

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY
VIRGINIA, HELD IN THE COUNTY ADMINISTRATION BUILDING,
150 SOUTH MAIN STREET LEXINGTON, VIRGINIA,
ON MONDAY, AUGUST 8, 2016, AT 5:30 P.M.

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

Call to Order

Chairman Higgins called the meeting to order at 5:30 P.M.

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

Recognitions/Presentations

Chairman Higgins called for recognitions or presentations. There were none.

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. There were none.

Approval of the July 11, 2016 and July 19, 2016 Minutes

Supervisor Ford moved to approve the July 11, 2016 and July 19, 2016 Minutes. 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

School Appropriation Resolution

Finance Director Steven Bolster presented the Schools' Appropriation Resolution and recommended approval.

Supervisor Hinty moved to approve the Schools' Appropriation Resolution. 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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE COUNTY ADMINISTRATIVE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA, ON MONDAY, AUGUST 8, 2016 AT 5:30 P.M.

On motion by Supervisor Hinty, seconded by Supervisor Lewis, 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, 2017** in **FUND 50, SCHOOL FUND** and expended as follows:

Carryover Grants

Title I 2015

4-50-61100-1121-910-100-856	Teacher Salaries.....	\$195,110.00
4-50-61100-2100-910-100-856	FICA.....	\$29,444.00
4-50-61100-6013-910-100-856	Materials & Supplies.....	<u>\$100.00</u>
Subtotal		\$224,654.00

Title II 2014

4-50-61100-1121-910-100-843	Teacher Salaries.....	\$43,177.00
4-50-61100-2100-910-100-843	FICA.....	\$3,229.00
4-50-61100-3160-910-100-843	Purchased Services.....	<u>\$263.00</u>
Subtotal		\$46,669.00

Title II 2015

4-50-61100-1121-910-100-855	Teacher Salaries.....	\$76,000.00
4-50-61100-2100-910-100-855	FICA.....	\$6,361.00
4-50-61100-3160-910-100-855	Purchased Services.....	\$20,686.00
4-50-61100-5540-910-100-855	In Service.....	\$597.00
4-50-61100-6013-910-100-855	Materials & Supplies.....	<u>\$400.00</u>
Subtotal		\$104,044.00

VIB IDEA Section 611 2015

4-50-61100-1121-910-200-853	Teacher Salaries.....	\$329,787.00
4-50-61100-2100-910-200-853	FICA.....	\$25,229.00
4-50-61100-2210-910-200-853	VRS.....	\$48,367.00
4-50-61100-2300-910-200-853	Medical.....	\$12,215.00
4-50-61100-2400-910-200-853	GLI.....	\$3,892.00
4-50-61100-2500-910-200-853	HCC.....	<u>\$3,661.00</u>
Subtotal		\$423,151.00

VIB 619 2015

4-50-61100-3160-910-200-852	Purchased Services.....	<u>\$301.00</u>
Subtotal		\$301.00

New Grants

GAE 2016

4-50-61100-1321-312-700-857	Part-time Teachers.....	\$7,656.00
4-50-61100-2100-312-700-857	FICA.....	<u>\$634.00</u>
Subtotal		\$8,290.00

AFELA 2016

4-50-61100-1130-312-700-858	Grant Coordinator.....	\$2,925.00
4-50-61100-1321-312-700-858	Part-time Teachers.....	\$41,745.00
4-50-61100-2100-312-700-858	FICA.....	\$3,437.00
4-50-61100-3160-312-700-858	Purchased Services.....	\$3,875.00

4-50-61100-5510-312-700-858	Mileage.....	\$10,506.00
4-50-61100-6013-312-700-858	Materials & Supplies.....	<u>\$12,916.00</u>
Subtotal		\$75,404.00

RACE to GED 2016

4-50-61100-1321-312-700-859	Part-time Teachers.....	\$8,575.00
4-50-61100-2100-312-700-859	FICA.....	\$656.00
4-50-61100-3160-312-700-859	Purchased Services.....	\$3,774.00
4-50-61100-5510-312-700-859	Mileage.....	\$1,679.00
4-50-61100-6013-312-700-859	Materials & Supplies.....	<u>\$1,700.00</u>
Subtotal		\$16,384.00

CIVICS 2016

4-50-61100-1130-312-700-860	Grant Coordinator.....	\$1,156.00
4-50-61100-1321-312-700-860	Part-time Teachers	\$14,231.00
4-50-61100-2100-312-700-860	FICA.....	\$1,288.00
4-50-61100-3160-312-700-860	Purchased Services.....	\$2,650.00
4-50-61100-5510-312-700-860	Mileage.....	\$2,150.00
4-50-61100-6013-312-700-860	Materials & Supplies.....	<u>\$2,156.00</u>
Subtotal		\$23,631.00

Project Graduation 2017

4-50-61100-1121-390-100-861	Teacher Salaries	\$8,372.00
4-50-61100-2100-390-100-861	FICA.....	\$641.00
4-50-61100-6013-390-100-861	Materials & Supplies.....	<u>\$2,208.00</u>
Subtotal		\$11,221.00

TOTAL FUND 50 APPROPRIATIONS **\$933,749.00**

Mr. Bolster then advised that he had received a letter from the Schools Superintendent requesting that the County Administrator seek Board approval to transfer the schools FY2016 carryover into the Schools' escrow account. The requested amount to be transferred was \$380,939.67.

Supervisor Hinty moved to approve the request. 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

County Financial Package and Approval of Appropriation Resolution

Mr. Bolster reviewed his Financial Memorandum which included the following:

Section I - Commissioner of the Revenue

Activities for Month:

1. Preparing personal property file to send to NADA for pricing.
2. Manually pricing personal property items that NADA is unable to assess, as well as business personal property.
3. Print personal property book and present to the Treasurer on or before August 29th.
4. Preparing land use re-validation forms for 2016.
5. Entering the August DMV report.
6. Scanning personal property files for 2016.
7. Assisting Wingate with reviews of real estate assessments.

Section II - Treasurer

Activities for Month:

1. Decree of Sale hearing on August 11th at 1:30 p.m. in the Circuit Court.
2. Statement of Treasurer's Accountability due to the Auditor of Public Accounts on August 12th.

Mr. Bolster added that Treasurer Betty Trovato had asked that the Minutes reflect that she had presented the FY2015-16 report on delinquent taxes at the July 11, 2016 Board meeting.

Mr. Bolster then presented a procurement update stating that the request for proposals for 3rd party EMS billing and collection services closes on August 17th at 2:00 p.m. He noted that an addendum was issued on July 25th in response to about two dozen questions from one potential proposer.

Mr. Bolster presented the County's Appropriation Resolution and recommended approval.

Supervisor Campbell moved to approve the County's Appropriation Resolution. Supervisor Ford provided the second, and the motion carried by the following roll call vote, with Supervisor Lewis abstaining due to potential conflict:

AYES: Campbell, Ford, Hinty, Higgins
NAYES: None
ABSTAIN: Lewis
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, AUGUST 8, 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, 2017**, from the UNAPPROPRIATED SURPLUS of the **CONSTRUCTION PROJECT FUND** and expended as follows:

4-372-94441-8001-001 Parking Lot Repair/Recoat..... \$2,171.00

Total Construction Project Fund Appropriations **\$2,171.00**

Current County

11 - General Fund \$850,462.98

94 - Central Stores \$7,988.95

372 - Construction Project Fund \$67,265.34

376 - Capital Purchased Fund \$252,862.65

Total County Bills **\$1,178,579.92**

Current Fiscal Agent

80 - Regional Jail \$85,348.30

87 - Comm Atty Forfeitures \$1,156.23

92 - Drug Fund \$13,589.00

Total Fiscal Agent **\$100,093.53**

TOTAL ALL BILLS **\$1,278,673.45**

Convene Solid Waste Authority (SWA)

Chairman Higgins convened the SWA at 5:37 p.m.

Solid Waste Authority Financial Package and Approval of Appropriation Resolution

Mr. Bolster presented the SWA's Appropriation Resolution and recommended approval.

Supervisor Campbell moved to approve the SWA's Appropriation Resolution. 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

Chairman Higgins closed the SWA at 5:38 p.m. and reconvened the Board of Supervisors meeting.

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, AUGUST 8, 2016 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, 2017**, from the UNAPPROPROATED SURPLUS of the **SWA-LANDFILL FUND** and expended as follows:

4-19-19070-3001 Engineering Services.....	\$14,654.00
4-19-19070-3002 Professional Services.....	\$2,489.00
Total SWA-Landfill Fund Appropriations	\$17,143.00
Current SWA	
19 - SWA-Landfill	\$71,237.49
20 - SWA-Recycling	<u>\$6,740.44</u>
TOTAL SWA BILLS	\$77,977.93

Consideration of Event Application for White's Travel Center

Director of Community Development Sam Crickenberger introduced Bobby Berkstresser, owner of Whites Travel Center, and briefly reviewed the Agenda Item: "It has been a year since the Grand Opening of the newly renovated White's Travel Center, and Mr. Berkstresser wants to celebrate.

The celebration is scheduled for Friday and Saturday, September 16th and 17th - with bands playing both evenings from 7:00 p.m. to 11:00 p.m."

Mr. Berkstresser advised that there would be a free antique truck show (that he plans to host annually), fireworks, and music. He noted that no alcohol would be served.

Supervisor Campbell moved to approve the Event Application. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Chairman Higgins thanked Mr. Berkstresser for all he does for the County.

Mr. Berkstresser added that there are around 255 TA Petro stations in the nation and that last year White's was 5th in revenues. Over the past 60 days, he confirmed, White's has now become the #1 TA Petro station in the United States. He advised that White's will be adding another 7 acres of pavement for parking (around 180 parking spaces). He also advised that he has added another access road so smaller vehicles can access the Designation Station without having to go through the truck stop area. He stated that White's Travel Center now advertises itself as the largest and busiest travel center on the East coast and is known for its cleanliness.

Chairman Higgins asked Mr. Berkstresser how many employees he has currently.

Mr. Berkstresser replied that he has about 400.

At Mr. Higgins' request, the Board of Supervisors stood and applauded Mr. Berkstresser for his success and for creating so many new jobs in the county.

Mr. Berkstresser then advised that he and Eric Spencer had recently purchased the former HDT building in Fairfield.

Solid Waste Update

Director of Solid Waste Jeremy Garrett briefly reviewed the Agenda Item: "On June 13th, the Board received a solid waste planning update by staff as part of an ongoing series of updates. The current update continues 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 has completed the vegetative clearing at Goshen Staffed Collection Center to allow for the addition of a "Bulky Items" container. Additionally, the Solid Waste Committee has met and discussed the need to proceed with the site expansion to maximize the effectiveness of the site at this time. The expansion will now consist of relocating a portion of existing fence, grading, and adding stone to the west side of the property - thus expanding the site approximately 35 feet.

- Staff has been working with SCS Engineers to negotiate an agreement in response to RFP# 2016-04-003 "Design / Engineering Services for Modification / Development of Solid Waste & Recycling Collection Centers". Currently, staff is completing a review of the draft agreement and initial task order and will consult with the Solid Waste Committee and County Attorney for final review and input.

Recycling:

- Lexington City and County staff continue to work on a draft agreement that may allow the Solid Waste Authority to assist the City with handling its co-mingled recyclable material. Additionally, the County's current recycling processor has been engaged to help facilitate the pending agreements.

Transportation (Hauling):

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

Disposal (Landfill Expansion):

- The County Solid Waste Committee has completed multiple rounds of review/edit of the draft Solid Waste Authority Agreement and submitted the changes to the City of Lexington for review.
- See Attached Landfill Construction Schedule.

During his review, Mr. Garrett added that the Final Permit from DEQ for the Landfill expansion had been received, following almost two years of work. Mr. Garrett then noted one correction in his Agenda Item: the City of Lexington had not yet received the edits the County made to the draft agreement for a new landfill authority.

Reassessment Update

Mr. Suter introduced Harold Wingate of Wingate Associates and Commissioner of the Revenue David Whitesell.

Mr. Whitesell spoke highly of the appraisers, stating that their service to the County represents money well spent, and that the County has never in the past received such quality work in a reassessment. He advised that Wingate has found over \$12 million in property values that had not been on the books in the past. He noted that they have found over 2300 mistakes on GIS and mapping errors. He added that these were not errors caused by the GIS department - but rather misunderstandings on tax map numbers, new constructions, etc.

Mr. Wingate shared his appreciation of being able to work with the County; he noted that Skip Willett, lead assessor here, is a county resident. He advised that there is still more work to do - both field work and paper work - but that Wingate plans to send new notice on the proposed assessments in November; however, that does not mean the job is complete, since any property owner can appeal the new assessment. Anyone who wishes may then apply to the Board of Equalization so that the assessors can

explain why they assessed the property the way they did. Mr. Wingate added that all assessments are open for public viewing. Finally, he thanked county staff for their cooperation throughout the reassessment process.

Appraiser Skip Willett shared that his staff is mostly on paperwork right now, with only a few assessments left.

Mr. Wingate explained that there is no perfect reassessment, and that the Commissioner of Revenue can call him at any time after the process is complete to answer questions from taxpayers.

Supervisor Ford asked Mr. Wingate if those taxpayers affected by the GIS and mapping errors would be so informed in the notices Wingate expects to send with the new assessments in November.

Mr. Wingate responded that the discovery of an error would not be specifically mentioned in the notifications.

Supervisor Ford asked Mr. Wingate if his staff could easily provide access to any error should a citizen need an explanation of why the assessment data had changed.

Mr. Wingate responded that this could be done.

Mr. Suter noted that the Board should be looking for appointees to the Board of Equalization.

Public Hearings at 6:00 p.m.

Dixie Gas and Oil Special Exception Permit

Assistant Director of Community Development Chris Slaydon briefly reviewed the Agenda Item: "Dixie Gas & Oil has applied to install one more fuel storage tank on their property located in the General Business District (B-1), per Section 605.03-17 along North Lee Highway. This tank will be installed below ground and will not have a visual impact on the adjoining property. I have discussed this with Mr. Berkstresser, the adjoiner, and he is satisfied with the existing buffer that was planted when the Reveleys owned the adjoining property and the previous tanks were installed. The Planning Commission has recommended approval of this application with no further conditions. Some of the existing conditions have been modified to reflect current conditions and can be found in Ms. Huffman's Ordinance." He then read aloud the Conditions:

1. Security lighting shall be placed a maximum of 12' off the ground and shall be directed toward the tanks.
2. Dixie will maintain a double, staggered row of 5' white pines along the Berkstresser (Tax Map No. 62-5-1C4) property line to screen the tanks.
3. Above-ground tanks to be located a minimum of 100' from the Berkstresser (Tax Map No. 62-5-1C4) property line.
4. Substantial compliance with the 'Plan for Proposed Tank Site' dated July 1, 2016, as submitted.

Mr. Slaydon introduced Chris Earhart of Dixie Gas and Oil.

Mr. Earhart shared that the company is planning to install an underground tank instead of an aboveground. Since Dixie has bought out the former Whiting heating oil business, they will need more storage to service their expanded customer base.

Chairman Higgins opened the Public Hearing at 6:13 p.m.

Bobby Berkstresser, neighboring property owner, shared his support for the Special Exception Permit.

Chairman Higgins closed the Public Hearing at 6:13 p.m.

Supervisor Campbell moved to adopt the Ordinance below. Supervisor Hinty provided the second, and the motion carried by unanimous roll call vote by the Board.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA,
HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATION CENTER ON MONDAY, AUGUST 8, 2016

Ordinance Granting an Amended Special Exception Permit To Dixie Gas & Oil Corporation to Expand Its Propane Storage Facility for Placement of an Additional Underground Fuel Storage Tank, in Addition to the Existing Four Above-Ground Propane Storage Tanks, on its Property in the General Business District (B-1), Located on the East Side of Route 11 at 2460 North Lee Highway (Tax Map No. 62-5-1C7) in the South River Magisterial District

WHEREAS, on July 24, 1995, Dixie Gas and Oil Corporation was granted a special exception permit, with conditions, for a propane storage facility on property identified as Tax Map No. 62-5-1C7; and,

WHEREAS, on April 28, 2014, Dixie Gas and Oil Corporation was granted an amended special exception permit, with conditions, to place an additional 30,000 gallon propane storage tank at its facility, for a total of four (4) storage tanks; and,

WHEREAS, Dixie Gas and Oil Corporation has filed an application for an amended special exception permit pursuant to the Rockbridge County Land Development Regulations §605.03-17, to install two additional underground fuel storage tanks, with its request reduced to one underground tank at the Planning Commission public hearing; and,

WHEREAS, the propane storage facility is located in the General Business District (B-1), on the east side of Route 11 approximately .45 mile south of its intersection with Valley Pike, at 2460 North Lee Highway in the South River Magisterial District of Rockbridge County; and,

WHEREAS, the Rockbridge County Planning Commission held a public hearing on this matter on July 13, 2016, and recommended to the Board of Supervisors that the special exception permit be approved with specified amended conditions; and,

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

WHEREAS, the Board of Supervisors has held a public hearing on this matter on August 8, 2016; and,

WHEREAS, the Board of Supervisors has given due consideration to the factors set forth in Section 802.03-5 of the Rockbridge County Land Development Regulations, for issuance of a special exception permit.

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

1. That the Board finds that the granting of an amended special exception permit to Dixie Gas & Oil Corporation to install one underground fuel storage tank, in addition to the existing total of four (4) above-ground storage tanks, at its propane storage facility (Tax Map No. 62-5-1C7), located in the General Business District (B-1), on the east side of Route 11 approximately .45 mile south of its intersection with Valley Pike, at 2460 North Lee Highway in the South River Magisterial District of Rockbridge County, is substantially in accord with the Comprehensive Plan of the County

adopted pursuant to the provisions of Section 15.2-2232 of the Code of Virginia (1950, as amended), and said amended special exception permit is hereby granted and approved with and subject to the amended conditions set forth on Exhibit A attached hereto and incorporated herein by reference.

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.

Adopted this 8th day of August, 2016.

EXHIBIT A

AMENDED SPECIAL EXCEPTION PERMIT CONDITIONS

DIXIE GAS & OIL CORPORATION

1. Security lighting shall be placed a maximum of 12' off ground and directed toward the tanks.
2. Maintain a double, staggered row of 5' white pines along the Berkstresser (Tax Map No. 62-5-1C4) property line to screen the tanks.
3. Above-ground tanks to be located a minimum of 100' from the Berkstresser (Tax Map No. 62-5-1C4) property line.
4. Substantial compliance with the 'Plan for Proposed Tank Site' dated July 1, 2016, as submitted.

Polling Precinct Relocation

County Attorney Vickie Huffman briefly reviewed the Agenda Item: "The General Registrar and Rockbridge County Electoral Board have requested a polling place change to be effective for the upcoming elections. The request is to relocate the Vo-Tech Precinct polling place in the Kerrs Creek Magisterial District from the Floyd S. Kay Vocational Center at

Rockbridge County High School to the Life Chapel Church. A copy of the request letter is attached, and therefore not repeated in this report. A copy of a tax map showing the locations is also attached. This action requires adoption of an Ordinance to amend the County Code. The proposed Ordinance is attached for the Board's review. Marilyn Earhart, General Registrar, and a member of the Electoral Board are expected to be at the public hearing to respond to any questions."

Chairman Higgins opened the public hearing at 6:16 p.m.

Susan Lawrence of the Kerrs Creek Magisterial District shared her support of moving the precinct due to difficulties some face when trying to access the stage previously used.

Chairman Higgins closed the public hearing at 6:16 p.m.

Supervisor Campbell moved to adopt the ordinance accepting the relocation of the Vo-Tech precinct. Supervisor Lewis provided the second.

Supervisor Ford observed that his son has voted in four different states, with three of the polling places in public schools and one in a public library. This pattern of putting the polls in public buildings seems to be accepted in the rest of the country - so why not here? He closed by stating that he felt the schools could have done more to accommodate a polling place - to keep the "Vo-Tech" precinct voting at the actual Vo-Tech site.

The motion to adopt the ordinance accepting the precinct relocation passed by the following roll call vote by the Board:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON AUGUST 8,
2016

**ORDINANCE TO AMEND THE ROCKBRIDGE COUNTY CODE, CHAPTER 11, ARTICLE III, SECTIONS
11-32 AND 11-33 – TO RELOCATE THE POLLING PLACE FOR THE VO-TECH PRECINCT FROM
FLOYD S. KAY VOCATIONAL CENTER AT ROCKBRIDGE COUNTY HIGH SCHOOL TO LIFE CHAPEL
CHURCH**

BE IT ENACTED by the Rockbridge County Board of Supervisors that Sections 11-32 and 11-33 of the
Rockbridge County Code are hereby amended as follows:

ROCKBRIDGE COUNTY CODE

Chapter 11

ELECTIONS*

ARTICLE III. VOTING PRECINCTS

Sec. 11-32. Names of precincts; polling places.

The precincts for each magisterial district and the polling place for each precinct shall be as follows:

(1) [Same]

(2) [Same]

* Cross reference(s) -- Administration, Ch. 2.

State law reference -- Elections, Code of Virginia, §24.2-100 et seq.

(3) [Same]

(4) [Same]

(5) *Kerr's Creek Magisterial District:*

a. *Highland Belle Precinct.* In this precinct the polling place is the Kerrs Creek Fire Department.

b. *Collierstown Precinct.* In this precinct the polling place is the Effinger Fire Department.

c. *Vo-Tech Precinct.* In this precinct the polling place is Life Chapel Church.

(Ord. of 6-13-94; Ord. of 3-11-96; Ord. of 2-24-97; Ord. of 7-23-01; Ord. of 6-28-04; Ord. of 4-11-05; Ord. of 8-22-05; 4(a) Amended by Ord. of 8-14-06; 3(d) Amended by Ord. of 8-10-09; 2(a) Amended by Ord. of 4-27-11)

Sec. 11-33. Precinct boundaries.

The boundaries of the respective precincts are as follows:

(1) [Same]

(2) [Same]

(3) [Same]

(4) [Same]

(5) [Same]

(6) [Same]

(7) [Same]

(8) [Same]

(9) [Same]

(10) [Same]

(11) **[Same]**

(12) **[Same]**

(13) **[Same]**

(14) **[Same]**

(15) **[Same]**

(16) **[Same]**

(17) *Vo-Tech Precinct.* Polling place is Life Chapel Church.

Beginning at a point which is the intersection of U.S. Highway 11 (N Lee Highway) and State Route 763 (Lincoln Road), thence in a southwesterly direction along State Route 763 to its intersection with State Route 631 (Old Buena Vista Road), thence in a straight line to the Maury River, thence in a northwesterly direction along the Lexington City limit with the Maury River to a point that is directly across from State Route 681 (Greenhouse Road), thence in a straight line to State Route 631 (Furrs Mill Road), thence westerly on State Route 631 to where it crosses the Maury River, thence continuing westerly on State Route 631 (Big Spring Road) to its intersection with State Route 835 (Cabin Lane), thence easterly along State Route 835 to its intersection with State Route 602 (Turkey Hill Road), thence in a northerly direction across Kerrs Creek and continuing on State Highway 602 to its intersection with State Route 622 (Alone Mill Road), thence southeasterly along State Route 622 to its intersection with State Highway 39 (Maury River Road), thence southwesterly along State Highway 39 to its intersection with State Route 750 (Alphin Lane), thence easterly along State Route 750 to its intersection with State Route 1015 (Willow Springs Road), thence southeasterly along State Route 1015 to its intersection with State Highway 39 (Maury River Road), thence easterly along State Highway 39 (Maury River Road) to its intersection with U.S. Highway 11 (N Lee Highway), thence northeasterly along U.S. Highway 11 to the point of origin.

(Ord. of 3-11-96; Ord. of 2-24-97; Ord. of 7-23-01; Ord. of 6-28-04; Ord. of 4-11-05; Ord. of 8-22-05; (12) Amended by Ord. of 8-14-06; (11) Amended by Ord. of 8-10-09; (4), (5), (10), (13), (17) Amended by Ord. of 4-27-11)

This ordinance shall become effective on the date of its adoption.

Adopted this 8th day of August, 2016.

Acceptance of Fairfield Collection Site from the EDA

Ms. Huffman briefly reviewed the Agenda Item: "In reviewing the ownership of the County collection sites, staff discovered that title to the Fairfield Collection Site is with the EDA. It appears that in 1980, the IDA acquired a 10-acre parcel of land just north of Fairfield. In 1995, the IDA conveyed 9.08 acres (Tax Map #39-A-23B) to David W. Jarrett. The remaining 0.92 acre (Tax Map #39-A-23A), designated as "Parcel B" on the Plat recorded in the Clerk's Office in PC 2, Slide 322, is still titled to the Rockbridge County Industrial Development Authority (now the Economic Development Authority of Rockbridge County). It is unknown whether the collection center site was proposed for conveyance to the County at the time, or whether there was just an oversight on the ownership. In any event, the County has requested conveyance of the property to clean up the title and the EDA adopted a Resolution to authorize the conveyance at its meeting on July 18, 2016."

Supervisor Lewis moved to approve the resolution authorizing acceptance of the Fairfield Collection Center site. 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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
AUGUST 8, 2016

Resolution to Authorize and Approve the Acquisition and Acceptance from the Economic Development Authority of Rockbridge County of a .92-Acre Parcel of Land (Tax Map No. 39-A-23A) Located on the Northwestern Side of U.S. Route 11 in the South River Magisterial District

WHEREAS, by deed dated September 18, 1980, and recorded in the Clerk's Office of the Circuit Court of Rockbridge County in Deed Book 387, page 522, from Marshall S. Watkins and Mary Dornin Watkins, the Rockbridge County Industrial Development Authority acquired a parcel of land containing 10 acres, more or less, located on the northwestern side of U.S. Route #11 in the South River Magisterial District of Rockbridge County, Virginia; and

WHEREAS, by deed dated May 24, 1995, and recorded in the aforesaid Clerk's Office in Deed Book 543, page 65, the Industrial Development Authority of Rockbridge County, Virginia, conveyed to David W. Jarrett, the major portion of the above-described 10 acres, described as "Parcel A" containing 9.08 acres on that certain 'Plat Showing Parcels of Property Situated on the Northwestern Side of U.S. Route 11 Deeded to the Rockbridge County Industrial Development Authority as Recorded in Deed Book 387-522', dated April 27, 1995, prepared by Dorsey Surveying P. L. C., recorded in the aforesaid Clerk's Office in Plat Cabinet 2, Slide 322; and,

WHEREAS, the remaining 0.92 acre, designated as "Parcel B" on said Plat, is still titled to the Rockbridge County Industrial Development Authority (now the Economic Development Authority of Rockbridge County); and,

WHEREAS, the remaining Parcel B - 0.92 acre is the site of the Fairfield Collection Center where County residents can deliver trash and recyclables; and,

WHEREAS, at its meeting on July 18, 2016, the Rockbridge County Economic Development Authority adopted a Resolution to authorize conveyance of the Fairfield Collection Center site to the County.

NOW THEREFORE, BE IT RESOLVED by the BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY as follows:

1. That the Board of Supervisors hereby authorizes and approves acceptance from the Rockbridge County Economic Development Authority of the donation and conveyance to the County of Rockbridge, Virginia, of the following real estate located on Route 11 north of Fairfield in the South River Magisterial District of Rockbridge County, Virginia:

All that certain lot or parcel of land, together with any improvements thereon, rights incident thereto, and appurtenances thereunto belonging, situate in the South River Magisterial District of the County of Rockbridge, Virginia, consisting of .92 acre of land, more or less, shown and designated as "parcel b – 0.92 acre" on the 'Plat Showing Parcels of Property Situated on the Northwestern Side of U.S. Route 11 Deeded to the Rockbridge County Industrial Development Authority as Recorded in Deed Book 387-522' dated April 27, 1995, prepared by Dorsey Surveying P.L.C., and recorded in the Clerk's Office of the Circuit Court of Rockbridge County in Plat Cabinet 2, Slide 322. Said real estate is further referenced and identified upon the Rockbridge County land records as Tax Map #39-A-23A.

This being the remaining portion of the same real estate conveyed to the Grantor, by deed dated September 10, 1980, from Marshall S. Watkins and Mary Dornin Watkins, of record in the aforesaid Clerk's Office in Deed Book 387, page 522.

2. 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.

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

Adopted this 8th day of August, 2016.

Consideration of Request to Designate the James River as a Scenic River

Mr. Suter briefly reviewed the Agenda Item: "Recently, Director of Tourism Jean Clark approached staff with a request to consider making application to the Virginia Department of Conservation and Recreation (DCR), designating the section of the James River within Rockbridge County

as a Virginia Scenic River. Section 10.1-400 of the Code of Virginia provides for the designation of scenic rivers in Virginia. Listed below is an overview of the program, as taken directly from DCR literature: 'The Virginia Scenic Rivers Program's intent is to identify, designate and help protect rivers and streams that possess outstanding scenic, recreational, historic and natural characteristics of statewide significance for future generations. This program is managed by the state and should not be confused with the federal Department of the Interior's Wild and Scenic Rivers Program. One of the program's strengths is the partnership forged between citizens, local governments and the state. This partnership begins in the evaluation phase and continues through and after the designation process.' Currently, one section of the upper James River in Botetourt County (from Eagle Rock to Springwood) is designated as a Virginia Scenic River. Botetourt is currently working on an application to extend that designation to the entire section of the James within its boundaries. The Rockbridge section, from the Botetourt County line to just east of Glasgow, could potentially be added during the upcoming round of applications, such that the entire upper James from Iron Gate to the Balcony Falls area would be designated. A map of the river section is attached.

"Should the Board support, the process would be as follows:

1. The Board of Supervisors submits a request to DCR to study the river segment.
2. DCR conducts a preliminary study to see if the segment meets minimum criteria. If so, DCR further studies the segment for eligibility.

3. If deemed eligible, the Board of Supervisors accepts DCR's report and adopts a resolution endorsing designation of the qualifying river segment.

4. The Board of Supervisors requests that one of our state legislators sponsor a bill to designate the river segment scenic.

"Listed below is the link to the scenic river program section of the DCR website which provides more detailed information. I have included as well, a sublink on that site which spells out what the Virginia Scenic River designation *does and does not* do.

<http://www.dcr.virginia.gov/recreational-planning/srmain>

<http://www.dcr.virginia.gov/recreational-planning/document/srdoesdoesnt.pdf>

I have also approached Glasgow Town Manager Bill Rolfe with this concept as the Town borders a stretch of the River which would be considered."

Chairman Higgins asked how many public river access points there are on this particular section of the river.

Regional Tourism Director Jean Clark responded that there is one (1) public access point, in Glasgow.

Mr. Crickenberger advised that there is a search for more access points, shared by his office and the U.S. Forest Service.

Ms. Clark added that there are two (2) commercial points, Jellystone Park and the James River Wilderness Canoe Company, both on James River Road.

Supervisor Hinty asked if there had been any discussions with Joe Manspile on Gilmer's Mill to access the river from near the bridge that is currently closed.

Mr. Crickenberger replied that there are parking issues at that site.

Mr. Crickenberger shared that he has been working with Norfolk and Southern Railroad to try to acquire a site on the Maury River at Miller's Landing off of River Road. He explained that the Railroad had somehow ending up owning a small tract on the east side off the river.

Supervisor Hinty moved to request DCR to complete the initial study of the portion of the James River in Rockbridge County to potential designation as a Virginia Scenic River. 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

Consideration of Citizen Request to Support a Petition Filed with the State Corporation Commission Regarding the Dominion Virginia Power Doods-Lexington Powerline Rebuild Project

Supervisor Hinty read aloud the following Disclosure Statement: "I abstain from all matters, discussions, or voting related to the Dominion Virginia Power's transmission line project from Lexington to Doods, and my disclosure statement under Virginia Code §2.2-3115(F) is on file with the Clerk to the Board of Supervisors". He then left the dais.

Mr. Suter briefly reviewed the Agenda Item: "As you may recall, in May, 2015, after hearing concerns expressed by citizens, the Board voted to support Walkers Creek District resident Kristopher Baumann's formal complaint filing with the State Corporation Commission regarding the Doods to Lexington power line upgrade project. I have attached the resultant letter which was submitted to the SCC. Subsequently, Walkers Creek resident James W. Gercke has filed a related petition with the SCC. Mr. Gercke has contacted Supervisor Lewis and requested similar Board support for his petition."

Supervisor Lewis stated that Mr. Gercke had succeeded in getting the right to present his complaint and would like to see the Board of Supervisors support it in the form of a letter to the SCC.

Supervisor Lewis moved to support the Chairman writing a letter to the SCC. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

Supervisor Hinty returned to the dais.

Appointments

Public Service Authority (PSA)

Supervisor Campbell shared that Larry Bond had resigned from the PSA and Joe Sokolowski is willing to serve in his place. He moved for his appointment. Supervisor Lewis 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

Staff Reports

Supervisor Hinty moved to accept the Staff Reports. 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

Board Comments

Supervisor Lewis asked for clarification on the plan for nominations to the Board of Equalization (BOE).

Mr. Suter replied that those interested may need to complete a Committee Application unless they have one on file.

Chairman Higgins asked when the individuals would start serving on the BOE.

Ms. Huffman advised that the appointments are a recommendation to the Circuit Court Judge, who will officially appoint members to the BOE. She added that there is some training that each member must go through before serving.

Chairman Higgins asked Ms. Huffman if members of the BOE are volunteer positions or if they get paid.

Ms. Huffman stated that she is not sure but believes they get paid.

Chairman Higgins asked Ms. Huffman to find out more details on the BOE positions and to let the Board know.

Mr. Suter recommended continuing this meeting until Tuesday, August 9th for a tour of the SPCA. However, because there would not be a quorum, the meeting was not continued.

Supervisor Ford commented on a recent public meeting in Lexington on the proposed Kendal Expansion. He stated that Mr. Crickenberger did a very good job of helping facilitate this meeting. He questioned how much authority the County would have in trying to set conditions for zoning with Kendal in terms of what the City of Lexington does or does not require.

Adjourn

Supervisor Lewis moved to adjourn at 6:47 p.m. Supervisor Hinty provided the second, and the meeting was adjourned by unanimous roll call vote by the Board.

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