

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, JUNE 12, 2017 AT 5:30 P.M.

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

**Call to Order**

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

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

**Recognitions and Presentations**

Chairman Hinty called for Recognitions and Presentations.

**Introduction of New Employee**

County Administrator Spencer Suter introduced Kevin Moore, the new Fire/Rescue Captain.

Mr. Moore thanked the Board for the opportunity and stated that he would do his best at serving the citizens of the County.

## Virginia Homeownership Month 2017 Proclamation

Supervisor Lewis read aloud the following Proclamation:

### Virginia Homeownership Month 2017

#### Proclamation

**WHEREAS**, homeownership strengthens families, stabilizes neighborhoods, builds healthy communities, and promotes economic opportunity; and,

**WHEREAS**, Rockbridge Area Habitat for Humanity works with individuals, businesses, civic groups, Washington and Lee University and Virginia Military Institute, along with local and federal governments, all of which are vital partners in fostering homeownership in Rockbridge County; and,

**WHEREAS**, Rockbridge Area Habitat and its partners promote financial literacy and provide free homeownership education to assist local, low-income home buyers in understanding the costs and obligations of any home purchase; and,

**WHEREAS**, homeownership is proven to increase school graduation rates, children's good health and a family's net worth; and,

**WHEREAS**, homeownership is proven to decrease children's behavioral problems, asthma, and a family's reliance on government assistance; and,

**WHEREAS**, affordable homeownership allows families to spend more on basic needs such as food, healthcare and transportation; and,

**WHEREAS**, Rockbridge Area Habitat for Humanity and community development partners are committed to increasing affordable housing and furthering homeownership opportunities for all area residents, including first-time home buyers and underserved populations; and,

**WHEREAS**, Rockbridge Area Habitat purchases building materials locally and its homeowners work and shop locally improving economic development, and increasing the local tax base.

**NOW, THEREFORE**, The Rockbridge County Board of Supervisors does hereby recognize June 2017 as **VIRGINIA HOMEOWNERSHIP MONTH** in Rockbridge County and calls this observance to the attention of all our citizens.

Supervisor Lewis moved to approve the Proclamation as presented.

Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

Lynn Harris of Rockbridge Area Habitat for Humanity thanked the Board for their support of the Proclamation.

### **GFOA's Certificate of Achievement for Excellence in Financial Reporting**

Mr. Suter noted that, for the third straight year, the County had received an Award of Financial Reporting Achievement from the Government Finance Officers Association. He credited Department of Fiscal Services staff and the Treasurer's Office staff for their superb work and record keeping. Chairman Hinty presented Finance Director Steven Bolster with an Award of Financial Reporting Achievement from the Government Finance Officers Association.

### **Citizens' Comments**

Chairman Hinty called for citizens comments.

Susan Lawrence of the Kerrs Creek Magisterial District spoke regarding the Social Services Board (SSB). She requested that the current SSB members be replaced in accordance with recommendations of the Special Grand Jury, for just cause. She advised that she had started a petition for removal of those members and at this time had obtained 65 signatures. She then presented the Board with a copy of the petition as well as some comments from citizens who had signed the petition.

Billy Hall of The Kerrs Creek Magisterial District shared his concern on the removal of the Jordan's Point Dam. He stated that the head of DGIF had recently stated that removing the dam would allow fish to come

upstream in the Maury; however, they did not consider the other dams downstream. He shared that DGIF stated the dam presents an adverse environmental impact; however he felt that there the impact would be worse with the removal of a dam which has been in place for roughly 200 years. Mr. Hall stated that we would lose fish, not gain. He advised that, as a member of the National Wild Turkey Federation, he uses that portion of the river for training new kayakers. Mr. Hall advised that, from a safety point, after removal, the same piece of the dam and hole of water would remain where the young man was killed. He asked the Board to explore this further and explained that, in a conversation with DGIF's Bob Duncan, he was made aware that there is no deadline, as there is no money reserved to remove the dam. He further stated that DGIF would have to apply for grants to help fund the removal. Mr. Hall advised the Board that the DGIF would remove the dam and pull out their equipment and leave, leaving the remainder of the cleanup in the City and County's hands.

William Mack of the Buffalo Magisterial District stated that he had heard that the Board would be reconsidering the collection site in the Fancy Hill area. He asked the Board not to reconsider, as it would have a negative impact on his church.

Fred Fevrier of the Walkers Creek Magisterial District asked the Board to endorse the TCO's decision regarding the confederate flag on Route 60 West due to the size and adverse effect on income and tourism in the County. He added that he felt the TCO had made the right decision.

Fred Massey of Lexington shared his support of the TCO's decision, stating that this particular flag was intended to offend and is inappropriate.

John Pancake of the Kerrs Creek Magisterial District shared that he had family who fought in the Civil War, and understands it is a big deal, but felt that his ancestors do not need to have their sacrifice honored by a gigantic flag on the edge of town.

Lyndon Sayers of Lexington shared three points: one, the TCO decision was based on scalability and was technically correct regardless of the content of the flag; two, with regard to shared values in Rockbridge County and City of Lexington, speaking of peace and unity, we do not want a giant flag representing the County and City; and three, when being called to love one another and love our neighbor, we should realize that some are too afraid to speak at these hearings because of fear of repercussions.

Robin Leblanc of Lexington, and descendant of two confederate officers, advised that independent expression is a right; however, she does not like the flag, stating that she felt that overruling the TCO's decision would be a bad decision. She continued that, in doing so, it would set precedent and we will see other flags start going up.

At this point, Assistant Director of Community Development interjected, noting that he felt compelled to state that the TCO cannot dictate the type of flag flown, but has rather reviewed the appropriateness of the size of the flag and the proportionality and compatibility of the flag pole when compared to other buildings within the TCO Overlay.

Joe Watkins of the Kerrs Creek Magisterial District stated that this particular flag could be seen from his front porch one mile away, and he

felt it was an eyesore because of its size. He added that it would affect property values should it be allowed, as it affects his enjoyment of his property.

Seth Cantey of Lexington spoke in support of the TCO's decision. He added that it is hard to divorce the size of the flag from its content because this is something divisive. He added that the flag is disproportionate and an eyesore.

Mary Orr of Lexington asked the Board, should they feel it is appropriate to have a flag flown on the site, that it be the State of Virginia flag.

Kathy Morikawa of the Kerrs Creek Magisterial District shared that she has lived in the County for 28 years. She added that her family fought for the South in the war, but she shared her concern of the excessive size of the flag.

James Keefe of Vesuvius shared that 300,000 Southerners died in the war and the Confederate Flag is a battle flag. He added that he felt that America is destroying history and that the soldiers died for what they thought was right and what they believed in - the truth in their heart - and that this is representing Christianity.

#### **Items to be added to the Agenda**

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

Supervisor Campbell asked to add a reminder about the Employee Appreciation Luncheon.

Supervisor Ford asked to add an update on the Jordan's Point Dam.

### **Approval of the May 22, 2017 Minutes**

Supervisor Ford moved to approve the May 22, 2017 Minutes. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

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

Finance Director Steven Bolster briefly reviewed his Monthly Memorandum:

#### Section I - Commissioner of the Revenue

Activities for Month:

1. Completed first-half of Real Estate tax season.
2. Working monthly DMV report.
3. Preparing supplement tax book for 2016 Real Estate and 2015 Personal Property.
4. Starting work on the 2017 Personal Property tax book.
5. Auditing business license files to ensure renewals were completed for year, and preparing summons.
6. Continuing work with the Board of Equalization, with hearings scheduled for June 29 and July 11 (if needed).
7. Continue to scan and index personal property files.

Section II - Treasurer

Activities for Month:

1. First-half Real Estate tax bills due June 5, 2017 - collections going well.
2. External auditors in the office for two weeks during June
3. Will be sending delinquent Real Estate letters after the bulk of mail is received and processed for the June 5th deadline.
4. Debt Set-off collections continue - \$16,263.92 associated with 112 filings.

Mr. Bolster then reviewed the Expenditures versus Revenues Chart and the County's Appropriation Resolution.

Supervisor Campbell moved to adopt the 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, Higgins, Hinty  
 NAYES: None  
 ABSENT: None  
 ABSTAIN: 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, JUNE 12, 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

**GENERAL FUND:**

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:

4-11-22010-5504 Travel.....	\$1,190.00
4-11-22010-5504 Continuing Education.....	\$1,190.00
4-11-31021-1125 Overtime.....	\$2,715.00

4-11-31021-1127	Salaries-Deputies.....	\$55,000.00
4-11-31021-2001	FICA.....	\$4,500.00
4-11-31021-2002	Retirement.....	\$6,707.00
4-11-31021-2005	Hospitalization.....	\$12,261.00
4-11-31021-2006	Group Life Insurance.....	\$271.00
4-11-31022-1125	Overtime.....	\$5,475.00
4-11-31022-2001	FICA.....	\$425.00
4-11-31020-5411	Ammunition.....	\$2,338.00
4-11-31020-7005	Police Equipment.....	\$1,588.00
4-11-32060-3911	Comp Board Xfer to Lex-Dispatchers.....	\$2,285.00
4-11-83010-1123	Full-time Wages.....	\$5,477.00
4-11-83010-2001	FICA.....	\$287.00
4-11-83010-2002	Retirement.....	\$708.00

**Total General Fund Appropriations** **\$102,417.00**

**CONSTRUCTION PROJECTS FUND:**

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 PROJECTS FUND** and expended as follows:

4-372-94441-8001-002	Parking/Storage Shed.....	\$5,079.00
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**Total Construction Projects Fund Appropriations** **\$5,079.00**

**CAPITAL PURCHASES FUND:**

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 **CAPITAL PURCHASES FUND** and expended as follows:

4-376-95441-8001-001	Air Compressor.....	\$8,414.00
4-376-95441-8001-002	Hauling Trailer.....	\$5,602.00
4-376-95441-8001-003	Towable Man-Lift.....	\$13,000.00

**Total Capital Purchases Fund Appropriations** **\$27,016.00**

**Current County**

11 - General Fund	\$867,037.39
94 - Central Stores	\$8,727.16
372 - Construction Project Fund	\$170,360.68
376 - Capital Purchases Fund	<u>\$18,601.88</u>
<b>Total County Bills</b>	<b>\$1,064,727.11</b>

**Current Fiscal Agent**

80 - Regional Jail	\$88,851.03
241 - E-Summons Fees Fund	<u>\$18,000.00</u>
<b>Total Fiscal Agent</b>	<b>\$106,851.03</b>

**TOTAL ALL BILLS** **\$1,171,578.14**

**Convene Solid Waste Authority**

Chairman Hinty convened the Solid Waste Authority at 6:18 p.m.

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

Mr. Bolster presented the Solid Waste Authority's Appropriation Resolution and recommended approval to pay the bills.

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

AYES:	Ford, Campbell, Lewis, Higgins, Hinty
NAYES:	None
ABSENT:	None
ABSTAIN:	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, JUNE 12, 2017 AT 5:30 P. M.

On motion of Supervisor \_\_\_\_\_, with second by Supervisor \_\_\_\_\_, the Authority, by record vote, approved the payment of bills for the month as follows:

**Current SWA**  
 19 - SWA-Landfill \$101,582.67

20 - SWA-Recycling

\$21,540.00

**TOTAL SWA BILLS**

**\$123,122.67**

Chairman Hinty closed the Solid Waste Authority at 6:18 p.m. and reconvened the Board of Supervisors meeting.

### **Appeal of TCO Decision at 172 West Midland Trail**

Assistant Director of Community Development Chris Slaydon presented a PowerPoint that included the following information:

#### History to Date:

- January 11, 2017 - Staff learned of the proposed flag pole
- January 12, 2017 - In an attempt to avoid zoning and building code violations, staff drafted and hand-delivered a proactive letter to the landowners and the tenants of the building. Additionally, on the 12<sup>th</sup> County staff had follow-up conversations with the landowner, tenants, and Grayson Jennings, Representative of the Virginia Flaggers LLC.

[The letter and conversations were ignored and the pole was erected that night.]

- January 17, 2017 - Staff drafted and sent a notice of Zoning Violations letter and the Building Official sent a notice of Building Code Violation.
- January 24, 2017 - County Administrator Spencer Suter, Building Official Kenny Wilson and Assistant Director of Community

Development Chris Slaydon , met with Grayson Jennings and one of the tenants of the building.

- The purpose of the meeting was to review the current Zoning and Building Code violations.
  - Options that were discussed included: appealing the Zoning Administrator's decision to the Board of Zoning Appeals; the process to bring the site into compliance; and what would happen if no action was taken.
  - No appeal was made to the BZA
  - Zoning Violation letter allowed for 45 days (March 6, 2017) to remove the structure.
- March 6, 2017 - The Virginia Flaggers posted a statement on their blog that was titled "Lexington 60 West Memorial Battle Flag Update - "The Flag is not Coming Down""
  - March 7, 2017 - Staffed filed a Summons for Civil Penalty in the General District Court for the zoning violations.
  - March 10, 2017 - Mr. Jennings informed staff that the pole would be removed.
  - March 13, 2017 - the pole was taken down by the Virginia Flaggers, LLC

Mr. Slaydon stated that the zoning violation is now closed and that the application that was made showed the proposed location approximately 35' north of the original location.

April 5, 2017 TCO meeting:

- Tourism Corridor Overlay board reviewed the proposed location for the 85' tall flag pole and 600 square foot flag.
- Mr. Barry Isenhour was in attendance at the TCO meeting to represent the Virginia Flaggers LLC.

After careful consideration and discussion, the TCO Board unanimously approved "a motion to deny the application, with a finding that the proportionality of the proposed structure and size of the proposed flag is not harmonious and is inconsistent with other commercial development in the area and other areas within the TCO District, and further finding that said proportionality is neither consistent nor compatible with the purpose and intent of the Design and Construction Guidelines for the TCO, especially considering the location and distance from the corridor road. "

Appeal of the TCO Decision:

- April 19, 2017 - Susan Hathaway, Managing Member of the Virginia Flaggers, LLC, informed staff of the intent to appeal.
  - The appeal was placed on the May 8<sup>th</sup> Board of Supervisors agenda.
- May 5, 2017 - Mr. Grayson Jennings asked if the appeal could be postponed until June. He stated, "We have most of our people out of town next week."
- May 8, 2017 - The Board of Supervisors honored the request and postponed the appeal until June 12, 2017.

Barry Isenhour of Virginia Flaggers provided the Board with a handout from Susan Hathaway, also with Virginia Flaggers. He asked that the handout be placed in the Board's records. Mr. Isenhour advised that the Virginia Flaggers are in compliance, having paid their fines. He asked for further clarification as to the limits and requirements for having a flag and flag pole placed on the proposed property. He added that there is nothing in the books indicating what the requirements are. Mr. Isenhour stated that the Virginia Flaggers see the flag as a reminder of heritage and shared that the flag originated from Christians.

Mr. Slaydon stated that that the flag itself is not an issue but rather it is the appropriateness of the size of the flag and the proportionality and compatibility of the flag pole with other buildings within the TCO Overlay.

Supervisor Lewis shared his appreciation of his heritage as a son of the South and his appreciation for the history of the confederate flag. He also shared his agreement with the TCO, stating that they based their decision on certain criteria as set forth in the general considerations for TCO review. He stated that he felt that the TCO has done their part as to be expected of them. He agreed with the TCO's ruling.

Supervisor Ford agreed with Supervisor Lewis. He moved to uphold the TCO's decision, upon a finding that "the proportionality of the proposed structure and size of the proposed flag is not harmonious and is inconsistent with other commercial development in the area and other areas within the TCO District, and further finding that said proportionality is neither consistent nor compatible with the purpose and intent of the TCO or the Design and Construction Guidelines for the overlay, especially

considering the location and distance from the corridor road." Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

### **Consideration of Petroleum Bids**

Mr. Bolster briefly reviewed the Agenda Item: "The County advertised an Invitation for Bids (IFB) for the FY 2018 Delivery of Petroleum Products from May 3rd through May 25th. Advertisement efforts included local print, the County website, and Virginia eProcurement Portal (eVA). Four vendors submitted bids to the County. These bids were opened and read on May 25th beginning at 2:00 p.m. in the Rockbridge County Administration Building, 2nd floor. A resolution is attached for the Board's review and consideration, as well as a copy of the bid comparison sheet. Staff is requesting the Board accept the lowest responsive and responsible bidders for each bid type, except for the Stoddard Solvent listed under bid item # 5. Staff is recommending the Board reject the Stoddard Solvent bid from ChemSearch (\$28.15/gallon) as authorized in IFB section 5.3. The FY 2017 winning bid was \$4.75/gallon; staff believes the County will garner competitive pricing for FY 2018 through the telephone quote process involving regional sources while meeting supply-level estimates for next fiscal year. In addition, staff is asking the Board adopt the attached resolution declaring the County Administrator is hereby authorized to execute the respective contract documents on behalf of the Board of Supervisors of Rockbridge County, and to take such other and further

actions as may be necessary and appropriate to accomplish these transactions, which shall be approved as to form by the County Attorney.”

Supervisor Campbell moved to approve the recommendation and adopt the resolution shown below. Supervisor Higgins provided the second, and the motion carried by unanimous roll call vote by the Board.

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

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROCKBRIDGE COUNTY, VIRGINIA, HELD AT THE ROCKBRIDGE COUNTY ADMINISTRATIVE OFFICES ON MONDAY, JUNE 12, 2017

**RESOLUTION AUTHORIZING AWARD OF FUEL BIDS TO AND EXECUTION OF THE CONTRACT DOCUMENTS WITH PETROLEUM TRADERS CORPORATION FOR THE PURCHASE OF ETHANOL-FREE, 87-OCTANE GASOLINE (FLEET SERVICES) AND OVER-THE-ROAD DIESEL (FLEET SERVICES); AND DIXIE GAS & OIL CORPORATION FOR THE PURCHASE OF ETHANOL-FREE, 87-OCTANE GASOLINE (LAKE ROBERTSON, EFFINGER CENTRAL OFFICE, AND LANDFILL); OVER-THE-ROAD DIESEL (NATURAL BRIDGE AND FAIRFIELD ELEMENTARY SCHOOLS); OFF-ROAD DIESEL (LANDFILL); BULK OIL, HYDRAULIC OIL, AUTOMATIC TRANSMISSION FLUID, AND ANTI-FREEZE (FLEET SERVICES); AND L.P. GAS (MOUNTAIN VIEW ELEMENTARY SCHOOL) FOR FISCAL YEAR 2017-18 (JULY 1, 2017 TO JUNE 30, 2018)**

WHEREAS, the County has issued Invitations to Bid for the purchase of fuels for motor vehicles, buses, equipment and facilities; and,

WHEREAS, the County has received competitive sealed bids in accordance with Chapter 43, the Virginia Public Procurement Act, of Title 2.2 of the Code of Virginia (1950, as amended) and of the Rockbridge County Public Procurement Policy; and,

WHEREAS, the lowest responsive and responsible bidders for the purchases are as follows: Petroleum Traders Corporation for the purchase of Ethanol-free, 87-Octane gasoline (County Fleet Services) and over-the-road diesel (County Fleet Services); and Dixie Gas and Oil Corporation for the purchase of Ethanol-free, 87-Octane gasoline (Lake Robertson, Effinger Central Office, and Landfill);

over-the-road diesel (Natural Bridge Elementary School and Fairfield Elementary School); off-road diesel (Landfill); bulk oil, hydraulic fluid, automatic transmission fluid, and anti-freeze (County Fleet Services); and L.P. gas (Mountain View Elementary School); and,

WHEREAS, the award of the bids to the lowest responsive and responsible bidder and approval of the contracts have been submitted to the Rockbridge County Board of Supervisors.

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

1. That Petroleum Traders Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$1.7096 for the purchase of Regular No-Lead, Ethanol-free 87-Octane Gasoline delivered to the Rockbridge County Fleet Services facility.

2. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$1.8911 for the purchase of Regular No-Lead, Ethanol-free 87-Octane Gasoline delivered to Lake Robertson.

3. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$1.8911 for the purchase of Regular No-Lead, Ethanol-free 87-Octane Gasoline delivered to the Effinger Central Office.

4. That Petroleum Traders Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$1.6169 for the purchase of over-the-road Diesel delivered to the Rockbridge County Fleet Services facility.

5. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$1.7698 for the purchase of over-the-road Diesel delivered to Natural Bridge Elementary School and Fairfield Elementary School.

6. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$1.7748 for the purchase of off-road Diesel delivered to the Rockbridge County Landfill.

7. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid price of \$4.81 for the purchase of 5W-20 oil; \$4.81 for the purchase of 5W-30 oil; \$4.81 for the purchase of 10W-30 oil; \$5.67 for the purchase of 15W-40 oil; \$4.00 for the purchase of AW-30 hydraulic oil; and \$4.89 for the purchase of automatic transmission fluid; and \$9.15 for the purchase of anti-freeze delivered to the Rockbridge County Fleet Services facility.

8. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid price of \$0.9669 for the purchase of L.P. gas delivered to Mountain View Elementary School.

9. That Dixie Gas and Oil Corporation be and hereby is awarded the contract based on their bid (rack, transportation, profit) price of \$1.8911 for the purchase of Regular No-Lead, Ethanol-free 87-Octane Gasoline delivered to the Rockbridge County Landfill.

10. That the delivery of these competitively procured products shall be for fiscal year 2017-18 (July 1, 2017 to June 30, 2018).

11. That upon receipt of the completed Contract Documents from each of the lowest responsive and responsible bidders specified herein, and compliance with all remaining requirements therefor, the County Administrator is hereby authorized to execute the respective contract documents on behalf of the Board of Supervisors of Rockbridge County, and to take such other and further actions as may be necessary and appropriate to accomplish these transactions, which shall be approved as to form by the County Attorney.

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

Adopted this 12th day of June, 2017.

### **Consideration of Board of Supervisors Salaries**

County Attorney Vickie Huffman briefly reviewed the Agenda Item:  
"Between May 1<sup>st</sup> and June 30<sup>th</sup> of each year, the Board of Supervisors is required to establish the annual salary of its members for the ensuing year, following notice and public hearing. For your reference, copies of

the applicable statutes are attached - Va. Code § §15.2-1414.1, 15.2-1414.2, and 15.2-1414.3. Section 15.2-1414.3 is now designated as an alternative procedure for establishing salaries, but was historically the only provision for establishing board member salaries. This statute provides the maximum annual salaries for Board members based upon population brackets, but may be adjusted annually by an inflation factor not to exceed 5%. The maximum for Rockbridge County is \$5,500 per year; the Chairman may receive up to an additional \$1,800 per year, and the Vice-Chairman may receive up to an additional \$1,200 per year. Section 15.2-1414.2 contains provisions for setting the maximum compensation for board members, which may exceed the traditional maximums if the specified procedure is followed. The maximum annual compensation must be set prior to July 1<sup>st</sup> in any year in which at least two (40%) of the members of the Board are to be elected, and such decision shall be effective as of the following January 1<sup>st</sup>. An additional amount for the Chairman and/or Vice-Chairman is permissible. There is no inflation factor provided for in this option, but you will notice that the County may provide for reimbursement of certain actual expenses, directly attributable to the proper performance of official duties, in addition to salary. This option is available this year. Board salaries are currently set at \$5,500 per year, the maximum permissible under Va. Code §15.2-1414.3. No inflation factor has previously been approved. In some jurisdictions, the increase for the Board is set at the same percentage as for employees. However, in Rockbridge County, the Board of Supervisors has not had a salary increase since January 1, 1996. The Board must also establish the additional annual salary of the Chairman and the Vice-Chairman, currently set at \$1,800 for

the Chairman and \$23 per week for the Vice-Chairman to serve during an extended absence of the Chairman, up to a maximum of \$1,200 per year. A draft Ordinance is attached for the Board's consideration. This draft is the same as the 2016 Ordinance, but can be revised if the Board determines to add an inflation factor to the salaries, increase the maximum compensation for board members, reinstate the Vice-Chairman's annual salary, or otherwise make adjustments. Staff requests direction from the Board as to any changes required to the proposed Ordinance. If acceptable, or as amended, the Board will need to schedule this matter for public hearing at the June 26<sup>th</sup> meeting."

Supervisor Ford moved to authorize advertisement for a public hearing.

Supervisor Campbell commented on a topic that had arisen more than once among Board Members. He shared that some of the members cannot use the County's health insurance benefit, as they are covered by their employers' insurance or by a previous employer. He added that this seemed unfair to some and asked if there were a way to make it fair for those who do not utilize the County's health insurance benefit. After discussion, Mr. Suter noted that such an increase would amount to about \$7,200 of additional payment to each Board member not covered by the County. Supervisor Campbell then noted that this amount was more than he expected. After additional discussion, the Board agreed to bring this matter back to the table in two (2) years for consideration.

The motion on the table, provided by Supervisor Ford, was to authorize advertisement for a public hearing with no changes this year.

Supervisor Campbell provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**Consideration of Fire and First Aid Cost Sharing Agreement Extension with Lexington**

Mr. Suter briefly reviewed the Agenda Item: "As you may recall, the current term of the attached Fire and First Aid Cost Sharing Agreement between the County and City of Lexington is set to expire on June 30. Via discussions with Board members and the City Manager, we have tentatively agreed to extend the existing term for one more year. The attached agreement, drafted by County Attorney Vickie Huffman, would provide for such an extension, and would allow for Fire and EMS staff to develop recommendations for long term provision of Fire and EMS services, with a goal of finalizing an extension in the April/May, 2018 timeframe."

Supervisor Lewis shared it was unfortunate that this had not been taken care of sooner; however, he understood there were reasons as to why it hadn't. He asked the Board to move quickly as there could be cost savings once completed.

Supervisor Ford added that any increase in coverage from the Glasgow and Fairfield stations should reduce the number of calls Lexington makes to the County, making the agreement a self-regulating cost saver.

Mr. Suter agreed and added that he, too, wished they had an agreement in place by now; however, neither locality had the time to work on it as other projects, such as the new Solid Waste Agreement, were taking precedence with staff from both localities. He added that they are dedicated in getting the agreement completed next year.

Supervisor Lewis moved to authorize execution of the agreement extension. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**Consideration of Tax Exemption Ordinance for Public Safety Workers Spouses**

Ms. Huffman briefly reviewed the Agenda Item: "In the November, 2016 general election, Virginia voters approved a constitutional amendment to allow the General Assembly to provide for a local option to exempt from taxation the principal place of residence of the surviving spouse of any law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel who was killed in the line of duty (including those who were killed prior to the effective date of the amendment). On February 24, 2017, House Bill 1884 was approved through enactment of Virginia Code §§58.1-3219.13 through 58.1-3219.16 to allow local governments to authorize the exemption for tax years beginning January 1, 2017. Local adoption of the exemption will require a County Code amendment through adoption of an Ordinance, following public notice and hearing. The proposed Ordinance is attached for the Board's

consideration. If acceptable to the Board following discussion, the Board will need to schedule this matter for public hearing at the June 26<sup>th</sup> meeting, for an effective date of July 1, 2017. If authorized, public notice would be published June 14, 2017, and June 21, 2017.”

Supervisor Campbell shared his support, stating that it is a very important benefit for people who lose their spouses. Supervisors Higgins and Hinty agreed.

Supervisor Campbell moved to authorize advertisement for a public hearing. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

#### **Governmental Relations RFP**

Mr. Suter briefly reviewed the Agenda Item: “This spring, the Board requested that staff research the potential to retain limited services of a federal governmental relations consultant to assist in identifying and securing federal grants. While such a relationship could offer a wide range of services, the Board was specifically interested in assistance in developing infrastructure to support our interstate exchanges. Such infrastructure could include road improvements and utilities, in support of the County’s Comprehensive Plan. The Board’s goal is to assess potential costs and opportunities which could result from proposals. Attached is a draft request for proposals (RFP) for Board consideration. Should the Board opt to continue with this process, proposals would be

solicited and reviewed by Supervisor Lewis (as Board Economic Development liaison), Director of Community Development Sam Crickenberger, and County Administrator Spencer Suter. Upon review, this team would report findings and recommendations back to the full Board for consideration. No funds would be expended without affirmative Board direction. If the Board is in agreement, staff recommends that they approve issuance of the attached RFP and direct the Economic Development Team to return with a ranking recommendation in August."

Supervisor Lewis shared that this is part of the Economic Development Committee's efforts to be bolder, emphasizing interstate interchanges, and if successful, this would give some assistance in achieving those goals.

Supervisor Ford concurred.

Supervisor Lewis moved to authorize the County Administrator to issue the RFP. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

#### **Items to be added to the Agenda**

##### **Employee Appreciation Luncheon**

The Board invited the media to the annual Employee Appreciation Luncheon to be held on Friday, June 23<sup>rd</sup> at the new 911 Center.

## **Jordan's Point Dam Update**

Supervisor Ford observed that, according to what Mr. Hall had stated during citizens' comments, DGIF wanted to remove the dam to give fish a chance to swim all the way up the Maury and it seems they are unaware there is another dam in Buena Vista.

Chairman Hinty advised that there is also another dam  $\frac{3}{4}$  mile up from the Jordan's Point dam. It was noted that this does not bar fish passage.

Supervisor Ford continued, stating that there is a state agency promoting an activity that will not achieve its desired goal given the existence of the other dam. He added that he is unsure as to why the City of Lexington was moving so quickly on this, but felt it was because any time they can limit their liability, they will do it. He advised that the Board had presented a list of questions to City Council - including data on potential impacts to Furrs Mill Road between the pole houses and the Mill itself. He advised that to date, no real data had been received from Lexington. Supervisor Ford advised that there is a petition circulating and thus far 618 signatures have been received - many from County residents. He noted that he was not looking for any particular action at this time; however, he felt that the Board deserved more data from either DGIF or the City of Lexington.

Supervisor Campbell added that last Thursday, the President was talking about infrastructure needs in the Country regarding interstates, bridges, and dams. He advised that he had contacted Representative Goodlatte's office to confirm what he had heard, and he asked that they provide him with proposed legislation that might be passed in the near

future. He stated that there could be other avenues for funding upgrades to the dam available that are not being considered at this time.

Supervisor Higgins commended Mr. Hall for bringing information to the Board's attention. He stated that, from a safety point of view, some of the facts are not adding up - one being that the water hole in the part of the dam where the resident drowned would not be addressed.

Supervisor Campbell added that, during the presentation by DGIF, their reasoning for removing the dam was to allow fish to come through from the Chesapeake Bay.

Chairman Hinty asked Michael Stearns of Kerrs Creek District, who helped create the petition being circulated, to keep the Board apprised.

Mr. Suter advised that he had spoken with Susan Hammond of VDOT earlier in the day about the area on Furr's Mill Road in question. He shared that Ms. Hammond had communicated with City staff noting that the area in question would be assessed if the water level is reduced - adding that the soil could become less stable. He added that Ms. Hammond suggested that, if the dam is removed, it should be done in stages so that the water level does not quickly recede. Mr. Suter advised that the guardrail currently in place is older, and that there is no plan to replace it unless it is damaged or other issues arise. He added that City Council is slated to make a decision on the dam Thursday evening.

Supervisor Ford advised that, according to Mr. Hall's source with DGIF, there is no money in DGIF's budget to remove the dam. He added that DGIF would be assisting in helping the City to find grant funds for the

removal; therefore, the City's decision on Thursday would allow DGIF to bill the City for consulting costs.

## **Appointments**

### **Library Board- Doug Horan- Term Expires 6/30/2017**

Supervisor Ford nominated Mr. Horan to the Library Board for his last term. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

### **IDA- Keith Swisher and Francis Irvine- Terms Expire 6/30/2017**

Supervisor Lewis asked to postpone these appointments to do research on the status of the IDA. The Board agreed. These appointments were added to the Board's June 26<sup>th</sup> Agenda.

### **RARO Board- Scott Rogers- Term Expires 6/30/2017**

Supervisor Higgins nominated Mr. Rogers for reappointment to the RARO Board. Supervisor Ford provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**RARO Board- Chris Cartwright- Term Expires 6/30/2017**

Supervisor Ford nominated Mr. Cartwright for reappointment to the RARO Board. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**RARO Board- Paige Owens- Term Expires 6/30/2017**

Supervisor Higgins nominated Rebecca Raynal to the RARO Board. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**Rockbridge Regional Communications Center Management Board (911 Board) - Michael Sandridge- Term Expires 6/30/2017**

Supervisor Lewis advised that he felt the Board had an obligation to appoint a member of a fire or EMS department to represent on the 911 Board. He then nominated P.J. Sibold, Kerrs Creek chief, for appointment to the 911 Board. Supervisor Ford provided the second, and the motion carried by the following roll call vote:

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

**Rockbridge Regional Communications Center Management Board (911 Board) - Alternate - Robert Hickman- Term Expires 6/30/2017**

Supervisor Lewis nominated Robert Hickman for reappointment as alternate to the 911 Board. Supervisor Higgins provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**TCO- Jason Harris- Term Expires 7/8/2017**

Supervisor Campbell nominated Mr. Harris for reappointment to the TCO. Supervisor Higgins provided the second, and the motion carried by unanimous roll call vote by the Board.

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

**Planning Commission- Jim McCown- Term Expires 7/13/2017**

Supervisor Ford nominated Tim Hickman for appointment to the Planning Commission. Supervisor Lewis provided the second, and the motion carried by unanimous roll call vote by the Board.

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

### **CPMT Appointment**

Mr. Suter advised that, currently, Supervisor Ford serves on the CPMT as the Board's representative. He stated that the position of parent representative is currently vacant and advised that the CPMT had recommended Mr. Ford for that position which, if approved by the Board and Cities of Lexington and Buena Vista, would create a vacancy in the position he currently fills on the CPMT. He added that County Human Resources Manager Heidi Hoke would be a good choice and is willing to serve.

Supervisor Campbell moved that Supervisor Ford be appointed as the parent representative and that Heidi Hoke be appointed as the Board's representative. Supervisor Lewis provided the second, and the motion carried by the following roll call vote:

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

### **Staff Reports**

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

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

## Adjourn

On a motion by Supervisor Higgins, seconded by Supervisor Lewis, and approved by unanimous roll call vote by the Board, the meeting was adjourned at 7:33 p.m.

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