

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, APRIL 11, 2016, 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 5:31 P.M.

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

Chairman Higgins recognized several Boy Scouts in the audience.

One of the Boy Scouts thanked the Board for allowing them to attend the meeting.

**Recognitions/ Presentations**

County Administrator Spencer Suter recognized the late Vice President of the Natural Bridge Volunteer Fire Department, Curtis Preston.

Mr. Suter also recognized Ashton Dunford, a ten year old boy who reportedly alerted approximately 40 guests at a bed and breakfast in Rockbridge County when a fire broke out. Mr. Suter thanked all Fire and EMS agencies and members who participated in containing the fire.

Mr. Suter then recognized April 10-16, 2016 as Public Safety Telecommunicator Week. Supervisor Lewis read aloud the following Proclamation:

**PROCLAMATION EXPRESSING THE APPRECIATION OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY TO PUBLIC SAFETY TELECOMMUNICATORS IN RECOGNITION OF PUBLIC SAFETY TELECOMMUNICATOR WEEK**

**WHEREAS**, the health and safety of all citizens are important to our great community; and

**WHEREAS**, the availability of 9-1-1 assistance is integral to the peace of mind of each individual and the security of all communities; and

**WHEREAS**, hundreds of dedicated telecommunicators daily serve the citizens of Virginia by answering their request for law enforcement, fire and emergency medical services by dispatching the appropriate assistance as quickly as possible; and

**WHEREAS**, the professional public safety telecommunicator is that vital link between the citizen or victim and the public safety provider; and

**WHEREAS**, the dedicated public safety telecommunicators throughout Virginia handle over four million calls to 9-1-1 each year; and

**WHEREAS**, it is important for the public to be aware of the responsibility to properly use 9-1-1 services by calling only when lives or property are in peril thus increasing the efficiency of the system and improving the chances that lives will be saved;

**NOW, THEREFORE**, The Rockbridge County Board of Supervisors does hereby recognize April 10-16, 2016 as PUBLIC-SAFETY TELECOMMUNICATOR WEEK in our community, and we call this observance to the attention of all our citizens and offer our appreciation to staff of the Rockbridge Regional Public Safety Communications Center for their dedication and service to our community.

Adopted this 11<sup>th</sup> day of April, 2016.

Supervisor Lewis moved to adopt the Proclamation. 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

**Steven Bolster- Local Government Financial Manager Certification**

Mr. Suter recognized Finance Director Steven Bolster for achieving a Local Government Financial Manager Certification. He noted that Mr. Bolster had worked on this achievement for three (3) years consisting three (3) specific courses and three (3) comprehensive exams.

The Board congratulated Mr. Bolster and thanked him for his hard work in reaching this goal.

**Citizens Comments**

Chairman Higgins called for citizens' comments; there were none.

**Items to be added to the Agenda**

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

Supervisor Campbell added a discussion on RANA at the end of the meeting with regard to what the County may see from RANA in the future.

**Approval of Minutes for February 25, 2016; March 17, 2016; March 22, 2016; and March 28, 2016**

Supervisor Ford moved to approve the Minutes. 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

Mr. Suter commended all those who had recently assisted in compiling minutes, noting that the Board has many budget meetings during this time of year resulting in many sets of minutes. He thanked Brandy Whitten, Steven Bolster, Heidi Conner, Supervisor Ford, and Amy Milliner.

### **County Financial Package/Approval of Appropriation Resolutions**

Mr. Bolster reviewed his Monthly Memorandum:

#### Section I - Commissioner of the Revenue

Activities for Month:

1. Reconciling DMV report with local records to confirm actual registered vehicles.
2. Finalizing real estate book and preparing to incorporate any changes in tax rate.
3. Continuing to process state income tax returns.
4. Updating personal property files for taxpayers to purchase decals.
5. Preparing delinquent business license renewal letters to mail.
6. Assisting Wingate with reassessment process.
7. Updating business personal property returns.

#### Section II - Treasurer

Activities for Month:

1. County decals continue on sale through April 15, 2016.
2. Continue processing debt set-off transactions; payment is scheduled for April 18th - \$106,653.20 associated with 767 filings.
3. State Income tax due May 2, 2016.
4. Sent out letters to 45 citizens delinquent on real estate tax in Land Use program, and 12 citizens delinquent on real estate in Tax Relief program; if they wish to remain in these programs, they must have outstanding debt paid before June 1, 2016.
5. Letters sent out to owners for delinquent 2016 dog tags (due on 01-31-2016).

Supervisor Ford noted that the IRS has announced that income taxes are not due until April 18<sup>th</sup>; however, County Decal are still to be purchased by April 15<sup>th</sup>.

Mr. Bolster reviewed the Revenues versus Expenditures line chart and then presented the County's Appropriation Resolution.

Supervisor Campbell moved to approve the County's Appropriation Resolution (shown below). 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, APRIL 11, 2016, 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.....	\$14,322.00
4-11-34015-3002 Contracted Services.....	\$4,891.00
4-11-99010-6192 Transfer to Lined Landfill.....	\$22,934.00
4-11-99010-6721 Transfer to Construction Fund.....	\$935,021.00

<b>Total General Fund Appropriations</b>	<b>\$977,168.00</b>
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<b>Current County</b>	
11 - General Fund	\$806,211.06
94 - Central Stores	\$3,474.36
<b>Total County Bills</b>	<b>\$809,685.42</b>

<b>Current Fiscal Agent</b>	
80 - Regional Jail	\$84,317.44
92 - Drug Fund	\$2,470.68
<b>Total Fiscal Agent</b>	<b>\$86,788.12</b>

Mr. Bolster then presented the County's Construction Fund Appropriation and recommended approval as presented.

Supervisor Lewis moved to approve the County's Construction Fund Appropriation (shown below). 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

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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 **CONSTRUCTION FUND** and expended as follows:

4-72-94326-8001-001 911 Center - Lomax..... \$356,338.00

**Total Construction Fund Appropriations \$356,338.00**

**Convene Solid Waste Authority (SWA)**

Chairman Higgins convened the SWA at 5:45 p.m.

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

Mr. Bolster presented the Solid Waste Authority's Appropriation Resolution.

Supervisor Campbell moved to approve the Solid Waste Authority's Appropriation Resolution (shown below). 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 COUNTY ADMINISTRATIVE BUILDING,  
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA,  
ON MONDAY, APRIL 11, 2016 AT 5:30 P. M.

On motion of Supervisor Campbell, with second by Supervisor Ford, 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:

4-19-19050-8001 Rental of Equipment..... \$7,046.00  
4-19-19070-3001 Engineering Services..... \$22,934.00

**Total SWA-Landfill Fund Appropriations** **\$29,980.00**

**Current SWA**

19 - SWA-Landfill	\$80,162.45
20 - SWA-Recycling	<u>\$7,542.15</u>

**TOTAL SWA BILLS** **\$87,704.60**

**Consideration of SWA Legal Services RFQ Rankings**

County Attorney Vickie Huffman briefly reviewed the Agenda Item: "On December 14, 2015, the Board of Supervisors authorized the issuance of a Request for Proposals (RFP) to procure legal services for the proposed regional Solid Waste Authority. The County issued RFP # 2016-02-01 on February 5, 2016, and the deadline for responses was February 19, 2016. The RFP was published in the News-Gazette, in the Roanoke Times, and on the County website. Three firms submitted proposals. The Review Team (Jeremy Garrett, Larry Mann and Vickie Huffman) evaluated the proposals and interviewed the primary attorney(s) to provide the services with each proposer. The evaluation team then individually ranked the proposers and the following chart reflects the average scores and final ranking:

<b>FIRM</b>	<b>SCORE</b>	<b>RANKING</b>
Guynn & Waddell, P.C.	97.02	1
Glenn, Feldman, Darby & Goodlatte	95.77	2
BotkinRose, PLC	93.60	3



Supervisor Lewis asked Ms. Huffman for more details on Guynn & Waddell, P.C.

Ms. Huffman advised that Jim Guynn is the principal of the firm and is the primary council for VACO Risk Insurance. She added that he has represented the County and Sheriff's Department in the past. She noted that his former partner was Elizabeth Dillion, who is now a U.S. District Court Judge and on numerous occasions has provided personnel counsel for the County. Ms. Huffman stated that the County's primary counsel would be Susan Waddell, the other partner in the firm. She added that this firm has much background in working with waste authorities.

The recommendation was to authorize proceeding with negotiations for a contract with Guynn & Waddell, P.C. If unsuccessful, authorize proceeding to negotiate with the next ranked proposer. If successful, return the proposed contract to the SWA Board, the Board of Supervisors, and Lexington City Council for approval.

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

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

Chairman Higgins closed the SWA at 5:51 p.m. and reconvened the Board of Supervisors regular meeting.

## **Consideration of SWA Legal Services RFQ Rankings**

Ms. Huffman explained that this item was similar to the SWA's item - only the recommendation would be for the Board of Supervisors' consent for the ranking.

Supervisor Lewis moved that the Board consent to the approval. 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

## **Solid Waste Update**

Director of Solid Waste Jeremy Garrett reviewed the Agenda Item: "At its last regular board meeting on March 28<sup>th</sup>, the Board received a solid waste planning update by staff as part of an ongoing series of updates. This Update will continue to focus on action items related to each of the four (4) major areas of Solid Waste: Collections; Recycling; Transportation; and Disposal. Current updates are as follows:

### **Collections:**

- Staff continues to develop an RFP for Engineering Services to provide site design and surveying for potential new collection sites, as discussed at the February 22<sup>nd</sup> Work Session. The draft document is complete and will be provided to the County's Procurement Officer

(Steve Bolster) for additional input. We are targeting the April 25<sup>th</sup> Board meeting to present the final RFP.

- Mr. Suter is scheduled to provide another presentation of the key solid waste collection concept information to the Glasgow Ruritan Club on April 14<sup>th</sup> at Scotto's Pizza in Glasgow. Additionally, Mr. Suter will be providing a presentation for the Effinger Ruritan Club on April 21<sup>st</sup>.

**Recycling:**

- All co-mingled recycling material is now being compacted at the Landfill Facility and then delivered to the RDS single source recycling facility for processing.

**Transportation (Hauling):**

- The County continues to work with C&S Disposal under the new hauling agreement. No additional information at this time.

**Disposal (Landfill Expansion):**

- The County and City of Lexington continue to work together to complete a joint Solid Waste Agreement. The first draft has been completed by Lexington staff and is currently under review by County staff. Authority review is pending the completion of the ongoing Legal Services RFP.
- The Solid Waste Authority Legal Services RFP Review Committee has completed interviews of each of the three submitters and will be

providing the rankings to the Solid Waste and County Board of Supervisors during tonight's meetings.

- Staff has completed a draft IFB for aggregate and hauling needs associated with the landfill expansion. Staff is working directly with DAA to ensure that the IFB language coordinates with the procurement documents associated with the landfill expansion construction. It is anticipated that both procurement documents will be presented to the Board on May 9<sup>th</sup>.
- The Solid Waste Management Plan (SWMP) must be updated to either specify how the waste generated in the City of Buena Vista is handled and disposed (minor amendment), or to have the City of Buena Vista removed from the planning district and create their own SWMP (major amendment). Final direction needs to be initiated by the end of April 2016 to allow staff, DAA and DEQ the time needed to be fully update the SWMP prior to permit issuance. This item has been discussed previously with both Cities during a scheduled quarterly Solid Waste Committee meeting. The Buena Vista City Manager was going to do his due diligence and report to the committee his intentions. No additional information has been provided to the Committee to date.
- Several key dates have been established by staff, DAA, and DEQ working together with regards to permitting and construction. The project has entered a critical phase, and the provided schedule is very specific to facilitate meeting our closure compliance date of June 31, 2017. These dates are not flexible if we intend to meet our

closure date and provide the contractor a reasonable timeframe to complete the project. \* Please note that all items that require direct VA DEQ involvement or action are designated by red text.

04/11/16 - DAA submits last round of responses (final details as being discussed between DEQ and DAA since previous response)

- 4/18/16 - County Legal review of cell 1 construction procurement documents must be complete.

05/01/16 - Advertise DEQ draft permit (DEQ will provide the advertisement, we must submit and pay for all advertising)

- Present cell 1 and aggregate procurement documents to the Board for authorization to advertise

05/15/16 - Advertise construction of cell 1 and Aggregate stone IFB

05/25/16 - VRA loan closing

06/01/16 - VDEQ public hearing

06/15/16 - Bid opening

06/15/16 - Close VDEQ public comment period

06/27/16 - Award at Board Meeting

6/28/16 - 7/31/16 - Final contract/bonding/preconstruction meeting

07/01/16 - Final VDEQ permit issued

08/01/16 - Construction Start Date (no later than)

04/2017 - Construction Substantial Completion issued

"Staff will continue to work with multiple outside resources and agencies in hopes of engaging the Solid Waste Committee and ultimately the full Board with additional information."

During review, Board Members posed several questions:

Supervisor Ford asked for clarification on what agreement involves Buena Vista in regard to the Solid Waste Management Plan.

Mr. Suter replied that DEQ is interested in how each locality in the region- a region consisting of Lexington, Buena Vista, and Rockbridge County - plans to deal with their trash and recycling now and into the future. He noted that DEQ needs to know if there are any changes to the Solid Waste Plan in regard to Buena Vista and its plans, before the permit can be issued for the Landfill.

Supervisor Ford asked Mr. Garrett to clarify brief comments relative to Region 2000.

Mr. Garrett stated that like Rockbridge, Region 2000 is currently in a construction phase for a landfill expansion, and they have had some delays in with getting final permits in place. He added that the County

has submitted the E&S Plans, waiting as long as possible so they would be accurate, and has received a verbal commitment from DEQ that the County has responded adequately to all the known comments in regards to the technical design.

Chairman Higgins commented, stating that he had received a letter from Mike Keyser of BARC, who stated that he is willing to help relocate the collection site in the Kerrs Creek area.

Mr. Suter recognized all citizens who had participated in the 22<sup>nd</sup> Annual Rockbridge Area Community Cleanup day on Saturday, April 9, 2016. He noted that all participants worked very hard, but that he wanted to personally thank Brandy Flint, her family, and Bill Blatter for working so diligently that day, collecting a tremendous amount of waste, including 63 tires from an illegal dump site on River Road.

#### **Consideration of a Lease of the Bowling Alley Property**

Director of Community Development Sam Crickenberger briefly reviewed the Agenda Item: "As we discussed this past August, Devil's Backbone Brewing Company desires to purchase the former Bowling Alley property from us at fair market value. The property was appraised by Hallmark Properties and valued at \$750,000. The remaining five acres has since been appraised at \$239,000. This property 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. While Devil's Backbone is securing their financing for the Bowling Alley, they would

like to occupy it under a temporary lease as soon as the current tenant moves out - which will be by the end of this month.

He then introduced Josh West of Devil's Backbone Brewery and asked him to further explain what their plans were with the Bowling Alley Property.

Mr. West explained that Devil's Backbone had been using a small corner of the space to store some of their dry goods and supplies, but space is always a concern, and therefore they would like to utilize the whole building.

Mr. Crickenberger advised that the draft lease would be distributed to the Board soon and asked the Board to schedule a public hearing for April 25, 2016.

Supervisor Lewis expressed his support and moved to authorize staff to negotiate a mutually agreeable lease agreement and advertisement. 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

### **Consideration of Fire and EMS Director Hiring Process**

Mr. Suter briefly reviewed the Agenda Item: "As the Board is aware, the position of Director of Fire and EMS is currently open. I have spoken with the Presidents of the Fire Association and RERG (respectively, Colby Irvine and Steve Reese), and there is strong support for following generally the same screening and selection process we used previously. As



you may recall, a selection advisory panel consisting of one nominee from both the Fire Association and RERG, one member of the Board of Supervisors, one citizen selected by the Board of Supervisors, and the County Administrator, conducted the entire process, to include screening of applications, selection of candidates for interviews, actual interviews, and final recommendation. We now also have the support of Human Resources Manager Heidi Conner. Heidi and I have worked on a draft schedule for the hiring process. However, before we start the process, I would like to ensure that the Board is satisfied with the posited direction. My intention is to move this process forward as quickly as possible."

Supervisor Hinty agreed with the process used in the past and asked Supervisor Lewis if he would be willing to be the Board's representative on the selection panel.

Supervisor Lewis shared his willingness.

Supervisor Ford asked Mr. Suter if he had spoken to the previous citizen representative to see if he would be willing to serve on the panel once more.

Mr. Suter stated that he had not spoken to the previous citizen representative but would if the Board wished to ask him to serve again.

Chairman Higgins stated that Torben Pederson had shared previously that he would be willing to serve the County in any way. Mr. Pederson was present. He asked Mr. Pederson if he would be willing to serve as the citizen representative.

Mr. Pederson stated that he would be willing to do anything to help serve the County. He noted that he would be out of town for two weeks at the end of the month, but other than that he would be available for meetings.

Supervisor Campbell noted that anyone on the panel would need to realize that the last panel had held daytime meetings, including some weekends.

Chairman Higgins asked that it be made clear whether the County wished to hire a Fire Director or a Fire Chief.

Mr. Suter replied that he recommended consulting with volunteer leadership regarding a title for the position. He then noted that he had been working to hire someone as a short term, temporary solution for EMS coordination.

#### **Board Comments**

The Board discussed whether or not they felt it necessary to continue this meeting until Thursday April 14<sup>th</sup> for the Solid Waste presentation by Mr. Suter in Glasgow. The Board agreed that this was unnecessary, since there is a scheduled budget public hearing on April 13<sup>th</sup>.

**RANA Informational Update on conduit installation and fiber in the Poplar Hill area**

Supervisor Campbell advised that RANA would like for the jurisdictions to consider adding, through the Building Departments' construction guidelines, a requirement for builders to install fiber-ready conduit in new construction, thereby showing support to RANA.

Mr. Suter advised that our building code is set by the Commonwealth, so all the County could/should do is to provide suggested guidelines for new construction, rather than mandate.

Chairman Higgins suggested that RANA provide informational material to be looked at by the County Administrator and possibly turned over to the Building Department to have readily available for applicants.

Mr. Suter suggested looking at a model from another area to see how this procedure was handled, as well as communicating with Scott Robertson with RANA and Building Official Kenny Wilson to see what their thoughts are.

Supervisor Campbell then advised that, for about a year, RANA has been searching for a way to provide fiber for a number of businesses in the Poplar Hill area. He noted that the cost would be around \$30,000 - \$50,000, and because they are County businesses, it is likely RANA will be asking the County for some of the funding.

Chairman Higgins stated that it was his understanding that BARC would be running fiber from pole to pole through that area, making connection costs cheaper.

Supervisor Ford asked to discuss the previous topic of running conduit in the house. He asked if there would be any particular great savings for businesses or homeowners that would be realized if installing the conduit ahead of time.

Supervisor Campbell replied that it would make it easier to run fiber

Mr. Suter noted that it makes sense that during new construction, you have an open ditch already bringing electric to the house, so why not add the conduit for fiber?

Supervisor Hinty asked if RANA had spoken with electric utilities about installing the conduit as they go. He stated that, under current law, one cannot lay conduit in a ditch a utility has open unless there is a contract with the utility company.

Supervisor Ford asked what RANA did when installing fiber though Goshen.

Supervisor Lewis replied that they laid it in the water line.

Chairman Higgins reiterated that he believed it would be good information to pass on to citizens through the Building Department.

## **Staff Reports**

Supervisor Hinty moved to accept the Staff Reports. 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**

At 6:40 p.m., Supervisor Hinty moved to adjourn the meeting. Supervisor Lewis provided the second, and the meeting was adjourned by unanimous vote by the Board.