

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, DECEMBER 14, 2015, AT 5:30 P.M.

PRESENT: CHAIRMAN J.M.HIGGINS
MEMBERS: R.R.CAMPBELL, R.S.FORD, D.W.HINTY, JR., A.W.LEWIS, JR.
CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN

Call to Order

Chairman Higgins called the meeting to order at 5:27 P.M.

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

Recognitions and Presentations

Chairman Higgins called for recognitions and presentations, noting that he would be changing the order of recognitions on the Agenda.

Recognition of Citizens (Assistance in Historic Photos)

Supervisor Lewis stated that the Buildings and Grounds Committee had envisioned the hanging of historical photos throughout the County Administrative Office Building, and that the project had come to fruition. He recognized local citizens who participated in the project: Dick and Mary Harvey-Halseth; Tom Camden; Seth Goodhart; and Lisa McCown. The Board applauded those present and thanked them for their services.

Recognition of Retiring Commonwealth's Attorney

Supervisor Ford read aloud the following resolution to honor Commonwealth's Attorney Robert "Bucky" Joyce who was present:

A RESOLUTION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO ROBERT "BUCKY" JOYCE, JR, COMMONWEALTHS ATTORNEY, ON THE OCCASION OF HIS RETIREMENT

WHEREAS, Robert N. "Bucky" Joyce, Jr. was born on August 4, 1950 at Stonewall Jackson House, Lexington, Virginia, graduated from Lexington High School in 1968, and earned his undergraduate degree from the University of North Carolina at Chapel Hill in 1972; and,

WHEREAS, Bucky Joyce returned to his native Lexington and matriculated at the Washington And Lee University School of Law in 1978, earning his *Juris Doctor* degree in 1981. Soon thereafter, he passed the Virginia Bar Examination and was licensed to practice law in the Courts of this Commonwealth. Bucky entered practice with Eric Lee Sisler in 1981 and became a partner with the firm of Sisler and Joyce in 1988, serving the area in that capacity from 1981 to 1986; and,

WHEREAS, Bucky Joyce began his career in public service upon his appointment in 1986 as Assistant Commonwealth's Attorney for Rockbridge County and the City of Lexington, Virginia, and was promoted to Chief Deputy Commonwealth's Attorney in 2001; and,

WHEREAS, Bucky Joyce became the Honorable Robert N. Joyce, Jr. in 2004, upon his election as Commonwealth's Attorney for Rockbridge County and the City of Lexington, and has served his constituents with distinction for more than a decade as their elected prosecutor; and,

WHEREAS, Bucky Joyce has, throughout a distinguished legal career, devoted his talents and efforts to this community, serving not only as a respected attorney and chief prosecutor, but also in many other leadership roles involving benevolent charities, faith-based service and youth sports.

NOW, THEREFORE, BE IT RESOLVED: that the Rockbridge County Board of Supervisors expresses its sincere gratitude and appreciation to **The Honorable Robert N. Joyce, Jr.**, for his record of service to our community for over thirty years, on the occasion of his retirement.

Given under our hand this 14th day of December, 2015.

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

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

The Board members left the dais to present the resolution to Mr. Joyce and then took photos.

Mr. Suter noted that he had borrowed some of the information contained in the resolution from a similar document developed by the Rockbridge-Buena Vista Bar Association.

Introduction of New Employees

Director of Solid Waste Jeremy Garrett introduced Tyler Dudley. Mr. Garrett explained that Mr. Dudley was hired as an equipment operator on July 6, 2015; prior to his employment with the County, Mr. Dudley worked for the U.S. Forest Service performing trail maintenance.

Mr. Garrett then introduced Chris Nicely, hired as an equipment operator on December 1, 2015. He noted that Mr. Nicely worked for W.R. Deacon and Sons Timber for over 22 years.

Building Official Kenny Wilson introduced Johnnie Powell, the new Maintenance Technician.

Parks and Receptions Superintendent Wayne Nicely introduced Bobby Vest, the new Parks Technician. Mr. Nicely noted that part of Mr. Vest's job will be to replace County road signs.

The Board of Supervisors and those present welcomed the County's new staff members.

Added Recognition: Rockbridge Area Conservation Council's 2015 Land Use Award

Director of Community Development Sam Crickenberger recognized Chris Slaydon, Assistant Director of Community Development, for receiving the 2015 Land Use Award from the Rockbridge Area Conservation Council. He commended Mr. Slaydon and Sandra Stuart for their work on the Source Water Protection Overlay Zone.

Citizens Comments

Chairman Higgins called for citizens' comments. There were none.

Items to be added to the Agenda

County Attorney Vickie Huffman added an Agenda Item entitled "Consent to Assignment of Tax Distributions from the Virginia Horse Center to Cornerstone Bank, N.A."

Approval of Minutes for November 18, 2015; November 23, 2015; and November 30, 2015

Supervisor Ford moved to approve Minutes for November 18, 2015, November 23, 2015, and November 30, 2015. Supervisor Hinty provided the second, and the three sets of Minutes were approved by unanimous roll call vote by the Board.

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

County Financial Package/ Approval of Appropriation Resolutions

Finance Director Steven Bolster reviewed his Monthly Memorandum:

Section I - Commissioner of the Revenue

Activities for Month:

1. Preparing to send out EOY forms at end of December 2014 (business licenses, business personal property forms, meals and lodging coupon books, etc.).
2. Completing end of calendar year record-keeping, and beginning processing on calendar year 2015.
3. Preparing 2015 Personal Property Supplement to run in January.

Section II - Treasurer

Activities for Month:

1. Collecting delinquent personal property tax.
2. Collecting 2nd half 2015 real estate tax.
3. Auction on Nov 19th went smoothly (included 1st of the non-judicial category items). Confirmation of Sale scheduled 01-28-2016 @ 1PM

Chairman Higgins noted that he had spoken to the Commissioner of the Revenue and that the Commissioner had thanked the Board for supporting the part-time position which was implemented on a temporary basis for scanning materials and cross checking taxes with the State and Federal Government.

Mr. Bolster added a request for Board approval to pay the annual Annexation Payment due to Lexington City in January, 2016. This year's payment is \$1,754,823.

Supervisor Hinty moved to pay the Annexation Payment. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Chairman Higgins asked what the difference is between last year's payment and this year's payment.

Mr. Bolster replied that the difference is around \$15,000.

Mr. Bolster then requested approval to place the Comcast Company Grant in the amount of \$10,000 into a restricted cash account for future contribution towards upgrading or constructing a youth playing field.

Supervisor Ford moved to place the Comcast Grant in the amount of \$10,000 into such an account. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Mr. Bolster then presented the School Appropriation Resolution, as shown below, and recommended approval.

Supervisor Lewis moved to approve the School Appropriation Resolution. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

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, DECEMBER 14, 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:

New Grants

VIB 619 Preschool

4-50-61100-1121-910-200-852	Teacher Salaries.....	\$14,000.00
4-50-61100-6013-910-200-852	Materials & Supplies.....	<u>\$301.00</u>
Sub-total		\$14,301.00

VIB 611 Special Education

4-50-61100-1121-910-200-853	Teacher Salaries.....	\$468,994.00
4-50-61100-2100-910-200-853	FICA.....	\$35,879.00
4-50-61100-2210-910-200-853	VRS.....	\$52,340.00
4-50-61100-2300-910-200-853	Hospitalization.....	\$65,508.00
4-50-61100-2400-910-200-853	GLI.....	\$5,582.00
4-50-61100-2500-910-200-853	RHIC.....	\$5,206.00
4-50-61100-3160-910-200-853	Purchased Services.....	<u>\$12,665.00</u>
Sub-total		\$646,174.00

Project Graduation 2016

4-50-61100-1121-390-100-854	Teacher Salaries.....	\$17,250.00
4-50-61100-2100-390-100-854	FICA.....	\$1,320.00
4-50-61100-6013-390-100-854	Materials & Supplies.....	<u>\$1,142.00</u>
Sub-total		\$19,712.00

School Field Trips

4-50-61312-3160-919-000	Curriculum Development.....	<u>\$10,000.00</u>
Sub-total		\$10,000.00

TOTAL FUND 50 APPROPRIATIONS **\$690,187.00**

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 70, SCHOOL CONSTRUCTION FUND** and expended as follows:

4-70-66200-3160-950	Purchases Services	\$1,062.00
TOTAL FUND 70 APPROPRIATIONS		\$1,062.00

Mr. Bolster then presented the County Appropriation Resolution, as shown below, and recommended approval of the resolution and the payment of bills.

Supervisor Campbell moved to approve the County Appropriation Resolution and the payment of bills. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING,
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,
ON MONDAY, DECEMBER 14, 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..... \$8,227.00
4-11-34015-3002 Contracted Services..... \$823.00
4-11-64010-5605 Contribution-Dabney Promise..... \$15,000.00
4-11-99010-6192 Transfer to Lined Landfill..... \$72,054.00

Total General Fund Appropriations **\$96,104.00**

Current County

11 - General Fund \$688,787.31

94 - Central Stores \$3,039.92

Total County Bills **\$691,827.23**

Current Fiscal Agent

80 - Regional Jail \$65,637.39

92 - Drug Fund \$1,994.55

Total Fiscal Agent **\$67,631.94**

TOTAL ALL BILLS **\$759,459.17**

Convene Solid Waste Authority

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

Solid Waste Authority Financial Package/Approval of Appropriation Resolution

Mr. Bolster presented the Solid Waste Authority's Financial Package and Appropriation Resolution. He recommended approval of the resolution as presented.

Supervisor Hinty moved to approve the Solid Waste Authority's Appropriation Resolution. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

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, DECEMBER 14, 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.....	\$450.00
4-19-19070-3001 Engineering Services.....	\$49,199.00
4-19-19070-3003 Well Development.....	\$22,463.00
4-19-19070-7010 Construction-Office Bldg.....	\$392.00

Total SWA-Landfill Fund Appropriations	\$72,504.00
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Current SWA

19 - SWA-Landfill	\$109,266.17
20 - SWA-Recycling	<u>\$5,724.84</u>

TOTAL SWA BILLS	\$114,991.01
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Procurement of Legal Services

County Administrator Spencer Suter reviewed the Agenda Item: "As you
 are aware, we are working Lexington City staff to draft an agreement which
 would include both the County and City in a new or revised Solid Waste
 Authority. Key staff have met and collectively determined that a
 preferred course of action would be as follows:

1) Collectively draft a new agreement based on existing examples. One example we are currently contemplating as a resource is the Roanoke Resource Authority. City Attorney Larry Mann will be working on the initial template. We would of course then include all portions which are specific to our contemplated Authority. Further, we would include early input from bond counsel (BotkinRose, PLC) to ensure that a final draft includes all requirements necessary to facilitate future borrowing by the Authority.

2) When the basic draft is completed, utilize a third party attorney who specializes in creation/representation of Authorities, for final review by the localities. The object of this step is to ensure that we have thoroughly vetted every aspect of an agreement.

"In order to ensure that we remain in compliance with procurement policy, we would need to competitively procure the services of a 3rd party attorney. In our joint discussion, it was agreed that the best avenue for such procurement would be through the existing Solid Waste Authority, utilizing the surplus funds that both the City and County have been contributing for the past 18 months via increased tipping fees. County Attorney Vickie Huffman is developing a RFQ (Request for Qualifications) for this purpose, and to present to the Solid Waste Committee on Monday evening."

Supervisor Lewis asked County Attorney Vickie Huffman if she endorsed this concept.

Ms. Huffman replied that she was not necessarily in favor of it. She stated that this is something that Lexington City has requested during negotiations.

Chairman Higgins asked the Solid Waste Committee for comments.

Supervisor Campbell asked Mr. Suter if the Agreement will come to the Board of Supervisors before it gets sent out to the third party.

Mr. Suter replied that he could certainly make that request.

Supervisor Lewis moved to authorize staff to issue an RFQ (Request for Qualifications) with consultation from both the County and Lexington City Attorneys. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Resolution to authorize conveyance of 6.05 acre parcel to County

County Attorney Vickie Huffman reviewed the Agenda Item: "As you are aware, the County has been working with the Sheriff's Office for some time to develop a shooting range at the landfill. Much of the work has now been completed, but in order to finalize the project the property must be transferred from the Solid Waste Authority to Rockbridge County."

Supervisor Campbell moved to approve the resolution transferring the 6.05 acre property at the Landfill from the Solid Waste Authority to Rockbridge County. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY HELD AT THE
ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON
MONDAY, DECEMBER 14, 2015

RESOLUTION TO AUTHORIZE AND APPROVE DONATION TO THE COUNTY OF
ROCKBRIDGE OF A 6.05-ACRE PARCEL OF LAND LOCATED AT THE ROCKBRIDGE
COUNTY LANDFILL PROPERTY IN THE SOUTH RIVER MAGISTERIAL DISTRICT

WHEREAS, the Rockbridge County Solid Waste Authority is the owner of 258.50 acres, more or less, of land located at the end of Va. Secondary Route #831, said property being the site of the Rockbridge County Landfill and being designated upon the Rockbridge County Land Records as Tax Map No. 77-A-15, No. 77-A-16, and No. 77-01-6-1; and,

WHEREAS, the Rockbridge County Sheriff's Office has proposed to develop an outdoor shooting range for purposes of training and practice by law enforcement personnel at the Landfill; and,

WHEREAS, the proposed location is in an unused area of the Landfill that will not conflict with the landfilling operations; and,

WHEREAS, the Authority and the County have obtained a Boundary Line Adjustment survey to create a separate parcel of land containing 6.05 acres, more or less, designated and shown on the plat dated January 15, 2015, as "TM# 77-A-15 – 6.05 AC"; and,

WHEREAS, the Rockbridge County Solid Waste Authority has agreed to the project plans and approves the donation and conveyance of the 6.05-acre parcel of land to the Board of Supervisors.

NOW THEREFORE, BE IT RESOLVED by the ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY as follows:

1. That the Solid Waste Authority Board hereby authorizes and approves the donation and conveyance to the Board of Supervisors of Rockbridge County, Virginia, of the following real estate, located

within the Rockbridge County Landfill property in the South River Magisterial District of Rockbridge County, Virginia:

All of that certain tract or parcel of land, together with any improvements thereon, rights incident thereto, and appurtenances thereunto belonging, situate in the South River Magisterial District of Rockbridge County, Virginia, containing 6.05 acres, more or less, designated and shown as "TM# 77-A-15 – 6.05 AC" on the 'Plat Showing Boundary Line Adjustment for Solid Waste Authority of Rockbridge County, Virginia' dated January 15, 2015, prepared by Farris P. Hotchkiss, Jr., Perkins & Orrison, and recorded simultaneously herewith in the Clerk's Office of the Circuit Court of Rockbridge County in Plat Cabinet _____, Slide _____.

TOGETHER WITH a perpetual, non-exclusive right-of-way, twenty-five feet (25') in width, for ingress and egress to and from Landfill Road (Route 831), extending along the PAVED ACCESS ROAD, the SOIL ACCESS ROAD, and the "25' INGRESS/EGRESS & CONSTRUCTION EASEMENT," as shown on the above-described plat for the benefit of the parcel described above, and herein referred to as the 'Access Road'.

SUBJECT TO the RESERVATION of a perpetual, non-exclusive right-of-way, twenty-five feet (25') in width, for construction of a portion of the Access Road along the southeastern boundary of the parcel conveyed herein, and for ingress and egress along same by the Grantor, shown and designated as "25' INGRESS/EGRESS & CONSTRUCTION EASEMENT" on the above-described plat.

This being a portion of the same real estate conveyed to the Grantor by deed dated November 5, 1991, from Frederick K. Carter, et als, of record in the aforesaid Clerk's Office in Deed Book 485, page 434.

The above-described property is identified upon the Rockbridge County Land Records as Tax Map #77-A-15.

2. That the conveyance shall be with the Solid Waste Authority's reservation of the right to relocate and/or realign the Access Road as plans for landfill construction and other solid waste services progress. The Solid Waste Authority will remain responsible for routine maintenance of the Access Road to a standard suitable for on-road vehicles, with a gravel surface, but the County, at its sole cost, will be entitled to make

additional repairs, improvements or surface treatments to the permanent Access Road, upon approval from the Solid Waste Authority, which approval shall not be unreasonably withheld.

3. That the Chairman of the Solid Waste Authority is hereby authorized to execute the deed and such other documents, and to take such further actions, on behalf of the Solid Waste Authority, as are necessary to accomplish the donation and conveyance of the real estate described herein.

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

Adopted this ____ day of _____, 2015.

Chairman Higgins closed the Solid Waste Authority and reconvened the Board of Supervisors Meeting at 5:57 P.M.

Resolution to accept 6.05 acre parcel to County from Solid Waste Authority

Ms. Huffman explained that this item is for the Board's acceptance of the 6.05 acre property at the Landfill, as discussed in the previous Agenda Item.

Supervisor Lewis moved to approve the resolution accepting the property from the Solid Waste Authority. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

AYES: Lewis, Ford, Campbell, 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, DECEMBER 14, 2015

RESOLUTION TO AUTHORIZE AND APPROVE THE ACQUISITION AND ACCEPTANCE FROM THE ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY OF A 6.05-ACRE PARCEL OF LAND LOCATED AT THE COUNTY LANDFILL PROPERTY IN THE SOUTH RIVER MAGISTERIAL DISTRICT

WHEREAS, the Rockbridge County Solid Waste Authority is the owner of 258.50 acres, more or less, of land located at the end of Va. Secondary Route #831, said property being the site of the Rockbridge County Landfill and being designated upon the Rockbridge County Land Records as Tax Map No. 77-A-15, No. 77-A-16, and No. 77-01-6-1; and,

WHEREAS, the Rockbridge County Sheriff's Office has proposed to develop an outdoor shooting range for purposes of training and practice by law enforcement personnel at the Landfill; and,

WHEREAS, the proposed location is in an unused area of the Landfill that will not conflict with the landfilling operations; and,

WHEREAS, the Authority and the County have obtained a Boundary Line Adjustment survey to create a separate parcel of land containing 6.05 acres, more or less, designated and shown on the plat dated January 15, 2015, as "TM# 77-A-15 – 6.05 AC"; and,

WHEREAS, the Rockbridge County Solid Waste Authority has agreed to the project plans, and, by Resolution of even date herewith, has authorized conveyance of the 6.05-acre parcel of land to the Board of Supervisors.

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

1. That the Board hereby authorizes and approves the acquisition and acceptance of the following real estate, located within the Rockbridge County Landfill property in the South River Magisterial District of Rockbridge County, Virginia:

All of that certain tract or parcel of land, together with any improvements thereon, rights incident thereto, and appurtenances thereunto belonging, situate in the South River Magisterial District of Rockbridge County, Virginia, containing 6.05 acres, more or less, designated and shown as "TM# 77-A-15 – 6.05 AC" on the 'Plat Showing Boundary Line Adjustment for Solid Waste Authority of Rockbridge County, Virginia' dated January 15, 2015, prepared by Farris P.

Hotchkiss, Jr., Perkins & Orrison, and recorded simultaneously herewith in the Clerk's Office of the Circuit Court of Rockbridge County in Plat Cabinet _____, Slide _____.

TOGETHER WITH a perpetual, non-exclusive right-of-way, twenty-five feet (25') in width, for ingress and egress to and from Landfill Road (Route 831), extending along the PAVED ACCESS ROAD, the SOIL ACCESS ROAD, and the "25' INGRESS/EGRESS & CONSTRUCTION EASEMENT," as shown on the above-described plat for the benefit of the parcel described above, and herein referred to as the 'Access Road'.

SUBJECT TO the RESERVATION of a perpetual, non-exclusive right-of-way, twenty-five feet (25') in width, for construction of a portion of the Access Road along the southeastern boundary of the parcel conveyed herein, and for ingress and egress along same by the Grantor, shown and designated as "25' INGRESS/EGRESS & CONSTRUCTION EASEMENT" on the above-described plat.

This being a portion of the same real estate conveyed to the Grantor by deed dated November 5, 1991, from Frederick K. Carter, et als, of record in the aforesaid Clerk's Office in Deed Book 485, page 434.

The above-described property is identified upon the Rockbridge County Land Records as Tax Map #77-A-15.

2. That the acquisition shall be subject to the Solid Waste Authority's reservation of the right to relocate and/or realign the Access Road as plans for landfill construction and other solid waste services progress. The Solid Waste Authority will remain responsible for routine maintenance of the Access Road to a standard suitable for on-road vehicles, with a gravel surface, but the County, at its sole cost, will be entitled to make additional repairs, improvements or surface treatments to the permanent Access Road, upon approval from the Solid Waste Authority, which approval shall not be unreasonably withheld.

3. That the County Administrator is hereby authorized to execute the deed and such other documents, and to take such further actions, on behalf of the Board of Supervisors, as are necessary to accomplish the acquisition and acceptance of the real estate described herein, all of which shall be approved as to form by the County Attorney.

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

Adopted this ____ day of _____, 2015.

Consideration of Amendments to Buena Vista Volunteer Rescue Squad

Agreement

Several members of the Buena Vista Volunteer Rescue Squad, including President Ronnie Slough, were in attendance. Therefore, Chairman Higgins moved this item ahead on the Agenda.

Mr. Suter reviewed the Agenda Item: "In October of 2012 the County entered into an agreement with the Buena Vista Rescue Squad (BVRS) to ensure response coverage in a defined first due response area of Rockbridge County. The agreement provided a funding stream that mirrored the allotments given to County rescue squads. The agreement allows the Squad to bill for all calls it responds to in the County, but provides a mechanism for reimbursement to the County for all proceeds collected, less a 10% administrative fee. In 2014, the Buena Vista Rescue Squad hired career staffing to increase their response reliability in their primary response area. This program has been successful and has benefitted the citizens in the primary response area as well as second due response areas and beyond. With the career staff responding into areas outside its first due response areas, the BVRS has seen an increase in overtime, fuel costs, and medical supplies. Data collected between January and October 2015 reveals 32 responses into second due areas with 12 transports from those

incidents. Concerned with these additional costs, BVRS has approached the County with a request to replace the existing agreement with a new, revised agreement, which would allow the BVRS to recoup funds for billable calls outside its designated first due area. The intent of the revised agreement is to allow BVRS to bill the patient's insurance, Medicare, or other entity and receive 100% of the resulting revenue recovery. Likewise, County units responding into the BVRS first due area as a second due response would have the same privileges.

Examples:

1) BVRS response into its designated first due area of Rockbridge County, with a billable patient transport: BVRS would bill the patient's insurance or Medicare and collect/deposit the revenue in its account. It would then assess a 10% fee (to cover the costs of billing administration) and report the resultant amount to the County. The County would subsequently reduce the allotment granted to the BVRS by that amount.

2) BVRS response into the County outside its designated first due area: BVRS would bill the patient's insurance or Medicare and collect/deposit the revenue into its account. In this case, it would NOT include the amount for deduction from its allotment from the County. It would, rather, keep the proceeds to support the additional cost of response."

Director of Fire and EMS Brandon Mitchell stated that one of the first meetings he attended upon being hired was with Buena Vista Rescue, at which time this was brought to his attention. He noted that this discussion occurred right before contracted career staffing began serving at the Glasgow Life Saving and First Aid Crew facility. He further noted that Buena Vista's response rate is between 96%-99%.

Supervisor Campbell asked if the County still uses a soft billing method and if so, was the policy consideration consistent with the County's method.

Mr. Suter replied in the affirmative.

Mr. Mitchell confirmed that the same billing firm, EMS/MC, is used for both - and that there is no hard billing.

Supervisor Lewis moved to approve the new agreement, replacing the existing agreement. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Public Hearings 6:00 P.M.

Rockbridge Baths Ag/Forestal District

Assistant Director of Community Development Chris Slaydon explained that this initiative has been in the works for several years now. He stated that Dennis Engleman spearheaded this Ag-Forestal District by

submitting an application to become the core of the district. Since then, he noted, the district has grown significantly, now totaling 679.89 acres. Mr. Slaydon presented a PowerPoint of the proposed district while identifying each participating member.

Chairman Higgins opened the Public Hearing at 6:06 P.M. There were no public comments; therefore, Chairman Higgins closed the Public Hearing.

Supervisor Lewis read aloud the following Disclosure Statement: "As an owner of Mountain View Farms, LLC, I am permitted to participate in this transaction under the exception provided in Virginia Code Section 2.2-3112(A)(2) and my Disclosure Statement is on file with the Clerk to the Board." He then shared his full support of this Ag/Forestal District and his excitement that it includes the Walkers Creek District.

Dennis Engleman, one of the members of this Ag/Forestal District, commended Mr. Slaydon on his involvement with this.

Supervisor Ford noted that some of the properties were located in the Kerrs Creek District, additional members of the families mentioned above.

Supervisor Hinty moved to approve the Ordinance creating and establishing the Rockbridge Baths Ag/Forestal Overlay District for a period of 10 years. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE
OFFICES ON MONDAY, DECEMBER 14, 2015

ORDINANCE TO CREATE AND ESTABLISH THE ROCKBRIDGE BATHS AGRICULTURAL AND FORESTAL OVERLAY DISTRICT FOR A PERIOD OF TEN (10) YEARS

WHEREAS, applications have been filed with the Board of Supervisors to create the Rockbridge Baths Agricultural and Forestal Overlay District pursuant to the Rockbridge County Land Development Regulations, §§610.00, et seq., and Virginia Code §§ 15.2-4300, et seq.; and,

WHEREAS, landowners who own a majority of the property in the proposed overlay district have petitioned for creation of the Rockbridge Baths District for a period of ten (10) years, and the minimum core of 200 contiguous acres has been established; and,

WHEREAS, the petition has been reviewed by the Agricultural and Forestal Districts Advisory Committee, which has recommended creating and establishing the Rockbridge Baths District to the Planning Commission; and,

WHEREAS, the Rockbridge County Planning Commission reviewed the application on November 18, 2015, and recommended to the Board of Supervisors that the Rockbridge Baths District be established for a period of ten (10) years; 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 December 14, 2015; and,

WHEREAS, the Board of Supervisors has determined that the proposed rezoning would generally promote the health, safety, convenience and general welfare of the public, that the rezoning is warranted as good zoning practice, that it accomplishes one or more of the objectives set forth in §15.2-2200 of the Code of Virginia (1950, as amended), and that it serves one or more of the purposes set forth in Land Development Regulation §610.01, namely to: (i) to conserve, protect and

encourage the development and improvement of agricultural and forestal lands for the production of food and other agricultural and forestal products, (ii) to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, and aesthetic purposes, (iii) to provide a means for the mutual undertaking by landowners and local governments to protect and enhance agricultural and forestal land as a viable segment of the economy and an economic and environmental resource of major importance.

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

1. That the Rockbridge Baths Agricultural and Forestal Overlay District, totaling 679.89 acres of land, more or less, is hereby created and established for a period of ten (10) years, pursuant to the Rockbridge County Land Development Regulations, §§610.00, et seq., and Virginia Code §§ 15.2-4300, et seq., and shall consist of and be applicable to the following:

TAX MAP NUMBER	NAME	ADDRESS	CITY	ACRES
35-8-19	OAS ROBERT L JR & MARY T	99 FARMHOUSE RD	ROCKBRIDGE BATHS	8.16
35-A-22	ENGLEMAN MATTHEW D	263 FARMHOUSE RD	ROCKBRIDGE BATHS	98.60
35A2-4-D	OAS ROBERT L JR & MARY T	99 FARMHOUSE RD	ROCKBRIDGE BATHS	15.28
35A2-4-F	OAS ROBERT L JR & MARY T	99 FARMHOUSE RD	ROCKBRIDGE BATHS	13.03
35-A-39	ENGLEMAN DENNIS C MCDONALD JERRY AND	190 MCCURDY LANE	ROCKBRIDGE BATHS	202.50
36-1-X	MARGARET	310 WALKERS CREEK RD	ROCKBRIDGE BATHS	20.00
36-A-1A	MOUNTAIN VIEW FLORISTS INC	16 MCCURDY LANE	ROCKBRIDGE BATHS	18.50
36-A-74	MCDONALD JERRY L	310 WALKERS CREEK RD	ROCKBRIDGE BATHS	193.91
36-A-74A	MCDONALD MARGARET A	310 WALKERS CREEK RD	ROCKBRIDGE BATHS	11.61
36-A-74D	MCDONALD MARGARET A	310 WALKERS CREEK RD	ROCKBRIDGE BATHS	<u>5.00</u>
35-A-18	MCCOWN JAMES W JR.	35 MCCOWN LANE	ROCKBRIDGE BATHS	<u>93.30</u>
				679.89

2. That this ordinance shall be effective on the date of its adoption. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. The Zoning Administrator is directed to amend the zoning district map to reflect the changes in zoning classification authorized by this ordinance.

Adopted this 14th day of December, 2015.

Consideration of FY 2015 unassigned fund balance and Capital Fund Presentation

Mr. Bolster reviewed the Agenda Item: "In accordance with the County's Financial Policies adopted July 14, 2014, the County's unassigned fund balance should be equal to at least 20% of the County's General Fund and School Fund operating expenditures, less the County's contribution to

the School Fund. This funding is intended to serve two purposes: 1) as a backstop for extraordinary, unplanned expenditures, and 2) as evidence to lending institutions that that County is on firm financial footing, which can result in more favorable interest rates when the County seeks new borrowing or bond issuance. In coordination with the annual close of its accounting records and completion of the FY 2015 audit, I've reported to the Finance Committee that the County is in compliance with the fund balance policy. As of June 30, 2015 the County's unassigned fund balance was \$17.6M, or 29%. Thus, when applied against the County's fund balance policy, there is a 9% 'surplus', which equals approximately \$5.4M. However, the full \$5.4M cannot be considered as cash available for new projects. This balance is further reduced by planned or currently known future appropriations/expenses/transfers which I can discuss in further detail at the Board meeting, if requested. The anticipated reductions amount to approximately \$1.8M - which lower this balance to ~\$3.6M. Further, there are some potential impacts that lower the balance by an additional ~\$919K - down to ~\$2.6M. I can provide greater detail when providing this report at Monday's meeting. Staff is seeking to align the Capital Improvement Program budget process to capital-related funds and away from including these projects in the operational budget (i.e., the General Fund). The draft 2017-2021 CIP currently reflects ~\$1.6M in combined capital requests [excluding specific construction (\$4.5M) and debt-service related capital efforts (\$314K)]. Additionally, the General Fund currently contains \$935,021, which represents one annual debt-service payment on the Combined Courthouse and is no longer required to be

restricted for this purpose. Finally, as a result of detailed review by staff and the Finance Committee, staff recommends:

- 1) Creating one new budget fund - "the Capital Purchases Fund" - which would position the County well as we move into the future, by clearly identifying funds which are encumbered or intended to be used for planned capital purchases.
- 2) Rename the existing Courthouse Construction Fund to the "Construction Project Fund." This fund would serve as the source for planned construction projects.

Specific designation of these two funds would allow the Board and citizens to view the County's actual, fully-unassigned fund balance in the General Fund."

Mr. Suter explained that, in approving the request from Mr. Bolster, it would become clear which funds are actually unencumbered and which are not.

Chairman Higgins noted that this is a recommendation initially made by the County's Financial Advisors during the development of financial policies in 2014.

Supervisor Ford moved to rename the current Courthouse Construction fund to the "Construction Project Fund" and to create a Capital Purchases Fund. Supervisor Campbell provided the second.

Supervisor Lewis asked Mr. Bolster for more detail on what "known transfers and expenditures" meant; how inclusive is that; what does it

include and what does it not include; where did the figure come from and is it strictly what is proposed in the CIP; and does that CIP include the schools CIP and RARO's CIP or just the County's?

Mr. Bolster replied that the figure includes RARO's CIP but not the schools'; he said the Board would receive the draft CIP work sheets over the holiday.

Mr. Suter added that there is a place-holder already in existence for the schools' CIP.

Supervisor Lewis stated that he was under the impression that the schools had already provided the County with a draft CIP more than once.

Mr. Bolster confirmed that they had not yet received the schools' 2017 CIP.

Chairman Higgins commended Mr. Bolster for his work involved in creating this process for planning how to use available funds.

A motion and second was already on the floor. The motion carried by unanimous roll call vote by the Board.

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

Consideration of Salary Recommendations from Springsted Associates

Mr. Suter reviewed the Agenda Item: "At the Board's last regular meeting on November 23rd, the Board accepted the new position descriptions and approved the concept of revamping the performance evaluation system. However, the Board determined that that the Finance Committee should

conduct additional review of the pay plan options recommended by Springsted. The Finance Committee has subsequently met and conducted a more detailed review, which resulted in additional questions. I have also met with the members of the Board Personnel Committee again, to gain additional thoughts after the discussions with the Finance Committee. The two committees are in agreement that continued work on the recommendations should occur through the remainder of the month with the goal of presenting a final recommendation to the Board at its first meeting of 2016 (January 11th). Generally, the committees agreed that all three options presented by Springsted hold merit, but they feel that none fully meets all goals. Rather, committee members feel that we should use the Springsted options as a base but then target identified salary compression issues in specific positions, rather than implementing across the board increases."

The Board directed staff to meet with the Finance and Personnel Committees further and return to the Board at the January 11 meeting with a final recommendation.

Appointments

Community Services Board (CSB)- Tracy Harris- Term Expires 12/31/2015

Supervisor Ford moved to reappoint Tracy Harris to the Community Services Board. Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board.

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

ABSENT: None

Staff Reports

Supervisor Lewis moved to accept the Staff Reports. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Added Items to the Agenda

Consent to Assignment of Tax Distributions from the Virginia Horse Center to Cornerstone Bank, N.A.

The Board was provided a handout of information on this item as it was not originally on the Agenda.

Supervisor Campbell read aloud the following Disclosure Statement:
"As my wife is an employee of Cornerstone Bank, I hereby abstain from all matters, discussions, or voting related to the Board's consideration of consent to the assignment from the Virginia Horse Center to Cornerstone Bank, and my Disclosure Statement required under Virginia Code Section 2.2-3115(E) is on file with the Clerk to the Board of Supervisors."

Supervisor Campbell then left the dais at 6:34 P.M.

County Attorney Vickie Huffman briefly reviewed the Agenda Item: "The Rockbridge County Economic Development Authority (at its meeting on October 19, 2015) and the Board of Supervisors (at its meeting on October

26, 2015) received a presentation from the Virginia Horse Center, by its Executive Director John Nicholson, with the following request:

- 1) Review and consideration of a revised capital improvement plan, which includes projects intended to retain existing shows and attract new ones.
- 2) Permission to implement the plan immediately through a bank loan in the amount of \$450,000, secured by current surpluses and future revenues from the 1% lodging tax.

"A copy of the updated capital improvement plan and proposed loan repayment structure is attached for your reference. The EDA voted to recommend that the revised CIP be approved and gave permission for the Horse Center to implement the loan with Cornerstone Bank using the one percent occupancy tax as leverage. The EDA also recommended that the Horse Center, before entering into any loans, refinancing, financing, sales, leases or dispersal of any property, must have prior written consent of the EDA and/or the Board of Supervisors. The Board of Supervisors approved the Capital Improvements Plan as presented. In comments, Board members acknowledged the VHC's need to proceed with the CIP improvements as soon as possible to ensure retention of existing shows and attraction of new shows."

Virginia Horse Center's Executive Director John Nicholson stated that the Horse Center has come a long ways.

Chairman Higgins agreed with Mr. Nicholson.

Ms. Huffman noted that this request was coming to the Board before going to the EDA because there is no second Board meeting in December and the closing of the loan would be taking place before the end of December.

Supervisor Hinty asked Mr. Bolster how much revenue was carried over this year towards the USDA payment.

Mr. Bolster replied that \$120,000 was collected last year and would be used towards the USDA loan.

Chairman Higgins asked if there would be any excess funds at the end of February following the payment to the USDA.

Mr. Bolster replied that there will be excess funds at that time.

Mr. Suter clarified that this loan with Cornerstone Bank is to jump-start capital improvements at the VHC versus waiting until there is enough money saved to do so.

Supervisor Ford asked for details on the USDA loan's reserve balance.

Mr. Nicholson stated that he had met the previous Friday with USDA officials, at which time he requested that the reserve balance be waived. He noted that there was no official action taken; however, he felt that the reserve requirement would be waived.

Mr. Suter, who had also attended the USDA meeting, agreed.

The requested action was for the Board to approve the VHC's proposed funding method of borrowing \$450,000.00 from Cornerstone to complete all of the approved capital improvements as soon as possible, and consent to the Assignment of Tax Distributions between the VHC and Cornerstone, with authority for the County Administrator to sign and acknowledge the Assignment on behalf of the Board.

Supervisor Lewis moved to approve the action requested. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Campbell abstaining:

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

Supervisor Campbell returned to the dais at 6:47 P.M.

Board Comments

Chairman Higgins invited members of the media to the County's Christmas Luncheon at the Virginia Horse Center on Thursday, December 17th at noon.

Mr. Suter recognized members of the small committee who planned the luncheon: Heidi Conner, Vicky Agnor, Tracy Shafer, Melissa Alexander and Brandy Flint.

Closed Meeting

At 6:50 P.M., Supervisor Hinty moved to enter into a Closed Meeting as Permitted by Virginia Code Section 2.2-3711(A)(6), discussion or consideration of a matter involving the investment of public funds where competition or bargaining is involved, and where, if made public initially, the financial interest of the governmental unit would be adversely affected, namely the Regional 911 Center. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

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

AYES: Hinty, Campbell, Ford, Lewis, 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.

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

Supervisor Hinty moved to authorize the County Administrator to enter into contract for the former Lomax Funeral Home property in alignment with the letter of intent, subject to approval as to form by the County Attorney, and to authorize expenditure of \$18,750 of earnest money required to execute a purchase contract; and to authorize funding required to satisfy due diligence procedures, up to and including the following: minimal services under existing contract with Moseley Architects; phase 1

environmental survey; and to negotiate with the partner cities to reach agreements on any cost share moving ahead; and at such time as necessary to complete title work to complete the transfer. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Adjourn

On a motion by Supervisor Lewis, seconded by Supervisor Hinty, and unanimous vote by the Board, the meeting was adjourned.

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