

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA HELD IN THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICE BUILDING AT
150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA
ON MONDAY, JANUARY 9, 2017 AT 5:30 P.M.

PRESENT: CHAIRMAN J.M. HIGGINS, VICE CHAIRMAN D.W. HINTY, JR.,
R.S. FORD, A.W. LEWIS, JR.
ABSENT: R.R. CAMPBELL
CLERK TO THE BOARD: S. H. SUTER
COUNTY ATTORNEY: V.L. HUFFMAN

Call to Order

Chairman Higgins called the meeting to order at 5:30 p.m. He then delivered the invocation and led in the Pledge of Allegiance.

Nomination of Chair and Vice Chair

Supervisor Lewis moved to nominate David Hinty as the 2017 Chairman. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

Supervisor Lewis moved to nominate John Higgins as the 2017 Vice Chairman. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

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

ABSENT: Campbell

Standing Committee Assignments

- a) Finance Committee
- b) Buildings and Grounds Committee
- c) Solid Waste Committee
- d) Personnel Committee

Chairman Hinty stated that, in his opinion, all the committees had done an excellent job and that he would be leaving all committee memberships the same for 2017.

Chairman Hinty then suggested that Supervisor Lewis be nominated as a liaison member for Economic Development along with Sam Crickenberger and Spencer Suter. He stated that Supervisor Lewis would update the Board of Supervisors monthly on Economic Development. Supervisor Lewis accepted the nomination.

Citizen Comments

Mark Gingerelli of the Walkers Creek Magisterial District renewed his objection to an unlicensed dog kennel across from his property. He then passed out a map from the County's GIS site showing the property in question. He compared the property and its assessed value to the neighboring properties and their combined values, stating that such a small property affects a large area and this is why dog ordinances should be issued on a case by case basis. He stated that this problem has been going on for 2354 days continuous.

Supervisor Ford shared that County properties had recently been

reassessed and asked Mr. Gingerelli if he was aware of any changes in assessments of properties surrounding the offending parcel.

Mr. Gingerelli stated that Calvert Fitzgerald, whose property is also impacted by the noise, received a large increase in his property assessment. He stated that he himself would not allow for his property to be reassessed at such a high rate.

Chairman of the Fair Board Steve Hart provided a progress report. He shared that the official name of the organization is the Rockbridge Regional Fair and Exposition; it is a registered 501(c)3 organization; they have added a Secretary and Treasurer and have hired a Director and Operations Manager; and they have started receiving donations. He advised that his daughter came up with the idea to host a hay bale decorating contest during the fair. He presented the Board with a handout showing her ideas. He suggested the public be polled for other creative ideas to generate a broad base of support.

Supervisor Higgins asked that the public be made fully aware that there are two events this year: a 4-H Livestock event in July, and then the fair itself in September.

Mr. Hart confirmed that such information was included in their original press release. He advised that they would combine the events in 2018.

Supervisor Lewis shared the excitement the fair board has brought to the process and his belief it will be successful.

Recognitions/Presentations

Chairman Hinty thanked Library Director Julie Goyette for attending the meeting. He then asked County Administrator Spencer Suter to thank all County staff for a good 2016, adding that he looked forward to 2017.

Items to be added to the Agenda

There were no items to be added to the Agenda.

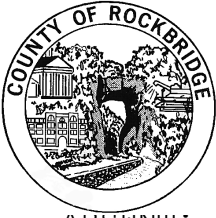
Adoption of the 2017 Board of Supervisors Meeting Schedule

Mr. Suter noted that the Board has typically cancelled the second meeting in July to give staff a summer break. He noted that some senior staff members had been polled regarding the impact to operations, and he indicated that it had been agreed that the best meeting to cancel during July would be the first meeting, to account for the Independence Day holiday.

Supervisor Ford asked Finance Director Steven Bolster if he had any concerns about the first meeting of the month being cancelled, as it would be the first meeting of the new fiscal year.

Mr. Bolster replied that the calendar change was his idea.

Supervisor Higgins moved to accept the schedule as presented. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:



SPENCER H. SUTER
 County Administrator
 Office: (540) 463-1460
 Fax: (540) 463-4346
 spencer_suter@co.rockbridge.v

County of Rockbridge

Higgins, Lewis, Ford, Hinty
 None
 None
Office of the County Administrator
150 South Main Street
Lexington, Virginia 24450

2017 BOARD OF SUPERVISORS AND SOLID WASTE AUTHORITY MEETING SCHEDULE

County Board of Supervisors

JOHN M. HIGGINS
 Buffalo
 Magisterial District

RUSSELL S. FORD
 Kerrs Creek
 Magisterial District

DAVID W. HINTY, JR.
 Natural Bridge
 Magisterial District

RONNIE R. CAMPBELL
 South River
 Magisterial District

ALBERT W. LEWIS, JR.
 Walkers Creek
 Magisterial District

Please be advised the Rockbridge County Board of Supervisors (BOS) and Solid Waste Authority(SWA) hold regular meetings on the SECOND and FOURTH Mondays (with the exception of those noted below by *) of each month in the County Administration Office Building Board Room, 150 South Main Street, Lexington, VA 24450. On the FOURTH Monday of each month (with the exception of those noted below by *), the Board will hold a Work Session prior to the regular meeting. This calendar includes the first, organizational meeting of 2018.

Following is the meeting schedule for 2017:

2017	2nd MONDAY BOS Meeting @ 5:30 P.M. SWA Meeting @ 5:30 P.M.	4th MONDAY BOS Work Session @ 4:30 P.M. BOS Meeting @ 5:30 PM SWA Meeting @ 5:30 PM
January	9 th	23 rd
February	13 th	27 th
March	13 th	27 th
April	10 th	24 th
May	8 th	22 nd
June	12 th	26 th
July	No Meeting	24 th
August	14 th	28 th
September	11 th	25 th
October	10 th *	23 rd
November	13 th	27 th
December	11 th	No Meeting
January	8 th	

* Tuesday Meeting due to State holiday on Monday.

Approval of the December 12, 2016 Minutes

Supervisor Ford moved to approve the December 12, 2016 Minutes. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

County Financial Package/Approval of Appropriation Resolution

Mr. Bolster reviewed his Monthly Memorandum:

Section I - Commissioner of the Revenue

Activities for Month:

1. Mailed meals and lodging forms (due NLT last business day of each month).
2. Mailed business license applications (due NLT March 1, 2017).
3. Forwarded business personal property forms (due NLT March 1, 2017).
4. Sent tax relief applications for elderly and disabled (due NLT April 1, 2017).
5. Processing business licenses.
6. Completing 2016 Supplement 1 Personal Property tax book for Treasurer.
7. Preparing FYE 2018 County (Commissioner of Revenue, Land Use) and Compensation Board budgets.
8. Starting work with Board of Equalization (BOE). BOE training was completed December 16th and an organizational meeting will be held January 9th. The Clerk of Court will swear in the BOE, a Chair and Secretary will be elected, and dates for hearings will be chosen. Sunny Cline of the Commissioner's staff will serve as Administrative Assistant to schedule hearings, keep minutes, etc.

Section II - Treasurer

Activities for Month:

1. Sent Debt Set-off claims to Dept. of Taxation for unpaid Personal Property on January 3, 2017; involves 5,120 persons with estimated tax collection of \$941,528.
2. Auction executed on November 18, 2016 has Confirmation of Sale on January 19, 2017 at 1:00 PM in the Circuit Court.
3. Estimated 4th quarter state income tax payments are due January 17, 2017.
4. Dog tag license fees are due before January 31, 2017.
5. Supplemental Personal Property bills expected from Commissioner of the Revenue for billing.

Section II - Treasurer (cont'd)

Activities for Month:

6. Preparing FY 2018 budgets which are due for the County and the Compensation Board.

Mr. Bolster then reviewed the Revenues versus Expenditures Chart and then the County's Appropriation Resolution. He noted an amendment to the Resolution: adding an invoice of \$107,389.30, making the new total of all bills \$994,615.98.

Supervisor Ford moved to approve the County's Appropriation Resolution as amended. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

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, JANUARY 9, 2017 AT 5:30 P.M.

On motion by Supervisor _____, seconded by Supervisor _____, the Board, by record vote, adopted the following appropriation resolution 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 **GENERAL FUND** and expended as follows:

4-11-71005-5616 Cont.-Rockbridge Reg. Fair/Expo.....	\$25,000.00
Total General Fund Appropriations	\$25,000.00
Current County	
11 - General Fund	\$775,232.62
94 - Central Stores	\$4,642.04
372 - Construction Project Fund	<u>\$6,871.74</u>
Total County Bills	\$786,746.40
Current Fiscal Agent	
80 - Regional Jail	\$97,537.78
92 - Drug Fund	\$2,942.50
710 - Communications Center	<u>\$107,389.30</u>
Total Fiscal Agent	\$207,869.58
TOTAL ALL BILLS	\$994,615.98

Convene the Solid Waste Authority (SWA)

Chairman Hinty convened the Solid Waste Authority at 5:49 p.m.

Adoption of the 2017 SWA Meeting Schedule

Mr. Suter noted that once the new SWA is created with the City of Lexington, this schedule would likely change.

Supervisor Higgins moved to accept the schedule as presented - with the understanding that it will likely be changed later in the year.

Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

Solid Waste Authority Financial Package/Approval of Appropriation

Resolution

Mr. Bolster presented the SWA's Appropriation Resolution.

Supervisor Ford moved to approve the SWA Appropriation Resolution.

Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY SOLID WASTE AUTHORITY, HELD
 AT THE COUNTY ADMINISTRATIVE BUILDING,
 150 SOUTH MAIN STREET, LEXINGTON, VIRIGNIA,
 ON MONDAY, JANUARY 9, 2017 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:

4-19-19050-3011 Maintenance of Roads.....	\$50,400.00
Total SWA-Landfill Fund Appropriations	\$50,400.00
Current SWA	
19 - SWA-Landfill	\$680,688.04
20 - SWA-Recycling	<u>\$7,429.54</u>
TOTAL SWA BILLS	\$688,117.58

Chairman Hinty closed the Solid Waste Authority at 5:51 p.m. and reconvened the Board of Supervisors meeting.

Presentation of FY2016 CAFR by Robinson, Farmer, Cox and Associates

Mr. Bolster briefly reviewed the Agenda Item: "The Comprehensive Annual Financial Report (CAFR) of Rockbridge County, Virginia for the fiscal year ended June 30, 2016 is submitted. Responsibility for both the accuracy of the data, and the completeness and fairness of the

presentation, including all disclosures, rests with the government. To the best of our knowledge and belief, the CAFR data is accurate in all material respects and has been reported in a manner designed to present fairly the financial position of the County. The County currently contracts with Robinson, Farmer, Cox Associates (RFC) to complete the CAFR. Mr. James Kelly from RFC will present the highlights of the CAFR for the County and Solid Waste Authority activities. As of this writing, the financial audits are being printed and prepared for distribution. The electronic copies are uploaded to the County website and are accessible using the hyperlinks below. Staff will provide copies of the County and RCSWA financial reports to the Board prior to Mr. Kelly's presentation."

Saidee Gibson of Robinson, Farmer, Cox Associates provided the Board with a PowerPoint presentation including the following slides:

Overview

- 2015 Certificate of Achievement for Excellence in Financial Reporting
- Audit Results
 - Auditors' Opinions
 - County Audit Opinion
 - Solid Waste Authority Audit Opinion
 - Internal Control & Compliance Opinions
 - Financial Highlights
 - Government-wide Financial Statements
 - Fund Financial Statements
 - General Fund Revenue & Expenditure Analysis
 - Solid Waste Authority
 - Conclusion
 - Questions



Audit Results

Audit Objectives:

- The expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with Generally Accepted Accounting Principles
- Report on internal control in accordance with Government Auditing Standards
- Report on internal control related to major programs and compliance with the Uniform Guidance



Audit Results: Audit Opinions

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component units, each major fund and the aggregate remaining fund information of the County of Rockbridge, Virginia, as of June 30, 2016, and the respective changes in financial position, and, where applicable cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.



Audit Results: Compliance

- State Compliance
 - Budget Compliance
 - Procurement Compliance
 - VRS Reporting Compliance
- Single Audit Compliance
 - Federal Programs Audited:
Child Nutrition Cluster



Government-wide Financial Highlights

- Exhibits 1 & 2 – Prepared on the full accrual basis
- Ending net position of \$41.7 million
 - Unrestricted net position of \$24.2 million
 - Achieved increases in both categories of net position: Governmental Activities by \$876,535; Business-type Activities by \$960,958; total increase of \$1,837,493
 - Net investment in capital assets of \$15.8 million



Governmental Funds Financial Highlights

Exhibits 3 through 6 – Prepared on the modified accrual basis (similar basis as the County budget)

- Combined ending fund balances for governmental funds of \$27.1million
- Increase of \$1.6 million compared to FY2015 fund balances—due in part to higher collections of property, and local taxes.
- General fund unassigned fund balance of \$20.7 million or 51.41% of 2016 general fund expenditures
- Unrestricted cash and cash equivalents of \$21 million



Proprietary Fund Financial Highlights

Exhibits 7, 8, & 9 – Solid Waste Authority/Business-type Activities

Combined ending net position of \$4,382,933

- Overall operating income of \$654,971 which includes depreciation costs of \$259,630 and operational costs of the recycling fund which is supplemented by the general fund.
- Transfers from the general fund to the proprietary funds amounted to \$459,051
- Combined change in net position for all proprietary funds of \$960,958
- Increase in cash and cash equivalents in the proprietary funds of \$620,448 due to increasing tipping funds to the City of Lexington and Rockbridge County for new lined landfill project.



General Fund Revenue Analysis

	Budgeted Amounts		Actual Amounts	Variance with Final Budget -
	Original	Final		Positive (Negative)
REVENUES				
General property taxes	\$ 23,944,570	\$ 23,937,870	\$ 24,843,541	\$ 905,671
Other local taxes	8,378,000	8,377,300	9,009,065	631,765
Permits, privilege fees, and regulatory licenses	209,020	209,020	275,060	66,040
Fines and forfeitures	400,550	400,550	445,370	44,820
Revenue from the use of money and property	53,048	53,048	112,157	59,111
Charges for services	1,526,350	1,526,350	1,444,588	(81,762)
Miscellaneous	788,386	788,386	833,978	45,592
Recovered costs	371,059	371,059	469,735	98,676
Intergovernmental:				
Commonwealth	5,017,818	5,017,818	4,965,583	(52,235)
Federal	103,900	103,900	207,913	104,013
Total revenues	\$ 40,792,689	\$ 40,785,299	\$ 42,606,990	\$ 1,821,691

Chairman Hinty thanked the Robinson, Farmer, Cox Associates for their work with the County as well as Mr. Bolster's Finance Department staff.

Public Hearings at 6:00 p.m.

Vacation of Public Utility Easement on Mountain View Brewery Property

County Attorney Vickie Huffman briefly reviewed the Agenda Item: "Mountain View Brewery, LLC, has acquired the 3.08-acre parcel of land, formerly known as the Bowling Alley property, for expansion of Devil's Backbone. A 20' public utility easement, created on a plat of survey made by Balzer and Associates, Inc., for Ranger Associates, dated January 20, 1998, recorded in Plat Cabinet 1, Slide 228, extends along the northeast side of Northwind Lane and around the cul-de-sac. Mountain View Brewery has requested vacation of that portion of the "20' Public Utility Esmt." extending along the cul-de-sac of Northwind Lane on its property identified as Tax Map #62-14-A1, in conjunction with re-development of the parcel. The portion of public utility easement proposed to be vacated is shown as "VACATED" on an 'Easement Plat for Mountain View Brewery, LLC', dated December 7, 2016, prepared by Perkins & Orrison, a copy of which is attached as Exhibit A. Staff has determined that the portion of 20' p.u.e. proposed to be vacated is unused, unimproved, and unnecessary for public use. Vacation of a portion of a plat requires adoption of an Ordinance following a public hearing under §15.2-2272 of the Code of Virginia. Public hearing was scheduled and advertised for January 9, 2017."

Community Development Director Sam Crickenberger noted that the Public Service Authority is in favor of this Ordinance.

Chairman Hinty opened the public hearing at 6:08 p.m. He then closed the public hearing as there were no public comments.

Supervisor Ford thanked Perkins and Orrison for amending the plat to show the property in the correct magisterial district.

Supervisor Lewis moved to adopt the ordinance shown below. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JANUARY 9, 2017

Ordinance to Vacate and Release Any Public Interest in a Portion of a Public Utility Easement, 20 Feet in Width, Extending Along the Cul-De-Sac of Northwind Lane on Property Of Mountain View Brewery, LLC, Identified as Tax Map #62-14-A1, Created and Shown as "20' PUBLIC UTILITY ESMT." on the 'Plat For Ranger Associates' Dated January 20, 1988, and Recorded in Plat Cabinet 1, Slide 228, Located in the Walkers Creek Magisterial District

WHEREAS, Petitioner Mountain View Brewery, LLC, has acquired that certain parcel of land consisting of 3.08 acres, more or less, designated as "TRACT B – 3.08 ACRES" on a plat of survey made by Balzer and Associates, Inc., for Ranger Associates, dated January 20, 1998, of record in the Clerk's Office of the Circuit Court of Rockbridge County in Plat Cabinet 1, Slide 228; and,

WHEREAS, a public utility easement, twenty feet in width, was created upon said plat, extending along the northeast side of Northwind Lane from U. S. Route 11 and along its cul-de-sac, shown and designated as "20' Public Utility Esmt." on the aforesaid Plat recorded in Plat Cabinet 1, Slide 228; and,

WHEREAS, Petitioner has requested vacation of that portion of the "20' Public Utility Esmt." extending along the cul-de-sac of Northwind Lane and lying upon the property owned by Petitioner and identified as Tax Map #62-14-A1, shown and designated as "VACATED" on an 'Easement Plat for Mountain View Brewery, LLC', dated December 7, 2016, prepared by Perkins & Orrison, attached hereto and by reference incorporated herein; and,

WHEREAS, said portion of the “20’ Public Utility Esmt.”, with re-development of the 3.08 acres identified as Tax Map # 62-14-A1, has been determined by staff to be unused, unimproved, and unnecessary for public use; and,

WHEREAS, §15.2-2272.2 of the Code of Virginia (1950, as amended) requires that such action be accomplished by the adoption of an ordinance by the governing body; and,

WHEREAS, notice has been given as required by §15.2-2204 of the Code of Virginia (1950, as amended), and the public hearing was held on January 9, 2017.

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

1. That the portion of the “20’ Public Utility Esmt.”, created upon the plat of survey made by Balzer and Associates, Inc., for Ranger Associates, dated January 20, 1998, of record in the aforesaid Clerk’s Office in Plat Cabinet 1, Slide 228, located along the cul-de-sac of Northwind Lane on the property owned by Mountain View Associates, LLC (grantee for indexing purposes), situate in the Walkers Creek Magisterial District of Rockbridge County and identified as Tax Map #62-14-A1, shown and designated as “VACATED” on the ‘Easement Plat for Mountain View Brewery, LLC’, attached hereto as Exhibit A and incorporated herein by reference, be, and hereby is, vacated and released to the extent that any public or County interest may exist, pursuant to Section 15.2-2272 of the Code of Virginia (1950, as amended), subject to the condition that all costs and expenses associated herewith, including but not limited to publication, survey and recordation costs, shall be the responsibility of the Petitioner.

2. That the County Administrator or the County Subdivision Agent is hereby authorized to execute such documents and take such actions as may be necessary to accomplish the provisions of this ordinance, all of which shall be approved as to form by the County Attorney.

3. That this ordinance shall be effective on and from the date of its adoption, and a certified copy of this ordinance shall be recorded in the Clerk’s Office of the Circuit Court of Rockbridge County, Virginia, in accordance with §15.2-2272.2 of the Code of Virginia (1950, as amended).

Adopted this ____ day of January, 2017.

Stormwater Drainage Easement on County-Owned Property

Ms. Huffman briefly reviewed the Agenda Item: "Mountain View Brewery, LLC, has acquired the 3.08-acre parcel of land (Tax Map No. #62-14-A1), formerly known as the Bowling Alley property, for expansion of Devil's Backbone. Rockbridge County owns the adjoining 5.683-acre parcel of land (Tax Map #62-14-A) located on the southwest side of Northwind Lane. Mountain View Brewery, LLC, proposes to develop the 3.08-acre parcel to expand operations and requires a drainage easement along the natural drainage way across the County's parcel for discharge of stormwater from the proposed detention area. The proposed easement is shown as "NEW 20' DRAINAGE EASEMENT" on the 'Easement Plat for Mountain View Brewery, LLC', dated December 7, 2016, prepared by Perkins & Orrison, attached hereto. Mountain View Brewery, LLC, has offered the County \$100.00 to purchase the proposed drainage easement. Staff has recommended acceptance of the offer as in line with market value for an already existing drainage way, and because it will not further impact the County's future use of its remaining property. Conveyance of an interest in real estate requires the adoption of an Ordinance, following a public hearing, which has been scheduled and advertised for January 9, 2017."

Chairman Hinty opened the public hearing at 6:10 p.m. He then closed the Public hearing as there were no public comments.

Supervisor Lewis moved to adopt the ordinance shown below. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY,
VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY,
JANUARY 9, 2017

Ordinance Authorizing and Approving Conveyance to Mountain View Brewery, LLC, of a 20' Drainage Easement Along the Natural Drainage Way, Leading From the Stormwater Detention Area on Property Identified as Tax Map #62-14-A1, and Extending Across the 5.683-Acre Parcel of Land on the Southwest Side of Northwind Lane in the Walkers Creek Magisterial District, Owned by Rockbridge County and Identified as Tax Map #62-14-A

WHEREAS, Rockbridge County is the owner of a parcel of land, consisting of 5.683 acres, designated as "NEW TRACT "A2" on a plat recorded in the Clerk's Office of the Circuit Court of Rockbridge County in Plat Cabinet 2, Slide 752, located on the southwest side of Northwind Lane in the Walkers Creek Magisterial District, identified upon the County Land Records as Tax Map #62-14-A, having acquired said parcel, as a portion of a larger tract of land, by deed dated January 21, 2008, from Traveler Development Company LLC, and recorded in the aforesaid Clerk's Office as Instrument #080000365; and,

WHEREAS, Mountain View Brewery, LLC, has acquired from the County that certain parcel of land consisting of 3.08 acres, more or less, designated as "TRACT B – 3.08 ACRES" on a plat of survey made by Balzer and Associates, Inc., for Ranger Associates, dated January 20, 1998, of record in the Clerk's Office of the Circuit Court of Rockbridge County in Plat Cabinet 1, Slide 228; and,

WHEREAS, Mountain View Brewery, LLC, and Devil's Backbone Brewing Company, as operator of the craft brewing business in their current location on adjoining property identified as Tax Map #62-14-B, proposes to develop said 3.08-acre parcel to expand operations pursuant to a special

exception permit approved by the Board of Supervisors by Ordinance adopted on October 24, 2016; and,

WHEREAS, Mountain View Brewery, LLC, requires a drainage easement along the natural drainage way across the County's parcel for discharge of stormwater for the proposed detention area, shown as "NEW 20' DRAINAGE EASEMENT" on the 'Easement Plat for Mountain View Brewery, LLC', dated December 7, 2016, prepared by Perkins & Orrison, attached hereto as Exhibit A and by reference incorporated herein; and,

WHEREAS, Mountain View Brewery, LLC, has presented an acceptable offer of \$100.00 for purchase of the proposed drainage easement; and,

WHEREAS, the conveyance of an interest in real estate requires the adoption of an Ordinance, following notice and public hearing, which has been held on January 9, 2017.

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

1. That conveyance to Mountain View Brewery, LLC, of a 20' drainage easement along the natural drainage way across the County's parcel of land identified as Tax Map #62-14-A, shown and designated as "NEW 20' DRAINAGE EASEMENT" on the 'Easement Plat for Mountain View Brewery, LLC', dated December 7, 2016, prepared by Perkins & Orrison, attached hereto as Exhibit A and by reference incorporated herein, together with the right of ingress and egress to and from said easement for installation, maintenance, repair and clearance, is hereby authorized and approved.

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

3. That this ordinance shall be effective on and from the date of its adoption.

Adopted this ____ day of January, 2017.

Consideration of Provisional Adoption of FY2018-FY2022 Capital Improvement Plan

Assistant Director of Community Development Chris Slaydon briefly reviewed the Agenda Item: "On December 12, 2016, the Board received a second presentation on the draft FYE 2018-2022 CIP during a regularly scheduled meeting. Attached are the latest updates on the CIP worksheets and summary report. One change has occurred to both the County and Rockbridge County Solid Waste Authority (RCSWA) CIPs since the December meeting:

- 1) County CIP: Air Compressor and Relocation of Compressor (worksheet 20) - item removed; staff will execute this project during FYE 2017 based on current and expected budget balance availability within the Fleet Services program.
- 2) RCSWA CIP: Purchase of 51 HP Kubota Tractor, or equivalent (worksheet 3) - item removed; staff will complete procurement during FYE 2017 using closure/post-closure funding to source purchase.

Enclosed is the final draft of the FYE 2018-2022 CIP for both Rockbridge County and the RCSWA. The provisional adoption will serve as a guide for departments as they plan for the procurement and/or financing (sourcing) efforts associated with the capital budget development. Staff will request formal adoption of the CIP in conjunction with the operational and capital budget approvals currently scheduled for April 19, 2017."

Supervisor Ford asked if the tractor referenced above would be used primarily for post-closure maintenance.

Solid Waste Director Jeremy Garrett replied that the tractor would be used almost entirely to maintain the closed cell of the landfill.

Mr. Slaydon commended Mr. Bolster for his work on the CIP and noted that the Planning Commission is no longer involved in the process.

Mr. Suter commended Department Heads for working so well to get their items in this year. He reminded the Board that an adoption at this time would be provisional and that there would still be time to discuss before final approval.

Supervisor Lewis moved to provisionally approve the CIP. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

Consideration of RARO Agreement

Mr. Suter briefly reviewed the Agenda Item: "In 2015, the City of Buena Vista requested to join Rockbridge Area Recreation Organization (RARO). Both Rockbridge County and the City of Lexington agreed to the concept, and in order to provide services to Buena Vista Youth as quickly as possible we began joint operations immediately via a Memorandum of Understanding (MOU), pending official adoption of a final agreement.

Since then, the arrangement has worked nicely, with all of the children in our region participating in the same program. Buena Vista's inclusion increases the overall number of participants and fields available for RARO, allowing all three localities to share facilities and costs in a more efficient, cooperative manner. The jurisdictions and RARO have worked together to draft a revised agreement that incorporates the City of Buena Vista. The agreement is intended to memorialize the services and cost shares of each participating locality, to include both operational and capital costs, and to define the agreement term and renewal options (10 years, with renewals). The agreement also provides Buena Vista with two seats on the RARO Board. Please also note that this changed condition requires that the 2009 Joint Services Agreement between the County and the City of Lexington be amended to remove reference to RARO. Attachments include the proposed new Agreement and a resolution which provides for the necessary amendments to the 2009 Joint Services Agreement." Mr. Suter then explained that the document entitled "resolution" was not the resolution but an agreement. He provided the Board with the actual resolution which would approve the agreements.

Supervisor Lewis shared a concern about future RARO capital improvement costs. He stated that, if the jurisdictions regionally cooperate, everything will work out as it did with Brewbaker Field.

Mr. Suter explained that all projects are different, and therefore it is beneficial for a 5 year Capital Improvements Plan. He noted that the work of a prior RARO CIP committee was generally incorporated into the proposed agreement, and that each project would need to be considered

individually - and agreement reached on funding shares - prior to commencement of work. Supervisor Lewis shared how he is pleased with the progress.

Supervisor Ford stated that the County had agreed to share the cost of the Brewbaker Field Annex upgrades. He asked how exactly the County's 50% match would be used. Supervisor Lewis added his concern that, reportedly, some neighbors had expressed opposition to the field annex's construction. He noted that he wanted to ensure that there is no planned substantive change to the plan that the County had originally agreed to help fund. Mr. Suter stated that he would follow up with the City and provide the information to the Board.

Supervisor Lewis moved to approve the resolution. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JANUARY 9, 2017

Resolution to Approve RARO Agreement Between the City of Buena Vista, the City of Lexington, the Board of Supervisors of Rockbridge County, and the Rockbridge Area Recreational Organization and Public Recreational Facilities Authority for Cost Sharing of Regional Recreation Services and to Approve Amendment of the Joint Services Agreement with the City of Lexington to Remove the Provision for Recreation

WHEREAS, the City of Lexington (“Lexington”) and the County of Rockbridge (“Rockbridge”) entered into a Joint Services Agreement, with an effective date of January 1, 2009, to provide for the sharing of annual operating costs for the joint services set forth therein, including Recreation; and,

WHEREAS, the City of Buena Vista (“Buena Vista”) has requested participation in the Rockbridge Area Recreational Organization and Public Facilities Authority (“RARO”); and,

WHEREAS, the staff of Rockbridge, Lexington, Buena Vista, and RARO have negotiated terms for a new RARO Agreement, with an effective date of September 1, 2016, (the “RARO Agreement”) for cost sharing of regional recreation services for the citizens of all three jurisdictions; and,

WHEREAS, if the new RARO Agreement is approved, the terms and provisions of the section captioned **RECREATION** in the Joint Services Agreement effective January 1, 2009, would be inapplicable and require removal therefrom; and,

WHEREAS, the terms and provisions of the section captioned **FIRE AND FIRST AID CONTROL (Fire Prevention, Rescue and Safety Services)** in the Joint Services Agreement effective January 1, 2009, having expired and having been amended and provided for in the Fire and First Aid Cost Sharing Agreement dated January 14, 2013, can also be removed and deleted from the Joint Services Agreement.

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

1. That the terms and provisions of the new RARO Agreement, effective as of September 1, 2016, for an initial period of ten years, through August 31, 2026, with provisions for renewal or termination at the end of nine years, between the City of Lexington, the City of Buena Vista, the County of Rockbridge and RARO, are hereby authorized and approved.

2. That the Amendment Agreement, effective as of September 1, 2016, between the City of Lexington and the County of Rockbridge, to remove and delete the sections captioned

RECREATION and **FIRE AND FIRST AID CONTROL (Fire Prevention, Rescue and Safety Services)** in the Joint Services Agreement effective January 1, 2009, is hereby authorized and approved.

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

4. That this ordinance shall be effective on and from the date of its adoption.

Adopted this _____ day of January, 2017.

Consideration of Interest Payments for Effinger Volunteer Fire Department

Fire Chief Nathan Ramsey briefly reviewed the Agenda Item: "For many years, the Board of Supervisors has supported volunteer fire and EMS department apparatus and equipment purchases via payment of interest on borrowings. The County annually budgets \$50,000 for this purpose, and the funding is allotted on a 'first come, first served' basis up to the cap of \$50,000. The process for request is as follows:

- 1) A department identifies a need and determines the amount necessary to borrow.
- 2) The department approaches its respective Association (for EMS - the Rockbridge Emergency Rescue Group - "REREG". For fire, the Rockbridge County Firefighters Association - "RCFA"), with the request to support its borrowing and associated application to the County for interest funding support.

3) The RERG or RCFA, respectively, considers the request and, if in agreement, makes a recommendation to the County to support the department's request.

4) The Department then makes request to County staff, which presents it to the Board of Supervisors for consideration.

Information which is submitted with each request to the Board includes:

- 1) Item(s) to be funded by the borrowing;
- 2) Total amount to be borrowed;
- 3) Interest rate; and
- 4) Amortization schedule showing principal and interest payments.

The Board then considers the request(s), and unless there are concerns, approves payment of interest, dependent on available funding. The approved amounts are then reimbursed to the departments in the last quarter of each fiscal year. For example, last fiscal year, the Board made the following contributions in June:

BUENA VISTA VFD*	\$9,810.42
KERRS CREEK VFD	\$529.00
NATURAL BRIDGE VFD	\$10,754.00
COMBINED TOTAL	\$21,093.42

* Please note that contributions to Buena Vista VFD are reduced to match the ratio of calls into Rockbridge County, vs. that Department's total call volume.

"The last request approved by the Board was September 12, 2016, for Raphine VFC and Rockbridge Baths VFD. The interest reimbursements for these two requests are part of the FY 2017 approved budget.

Recently, we received an additional request to support adding the Effinger VFD to the interest reimbursement list. The request is to fund interest payments associated with the recent purchase of a 2016 Seagrave fire engine, beginning in FY2018. An individual amortization schedule for the Effinger borrowing, as well as a summary document, are attached. Again, the traditional policy which has been followed is a first come, first served basis. The attached table shows the payments which would be made for each year out to 2029, assuming that the Board maintains the \$50,000 annual contribution. Of course, there will likely be additional requests in coming years, so these numbers would change over time.

"Please note that, when added to previously-approved requests, the total amount of funding required would exceed the existing cap (\$50,000) by \$3,330 in FY2018 (next year). Should no other requests be received in the meantime, the total payments would fall back below the cap in FY2019."

Supervisor Ford asked if the Finance Committee should look at this.

Supervisor Higgins replied that they have in the past. He stated that the agreement on interest payments and how they are expended was created years ago. He suggested funding the \$3,330 overage this time, and then the Finance Committee can analyze the interest payments agreement for possible funding increase.

Mr. Suter did not recall ever seeing an actual funding agreement, noting that it was his understanding that the process was determined by the Board many years ago.

Supervisor Ford suggested the Board look into the funding mechanism before providing the additional funding.

Mr. Suter suggested approving the request subject to available funds, and considering any additional costs during the upcoming FY2018 budget process.

Supervisor Lewis advised that this would be just adding Effinger to the list and that there is still time for review on how to handle the overage of \$3,330.

Chairman Hinty asked the Finance Committee to look into the agreement, if there was one.

Supervisor Higgins moved that the Finance Committee review the agreement and to go ahead and add Effinger to the list, subject to available funding. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

Solid Waste Update

Mr. Garrett briefly reviewed the Agenda Item: "On November 14th 2016, the Board received its last Solid Waste planning update by staff as part of an ongoing series of updates. The current update will focus on action items and general updates related to Collections, Outreach and the Landfill Expansion project currently underway.

Collections:

- Goshen Site Expansion

- New Fancy Hill Site

Outreach:

- Central Elementary - 24 Classes/500 +- Students
- Scheduled with Fairfield Elementary

Disposal (Landfill Expansion):

- Stormwater BMP Construction (100% completed)
- Ground Water Wells (90%)
- Gas System Modifications (95%)
- o Tier 2 Testing (Title V)
- Cell 1 Grading (100%)
- o Liner
- o Anchor Trench
- o Rain Cover
- Cell 1 Access Road Construction (100%)
- Leachate Pond Construction / Collection System (100%)
- o Liner
- o Pump Station
- o Leak Detection
- Leachate Access Road Construction (100%)
- Review of Master Schedule (updated)

Mr. Garrett then provided the Board with a PowerPoint with an aerial view of the progress at the Landfill. He then provided the Board with a handout to include funding sources and project expenses. He later added that the project is ahead of schedule and came in below budget.

Supervisor Ford asked if there is money in a reserve fund such that the County would need to work with VRA on how to expend those funds.

Mr. Garrett replied that staff has indicated that use of the funding would be driven by the requirements of the borrowing/bond documents.

Consideration of Benefit Consultant Contract

Mr. Suter briefly reviewed the Agenda Item: "As you may recall, last year the Board determined to employ the services of a benefits plan consultant. The Board included funding in the FY2017 (current) budget and authorized staff to issue a Request for Proposals for these services. The scope of work included full benefit plan consulting, with a concentration on health insurance benefits. It also included flexibility in contracted services so that the County could consider the cost vs. benefit of joining with one or more other governmental units (such as the County Schools) in provision of health insurance. We received four proposals, which were ranked by a staff/Board team and presented to the Board on November 28th. The Board authorized the team to enter into negotiations with One Digital Health and Benefits, Inc., as the top-ranked proposer. We have subsequently negotiated a contract that is within our current budget and allows us maximum flexibility in service options moving ahead. The proposed contract, including exhibits, is attached for your review. Should the Board approve the attached contract, we would move forward with One Digital immediately to begin the process of health benefit plan review. In addition to review and recommendation on the County's existing benefit plan, One Digital will examine the potential option of joining in a benefit plan with the County Schools. This process will be a bit more streamlined in that the Schools also contract with One Digital."

County Attorney Vickie Huffman explained that the name in the contract is incorrect and would need to be changed from One Digital Health

and Benefits, Inc. to Digital Health. She also indicated that some additional, non-substantive changes would be required as well.

Supervisor Ford moved to authorize the County Administrator to finalize the contract with Digital Insurance Inc., after consultation with the County Attorney. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

Appointments

Dabney Lancaster Board- Laura Hoofnagle resigned- Term will expire 6/30/2020

Supervisor Ford moved to nominate Tony McFaddin to the Dabney S. Lancaster Board. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

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

Regional Jail Commission- Spencer Suter and David Hinty- Terms

expired 12/31/2016

Supervisor Higgins abstained from voting, leaving the dais.

Supervisor Lewis nominated Spencer Suter and David Hinty to continue serving on the Jail Commission. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

Supervisor Higgins returned to the dais.

Community Services Board- Ann Ashby McKissick- Term Expired

12/31/2016

Supervisor Ford nominated Heather Hostetter to the Community Services Board. Supervisor Higgins provided the second, and the motion carried by the following roll call vote:

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

Board Comments

Chairman Hinty stated that he had received calls from two families living above Cave Mountain Lake, on land accessed by a National Forest Service road, who had asked about snow removal on their road. He stated that VDOT stops cleaning roads about a quarter of a mile from their driveways, at the start of the forest service road. He shared that he then spoke to the USFS, which has no equipment to help clean the road. For emergency needs, Chairman Hinty asked that the County Administrator speak with VDOT and the USFS to see what could be done to help the families.

The Board unanimously agreed for the County Administrator to make a few calls and gather information - but to tread lightly as it is a private road.

Staff Reports

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

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

Added Discussion

Mr. Suter then read a letter from Dan Vance, Chair of the Christmas basket program, expressing appreciation to the Virginia Horse Center for

its assistance in another very successful Christmas Basket program event. Mr. Vance also thanked the Effinger Ruritan Club for its support of the program.

Continued Meeting

Chairman Hinty continued this meeting until Thursday, January 19, 2017 at 4:30 p.m., for a Joint Meeting with the School Board at the School Board Office at 2893 Collierstown Road, Lexington.