

AT A SCHEDULED JOINT SESSION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, LEXINGTON CITY COUNCIL AND BUENA VISTA CITY COUNCIL, HELD IN THE COUNTY ADMINISTRATION BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON TUESDAY, MARCH 22, 2016 AT 7:00 P.M.

PRESENT: CHAIRMAN: JOHN M. HIGGINS
MEMBERS: RONNIE R. CAMPBELL, RUSSELL S. FORD, DAVID W. HINTY, JR., ALBERT W. LEWIS, JR.
COUNTY ADMINISTRATOR AND CLERK TO BOARD: SPENCER H. SUTER
COUNTY ATTORNEY: VICKIE L. HUFFMAN

ALSO PRESENT:
LEXINGTON CITY COUNCIL
BUENA VISTA CITY COUNCIL
HARRIS COMMUNICATIONS

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Call to Order

John Higgins, Chairman of the Rockbridge County Board of Supervisors, called the meeting to order at 7:01 p.m.

Representatives from both Cities called their special meetings to order. Supervisor Ronnie Campbell opened with a prayer, followed by the Pledge of Allegiance.

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Purpose

Chairman Higgins explained that the request for a special joint meeting was to discuss the regional 911 Center, to exchange information and to provide consistency among the three localities; he deferred to Mr. Suter to brief the localities on progress thus far.

Mr. Suter presented a historical timeline of the current 911 Center and followed with information about the action items that have been completed for the proposed relocation project.

- 911 Center is currently located in the Buena Vista Police station, as the result of consolidation in 1997.
"Backup Center" is located at the Sheriff's Office.
- There have been discussions, both formal and informal, about moving the Center since at least July 2012.

- Locations that were either formally or informally considered early in the process were:
 - o Basement of Courthouse in Lexington
 - o Old Bowling Alley
 - o Sheriff's Department
 - o Site adjacent to Sheriff's Department
- Subsequent negotiations result in a Spring 2013 Agreement consisting of the following general terms:
 - o Sheriff's dispatch operations are consolidated into the Center - for the first time ever, we have true regional consolidation
 - o Revamp of 911 Board representation
 - o County pays more proportionally on the radio system (based on what a penny bears on each locality's real estate tax rate)
 - The Center shall be located in the existing location, adjacent to the Buena Vista Police Department on Park Avenue in Buena Vista, Virginia.
 - The Jurisdictions agree that alternative locations will be evaluated by the 911 Board, and if it is determined through such evaluation that another location is more suitable as a 911 Center, a recommendation will be made to the member localities and the Center will be relocated subject to available funding sources.
- Spring, 2014 - A new radio system contract was negotiated with Harris Communications. The County agrees to be the borrower and as such, must technically be the owner of the equipment, with agreement that equipment will be owned by the Regional Communications Board when paid off.

Approximately one year goes by during due diligence. The contract with Harris was extended at least four times.

- Spring 2014 - Buena Vista defaults on the Golf Course loan, placing the future of the 911 Center in question.
- Concerned about this and other issues, the County continues planning for alternatives.
- August 2014 - The Sheriff approaches the 911 Board with request for support of a study. The 911 Board votes unanimously to support the County's initiative to do a 911 Center study/design at its sole cost.
- County procures services and hires Moseley Architects. The project kicks off in Spring 2015.
- The Lexington City Manager and County Administrator discuss a location in the City of Lexington, but it did not turn out to be an option.
- The County refocuses on the site next to the jail. Initial drawings appear too expansive and the County reduces the scope.
- October 2015 - Moseley returns a draft drawing with a \$4.5 million cost estimate.
- October 2015 - Harris notifies the 911 Board that it needs a final determination on a dispatch location, bringing the issue to a head.
- November 2015 -
 - o 911 Board Chair requests and receives an objective, professional opinion from ECC Director, Scott Bedell, regarding the suitability of the existing Center moving ahead.
 - o Radio System Project Manager, Jon Ellestad, summarizes the issue in a document outlining costs and barriers

of staying in the existing Center vs. moving the Center.

- o After unsuccessfully trying to whittle the costs down of a new 911 Center at the jail site, the County Administrator presents the \$4.5M estimate to the 911 Board. No one is satisfied with the price.
- o Soon after the meeting, the Lomax building is brought forward by the Buena Vista City Manager as a potential option.
- o In late November, most of the 911 Board visits the site and everyone agrees that it holds significant promise.
- o The only way to find out was to put a contract on it and conduct due diligence.
- December 2015 - The County puts a contract on the Lomax building. We hope for, but do not guarantee a total price of \$1 million.
- Based on the radio system implementation schedule, and an 80-day window for purchase, we have to move faster than the typical "speed of government" to conduct due diligence.
 - o Harris visits the site and declares it good for the system.
 - o The County pays for a boundary and grounds survey.
 - o Harris moves ahead with Microwave requirement study, needed for verification and licenses.
 - o Phase 1 and Phase 2 environmental assessments were completed.
 - o Lead paint testing was completed.
 - o Water testing could not be completed due to what we think is a faulty relay in the pump panel.
 - o Asbestos testing was completed.

- o A&E planning and cost estimation
 - County pays for Moseley to visit the site. Multiple parties review the conceptual plans for the building. The Lexington City Manager, with experience building a 911 Center/EOC, notes that the 911 side is what we had looked at, but has some better ideas for design of a future EOC. We collectively make the changes to the plan and remit to Moseley, who makes the changes.
- In late February, Moseley came back with an estimate of \$1.99 million as a total cost for purchase and renovation of the 911 Center side of the site. This was a base, no frills cost. Certainly, there are things that can come out such as a central vacuum system, but this was their estimate. This was then pushed up by adding in some construction management and the County Administrator rounded up to \$2.1 million to add some contingency above and beyond the included contingency.
- While general building improvements would be made to the EOC side, the interior would be improved over time.
- In the 11th hour, we got the asbestos report back, and some asbestos showed up in the interior walls. Total cost for abatement would be approximately \$50,000.00 (\$25,000.00 on each side of the building). \$25,000.00 was added to the project cost to abate the 911 Center side.
- Knowing that this was likely still a stretch for the Cities to help fund in the short term, the County Administrator approached Board members with some options to soften the blow, which they each agreed to:

- o First - offered to finance the total costs over 20 years in accordance with the population based formula where the County pays about 60% of the costs.
- o When some concern was expressed, we took the purchase price off the top, such that the funding partners would only need to share in the cost of the initial upgrades.

With the history review complete, Mr. Suter addressed what he understood to be the Cities' concerns, which were:

- o We have a functioning Center now
- o The cost is more than we need to bite off right now
- o We are moving too fast and should consider other options.

He stated his Board's position on each concern:

- Moving too fast - Over the past four years, at least six locations have been considered. Some have been more technically vetted than others, but there is a cost associated with the vetting process. On three of these sites, the County has absorbed 100% of the costs. With regard to Lomax, we are moving fast because we have to, based on the due diligence period and pressures exerted by the existing radio system contract.
- Cost - Why spend \$2M when you could spend \$100K? My Board believes that it is critical to ensure the long term viability of the 911 Center and is not convinced that the existing Center is lien free.
- We Have a Functioning Center Now - I do not think anyone disagrees that the existing Center is currently functional. However, in order to install the radio system, we have to do upgrades at a cost which ranges from \$80,000.00 to \$125,000.00. Further, we had asked for a professional assessment of the existing Center from

its Director. We received it and it contains multiple concerns. In fairness, the Buena Vista City Manager offered a counter to each of his points, which I shared with my Board.

o There are two other considerations here as well, which make Lomax a better choice:

- The space and ability to offer reciprocity to other jurisdictions. Should such an arrangement come to fruition, we would not need to maintain the infrastructure for a self-contained backup Center.
- The ability to gradually implement a true EOC in the same building as the 911 Center - a huge advantage during disasters and other emergencies.

He further stated that the 2014 agreement provides that the 911 Board will consider other locations and if one is more suitable as a 911 Center, the Board would recommend moving. Last week, on a 3-2 vote, the Communications Board voted to recommend moving the Center to Lomax.

He closed his initial comments by stating that he dearly wishes to reach some sort of compromise on behalf of all our residents, adding that further delays would have significant impact to the Harris contract. He noted that his Board has authorized purchase of the Lomax Building, with a closing prior to March 30th.

Buena Vista City Attorney, Brian Kearney, thanked Mr. Suter for the historical information and added a few key notes. Rockbridge County wanted to leave the 911 Center in 2012, but in 2013, the contract was amended and Rockbridge decided to remain in the current Center. He clarified that the current building has been in default since 2011, not 2014, and that should not be the basis for the decision to want to relocate. The terms of the 2013 contract state that all three (3) locations must agree

to relocate the facility, and any locality that exits the contract is obligated to continue to pay certain costs.

Lexington City Manager, Noah Simon, spoke about Lexington's dilemma being the price comparison between the two choices with the same resulting level of operational efficiency. The price to stay in the current facility is approximately \$125,000.00 to make required upgrades, while a new site would equal \$1.7-\$2.1 million with "no additional operational benefit". As a concession to the County for staying in the current location, he offered for the two Cities to fully fund the \$125,000.00 since the County has already incurred sunk costs in the relocation project.

Buena Vista City Manager, Jay Scudder, added that if the localities decided to stay in the current location and pay their portion (60%) yet foreclosure became apparent, the localities would reimburse the County's share of the cost.

Mr. Kearney insisted that ACA does not want to foreclose on the building and the odds are miniscule it would occur, citing there may be other reasons that it makes sense to relocate, but not because of foreclosure. The City of Buena Vista has a written document from ACA that their preference is not to foreclose, and the available documentation should alleviate some of the fear. Mr. Kearney informed the room that a judge would "never foreclose on a locality's 911 Center".

Supervisor Campbell posed questions to Mr. Kearney about the certainty of a judge opting not to foreclose, and about possible purchase options if foreclosure did occur. Mr. Kearney replied that every bond has been paid to bond holders and that ACA is a bond insurance company - not a bond holder.

Lexington City Council member, Patrick Rhamey, added that the thought that someone is going to foreclose on a 911 Center is preposterous. The argument about a lien on the current

property is not valid. "The point is that the current building fulfills the same role for \$125,000.00 as it does for \$2 million." Supervisor Campbell rebutted that he does not feel that the current Center is adequate.

Chairman Higgins stated that he does not understand the disconnection. The two City Managers wanted to be involved in the process and actually visited the current Center and the proposed Center; he was under the impression that everything was in motion.

Buena Vista City Council asked the Board of Supervisors when the study was approved and if it was communicated to all Councils that the intention was to move forward. Mr. Suter clarified that it was per request of the 911 Board to conduct the relocation/upgrade study; the Cities agreed to have the study completed, but at the County's expense.

Mr. Scudder added some points about the adequacy of the current building:

- Adequate parking within 30 feet
- Ability to expand to a six position set up
- Unobstructed shot to main tower at Brushy Hills
- Extra capacity for storage and data machines
- Ability to add three more consoles, if needed
- Original design intended to function for three localities

Mr. Simon stated that Lexington has a long list of "priorities and projects to complete", and it does not make sense for them to spend \$417,000.00 on a new Center; Lexington Fire and Police Departments can be operated as EOCs.

Mr. Suter reminded Mr. Simon that the County is offering to finance the project so that the Cities do not have to have the total upfront; \$20,000.00/year for 20 years. "We have the opportunity to do something now that could eliminate something

more expensive in the future".

Buena Vista City Council asked for the "real reason for relocation: system issues or the lien?" Supervisor Hinty reminded the room of a mishap involving the Regional IDA and the former Bluebird facility a number of years ago and presented the relocation as "an opportunity for us all to get out of a bad situation". All localities concurred that they needed to be responsible for their futures.

Mr. Rhamey asked if it would make more sense to save money for the next few years in anticipation of finding an ideal location to build a new building. Supervisor Campbell informed Mr. Rhamey that all of the options that were presented in the past have failed due to changes in leadership and new ideas being introduced by members that have been elected during the interim; there is also no option to expand with other jurisdictions due to lack of space.

Buena Vista City Council inquired about the jurisdictions interested in reciprocity and what cost savings that represents. Additionally, they inquired about costs associated with upgrading our current backup system. Mr. Suter fielded these questions and informed the room that savings are possible through eliminating costs associated with operating two separate centers (main center and backup center) and providing reciprocity for other jurisdictions. He referred to the layout plan which had been shared with all, noting that the 12 positions shown are simply to illustrate room for expansion or a reciprocity arrangement. He noted that this is simply a "value added benefit and not the reason for the relocation plan".

Chairman Higgins invited 911 Center Technician, Kurt Berry, and Harris Communications representative, Francesco Luppinetti, to explain what the current issues are and what services they are offering to improve them.

Mr. Berry presented a slide show with pictures of the current Center, including its four permanent consoles and one temporary console. He stated that, in his professional opinion, he did not feel that adding a fifth and sixth console in that facility was practical; "the facility feels busy and tight". He stated that new equipment is coming in and there is nowhere to house it.

Mr. Luppinetti offered insight, stating that the Buena Vista Center "was a possibility, but crowded". He listed many issues with the facility and equipment including:

- Wiring, lighting, air conditioning refurbishing needs
- Current consoles not grounded properly
- Floor in disrepair-subfloor material unknown
- Server room temperature between 80-85 degrees in the summer
- Current facility upgrade costs

He concluded by stating that Harris Communications had been authorized to proceed with the design for the new Lomax site, not the Buena Vistas site, and changing course back to the existing Center at this point would require additional funds for labor and permitting.

Council members from both Lexington and Buena Vista posed questions regarding the approval to proceed with the Lomax design. Project Manager, Jon Ellestad, stated that all five members of the 911 Board had clearly authorized Harris to develop the design around the Lomax site. Mr. Luppinetti added that the localities have an opportunity to include Alleghany and Bath Counties in the radio system and that there is an opportunity to create a regional system for improved communication. Mr. Suter reminded those present that allowing Alleghany and Bath to operate as a node off our planned radio

system was a separate issue, which had been previously agreed to by all in the interest of regional interoperability and potential overall cost savings.

Brian Kearney informed the room that the 911 Board only has the authority to make recommendations, not the authority to move the Center. Mr. Luppinetti elaborated that the cost to transition the design to the current center would cost tens of thousands of dollars and take approximately two additional months to complete. The City of Lexington inquired how much it would cost to move the equipment at a future date if we decided to upgrade the current facility at this time. The response was approximately \$80,000-\$90,000. Mr. Luppinetti was confident that he could make either location work, but not sure how long the current site would last.

Supervisor Ford spoke about the ability that Rockbridge County has to take the long view of this situation. He referenced the many historical floods that the City of Buena Vista has encountered over the years and the impact another flood would have on the Regional Emergency Center. He stated that investing money into that building was a dead loss due to the condition of the building, the location, and the potential for ACA to foreclose - all reasons that \$20,000.00/year is well worth it to each locality.

Chairman Higgins informed the localities that the Board of Supervisors has decided to move forward and act on this opportunity. Many questions followed about costs to exit the contract, the impact on the safety of the citizens, and the duplication of separate systems posing a tax burden. It was pointed out by a Buena Vista Council member that there appeared to be a disconnect between the 911 Board and the Councils.

Supervisor Lewis stated that he was horrified about what was happening. If the three localities split and had separate

emergency systems, the ramifications for citizens would be tremendous. He was under the impression that since the 911 Board made the recommendation, the localities should act on that.

Mr. Suter asked the room to remember there are two things that need consideration:

1. The due diligence period for the property contract ends on March 25th.
2. Harris Communications requires a location confirmation to continue working.

Buena Vista requested the contract on the Lomax building be extended; Mr. Suter does not think the owner will agree to that term. Both Councils concurred that the region needs a strong 911 Center; however, they want to find a stronger location than Lomax due to the age of the building. Supervisor Lewis reiterated that we have been looking for a solid location for four years and the option to build a new facility today is \$4.5 million, which is going to increase in the future.

After a 15 minute break, Chairman Higgins asked those present to continue viewing the slides showing the two locations. The slides provided a visual for some of the deficiencies that were mentioned in the earlier presentation by Harris Communications and are as follows:

- Lack of sturdy flooring - pictures of weaknesses in flooring
- Cooling issue in server room - pictures of cramped server room
- Grounding issues, cabling issues, wiring issues - pictures of exposed wiring, wiring hanging freely, and extension cords in use

Sheriff Blalock spoke to those present about the conditions in the current Center. He stated his vote was to move the 911

Center for multiple reasons and included his opinions about the relocation efforts and the evening's discussion. He asked the room to consider these issues:

- Current building is inadequate and spending \$125,000.00 for improvements will bring it to just adequate - no room for expansion, nor to fix the underlying issues.
- During the debate for relocation, the decision makers are losing focus on the need for a new Center - "we needed to have this conversation a year ago."
- Harris Communications has bent over backwards and been patient; they were never informed not to proceed with the Lomax location.
- The system cannot be down for two weeks if it is decided to install new equipment into the current site and move at a later date - cost associated with moving will be high.
- Current limited ability for a backup system - the chances of a catastrophe happening in two distant locations is very unlikely.
- We are running out of time to make a decision.
- Having an EOC (Emergency Operations Center) and an ECC (Emergency Call Center) in the same location is the model to strive for.

Council Member, John Dyer, credited the work of Moseley Architects and stated that he did not question the quality of their work or the longevity of a renovated Lomax site.

Chairman Higgins urged the two City Councils to go and look at both sites. He asked Buena Vista City Police Chief, Keith Hartman, about his opinion of the building. Chief Hartman's response was that the construction in the building was "shoddy" and he did not feel like it would pass a City inspection.

Chairman Higgins announced that everyone had obtained new information during the joint meeting and asked everyone to consider what \$20,000.00/year could do to help ensure public safety. Mr. Simon asked Chairman Higgins if the County would be willing to cap the costs at what was presented in the current estimate even if new costs are incurred in the renovation/upgrade process. Mr. Suter informed Mr. Simon that no promises could be made about the costs represented or of what costs could be required in the future, but he confirmed that the treatment for asbestos had already been included.

In Chairman Higgins' closing remarks he asked the localities for consideration of the personnel working in the current 911 Center and their inability to provide the best services possible with the limited resources and working space available. All localities were advised to email any questions, comments, or suggestions to their managers so that they could be addressed.

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Supervisor Lewis made the motion to adjourn at 9:50 p.m. and the motion was seconded by Supervisor Hinty.

Chairman

Attest: _____
County Administrator