebos that had been added near the creek make it look amazing.

Mr. Berkstresser advised that TA Petro, who own around 150 stores and 250 truck stops, gives out four "sparkler awards" each year to the best maintained travel centers. Out of 80 Petro centers, he stated, his was the only one that received an award this year.

Chairman Higgins opened the public hearing at 6:12 P.M.

Tom Bundy of the South River District opposed this amendment. He stated that the he lives near White's Travel Plaza and that currently, the light pollution is prevalent and that this addition would contribute to the problem. He further stated that the Planning Commission did not approve of this and had nothing good to say about it during its meeting. He asked that the Board deny the amendment. He noted that he does in fact, support local businesses though.

Mr. Suter provided the Board with a citizen's comment that he had received via phone. The comment was received from Pam Rickett of the Kerrs Creek Magisterial District. Ms. Rickett wished to express her and her husband's concern about additional lighting in the valley. Mr. Suter stated that the Ricketts live on the side of North Mountain and have noticed a gradual increase in light in the Lexington area and northward along the I-81 corridor. The Ricketts are opposed to changing the regulations which would allow for additional lighting unless a requirement was added to remove other lighting so there is no net gain in light.

Supervisor Ford advised that he had spoken with Ms. Rickett and appreciated her "no net gain" request.

Chairman Higgins closed the public hearing at 6:17 P.M.

Chairman Higgins stated that he had tried reaching Chris Slaydon in the Community Development department but that he was on vacation. He suggested that the Board hold off on voting on this matter until the next Board meeting to give the Board opportunity to visit Lee Hi.

Supervisor Campbell agreed with Chairman Higgins.

Supervisor Lewis asked Mr. Crickenberger for clarification on the term "strings of lights" in the Sign Ordinance. He asked if the proposed lights would be hidden behind the canopy. Mr. Crickenbereger confirmed that the lights would be behind the fascia of the canopy in Mr. Berkstresser's case.

Supervisor Ford advised that he had done some research on his own by visiting several service station sites throughout the County; of the dozen he visited, Lee-Hi is the only one that does not produce a glare from beneath the canopy itself and also seems to be the only one that meets all of the current requirements of the Sign Ordinance. He asked Mr. Berkstresser for an example of his proposed upgrade that the Board could visit. Mr. Berkstresser agreed to contact Shell to find a location the Board could visit.

The Board of Supervisors present agreed to set voting on this matter over to the next Board meeting.

Consideration of General Reassessment

Mr. Bolster briefly reviewed the Agenda Item: "On April 13, 2015, the Board of Supervisors authorized the issuance of a Request for Proposal (RFP) to procure the services of a qualified firm to provide all labor, equipment, materials, and insurance to complete the General Reassessment of Real Property in Rockbridge County. The County advertised RFP # 2015-04-001 from April 15, 2015 through May 15, 2015. Advertisement efforts included local print, the County website, and the Virginia eProcurement Portal (eVA). Three firms submitted proposals by 2:00 PM EST on Friday, May 15, 2015 in accordance with the RFP specifications. The evaluation committee members (Ford, Suter, Bolster, and D. Whitesell) completed a preliminary ranking for each proposal. In addition, the evaluation committee conducted interviews with each of the proposing firms on Monday, June 1, 2015. The evaluation committee then completed a final ranking. The chart below reflects the final ranking resulting from the evaluation process:

FIRM	SCORE	RANKING
Wingate Appraisal Service	94.20	1
Wampler-Eanes	89.75	2
Pearson	87.60	3

On June 8, 2015, the Board accepted the evaluation committee's final ranking of proposers. In addition, the Board authorized the County

Administrator and staff to enter into negotiations based on the final ranking of received proposals and, if negotiations were successful, to return to the Board with a contract for consideration of approval. The evaluation committee completed successful negotiations with Wingate Appraisal Service on June 18, 2015. County Attorney Vickie Huffman has crafted a General Reassessment of Real Estate contract for your consideration." He then recommended approval of the contract and resolution.

Supervisor Ford moved to approve the contract and resolution.

Supervisor Campbell provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
AUGUST 10, 2015

RESOLUTION TO APPROVE CONTRACT BETWEEN THE COUNTY OF
ROCKBRIDGE AND WINGATE AND ASSOCIATES, LTD., FOR APPRAISAL
SERVICES IN CONNECTION WITH THE 2017 GENERAL REASSESSMENT

WHEREAS, on April 15, 2015, the County of Rockbridge issued a Request for Proposals (RFP) from qualified firms to perform the general reassessment of real property within the County in accordance with Virginia Code §58.1-3252 and Rockbridge County Code §25-40; and,

WHEREAS, three firms submitted proposals in accordance with RFP Number 2015-04-001 by the May 15th response date and time; and,

WHEREAS, the members of an evaluation committee independently ranked each proposal and conducted interviews; and,

WHEREAS, the evaluation committee determined that the highest ranking proposer is Wingate and Associates, Ltd. ("Wingate"); and,

WHEREAS, on June 8, 2015, the Board approved the committee's recommended ranking and authorized negotiation of an appraisal services contract with Wingate; and,

WHEREAS, staff has negotiated an agreement dated August 11, 2015, presented herewith to the Board for approval.

NOW THEREFORE, BE IT RESOLVED as follows:

1. That the Contract for Appraisal Services dated August 11, 2015, with Wingate and Associates, Ltd., t/a Wingate Appraisal Service, to provide the necessary appraisal services for completion of the 2017 General Reassessment for the County, at the rate of \$17 per parcel, with completion on or before December 31, 2016, is hereby authorized and approved.

2. That the County Administrator is hereby authorized to execute the Agreement and such other documents and to take such further actions, on behalf of the Board of Supervisors, as are necessary to accomplish this transaction, all of which shall be approved as to form by the County Attorney.

3. That this Resolution shall be effective upon the date of its adoption.

Adopted this ____ day of August, 2015.

Hays Creek Watershed Project Closeout

Mr. Suter briefly reviewed the Agenda Item: "We were recently contacted by the Natural Resource Conservation Service (NRCS - formerly, the U.S. Soil Conservation Service), with the request to close out the Hays Creek Watershed Project. The details of the project can be found in the attached document. Briefly, the project was authorized for

implementation in 1988, and it was intended to provide land treatment measures in the Hays Creek Watershed for the purposes of improving water quality. Since the watershed spans property in both Rockbridge and Augusta Counties, there were multiple participants/sponsors of the project, including the Rockbridge and Augusta County Boards of Supervisors and the Natural Bridge and Headwaters Soil and Water Conservation Districts. Over the course of time, a total of \$1,038,479 in Federal cost-share dollars were used for the installation of needed conservation measures in this watershed. The last contract within this watershed expired on May 31, 2011. NRCS has advised that the program was a success and that there is no longer a need for accelerated conservation measures in the watershed. However, technical and financial assistance is still available for landowners in the area via other programs. In order to close out the project, the original sponsors of the project must agree that the program is now officially closed. I have spoken with Kenny Mohler, Chairman of the Natural Bridge Soil and Water Conservation District, and he concurs with closing out the program." Mr. Suter advised that Augusta County is moving ahead with this. He also advised that he had spoken with Robert Hickman, Regional Specialist, who agreed that the projects are closed out.

Supervisor Lewis moved to approve the resolution approving the Hays Creek Closeout. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

Resolution to Transfer Infrastructure at Greenhouse Village

Mr. Crickenberger briefly reviewed the Agenda Item: "Most of the work at Greenhouse Village is complete. Roads, water and sewer are done, and the surrounding disturbed areas have been seeded and mulched to stabilize. We expect to complete the roadside landscaping in the Spring so as not to interfere with Habitat's home construction. The "High School" house has been placed on Lot 1 and another house is under construction on Lot 2. As the developer, the County is the current owner of the infrastructure. The enclosed resolution authorizes us to turn the water and sewer over to the PSA. When three homes are occupied, we will be passing a similar resolution to turn the road over to VDOT."

Supervisor Ford moved to approve the resolution transferring water and sewer to Greenhouse Village. Supervisor Lewis provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
AUGUST 10, 2015

Resolution To Authorize and Approve Transfer of the Water and Sewer Infrastructure for Habitat’s Greenhouse Village Project to the Rockbridge County Public Service Authority (PSA)

WHEREAS, the County of Rockbridge has received a Community Development Block Grant (“CDBG”) through the Virginia Department of Housing and Community Development (“VDHCD”) in connection with the affordable housing project known as Greenhouse Village, a significant portion of which is being developed by the Rockbridge Area Habitat For Humanity, Inc. (“Habitat”); and,

WHEREAS, the County applied a portion of the grant funds to the installation of the necessary water and sewer infrastructure to serve the project; and,

WHEREAS, the construction has been completed and the water and sewer facilities are ready to be transferred to the Rockbridge County Public Service Authority to provide water and sewer service to the affordable housing structures being constructed by Habitat in the development.

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

1. That the transfer and conveyance of the water and sewer infrastructure for Greenhouse Village to the Rockbridge County Public Service Authority is hereby authorized and approved.
2. That the County Administrator or the Director of Community Development is hereby authorized to execute the Water and Sewer System Deed to the PSA, and to take such further actions and to execute such further documents on behalf of the Board of Supervisors, as are necessary to accomplish this transaction, all of which shall be approved as to form by the County Attorney.
3. That this Resolution shall be effective upon the date of its adoption.

Adopted this 10th day of August, 2015.

Update on Bowling Alley Property

Mr. Crickenberger presented the agenda item: "As you may recall, the County and EDA entered into a performance agreement with Z&T Sales in August, 2010, for use of the County-owned Bowling Alley property as its place of business. The agreement provided for a decision point at the 5-year mark, at which time Z&T could opt to purchase the property at assessed value, less any improvements it had made to the building. Recently, we learned that Z&T has purchased another local building and will not be exercising its purchase option. Thus, the building will become available by March, 2016. Devil's Backbone has expressed interest in acquiring the Bowling Alley property, as well as the adjacent five acre tract, which is also County-owned. In its four years in the County, Devil's Backbone has experienced rapid growth in production and employment. Currently, the company is expanding into the Tennessee, West Virginia and North Carolina markets and is in need of additional property to support increased production. As such, staff recommends that we enter into more formal discussion with Devil's Backbone, to assess the potential for the Company to purchase the balance of County owned land. The Bowling Alley property was appraised last year by Hallmark Properties and valued at \$750,000. This did not include the five acres along the southern side of the site which is topographically challenging, has a significant drainage

swale through it, and is separated from the Bowling Alley lot by a fifty foot right of way to the Fix property. We would like to work with Devil's Backbone to get a current appraisal of this acreage, estimate the cost of necessary road repairs, and determine the feasibility of their expansion plans on to this remaining acreage."

Chairman Higgins asked Ms. Huffman to confirm that this process was completed accurately. Ms. Huffman confirmed. She added that this matter would not need to go before the EDA should the property be sold at fair market value.

The members present concurred with Mr. Crickenberger that additional discussions should be pursued with Devil's Backbone, and that he should report findings back to the Board.

Staff Reports

Chairman Higgins asked Mr. Crickenberger to discuss Rockbridge Middle School. Mr. Crickenberger stated that he has received an edited Performance and Lease Agreement from the attorneys for Centra Health. He advised that there would be a Committee Meeting to review the edits on Wednesday, August 12th at 3:30 P.M. He noted that this meeting would be open to the public.

Supervisor Ford moved to accept the Staff Reports. Supervisor Campbell provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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

Adjourn

Supervisor Lewis moved to adjourn the meeting. Supervisor Campbell provided the second, and the motion carried by the following roll call vote, with Supervisor Hinty being absent:

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