

COUNTY OF BATH, VIRGINIA
BOARD OF SUPERVISORS MEETING
BATH COUNTY COURTHOUSE, Room 115

Tuesday, August 11, 2015 7:00 p.m. Regular Meeting

At the Regular Meeting of the Board of Supervisors of Bath County, Virginia, Claire A. Collins, Chairperson; Clifford A. Gilchrest, Vice Chairman; Bruce McWilliams; Henry "Kevin" Fry; Phillip "Bart" Perdue; Lady and Gentlemen Supervisors; Michael M. Collins, County Attorney; and Ashton N. Harrison, County Administrator.

Claire A. Collins, Chair called the meeting to order and led the Pledge of Allegiance. Supervisor Perdue offered the invocation.

Chairperson Collins asked the Board if they wished to approve or amend the agenda and the minutes from the July 14, 2015, Board of Supervisors meeting.

Supervisor Perdue moved to approve the agenda as submitted with the following changes; additional list of invoices, additional transfer request, and a request from the Sheriff to surplus a 2005 Chevrolet Tahoe. Supervisor McWilliams seconded the motion which was adopted 5-0.

Supervisor Gilchrest made the motion to approve the minutes from the July 14, 2015, Board of Supervisors meeting as submitted. Supervisor Fry seconded the motion which was adopted 5-0.

Public Comment

Mr. Jay Trinca, Warm Springs District, said all businesses within the County should have a voice to insure they are getting their fair share of tourism dollars. Mr. Trinca expressed concerns about the stakeholders group formed to develop the Tourism Marketing Strategic Plan. Mr. Trinca offered the following suggestions for changes to the Tourism Marketing Strategic Plan. Change page 2 to include Claudia Trinca as a stakeholder. Add antiquing to page 9 as a potential niche/trendy asset as most of the counties antique shops are located in historic sites of interest. Add antique lovers to page 10 as they are a target customer to 5 retail establishments in the county. Delete additional downtown development from page 16 and change to read countywide development. Mr. Trinca said the plan should not show favoritism in any specific location. Mr. Trinca added this is not fair to other tax payers; let the free market zone work. Mr. Trinca suggested the Tourism Marketing Strategic Plan should have been approved by a public hearing.

Mr. Carl Chestnut, Cedar Creek District, said there seemed to be some concern about signs on his truck.

Ms. Julie Goyette, Rockbridge Regional Library Director, addressed the Board and provided FY 2015 statistics for the library system. Ms. Goyette said the Rockbridge Regional Library system serves a population of 40,000 people. Circulation for FY 2015 was 280,000 a 5 % increase, patron count increased 4% to 230,000.

Mr. Wally Robertson, Cedar Creek District, asked for a status regarding the transfer station building. Mr. Robertson said the County continues to use consultants and firms to study the pad and wondered why the County can't handle the bidding themselves.

Mr. Danny Cardwell, Cedar Creek District, said he is looking forward to the results of the recent economic development study. Mr. Cardwell expressed concerns regarding declining school populations and cautioned citizens that we cannot continue to rely on our largest employer to do everything.

Board Member Comment

Supervisor Gilchrest announced the upcoming truck and tractor pull to be held at the Millboro Industrial Park on August 22nd. Supervisor Gilchrest agreed with Mr. Cardwell's concerns but said he understood there was a waiting list for the preschool program in Millboro.

Chairperson Collins announced upcoming events Relay for Life, Farmer's Market, and opening day for schools. Chair Collins said new school zone signs were in place at Bath County High School. Chair Collins said the Board would not hold a public hearing to amend the transportation section of the comp plan as previously discussed because VDOT had informed the County a resolution would be sufficient. The Cedar Creek District meeting will be held at Hot Springs Fire Department, Monday, August 17th.

Agreement between County and Jackson River Enterprises (JRE) for Glass Recycling

County Administrator Harrison said he reached out to Todd Anderson, CEO, JRE, to explore the possibility of entering into a relationship for glass recycling for two reasons. Citizens are asking for glass recycling and the County's recycling rate is considerably lower than DEQ's mandatory rate of 15%.

County Administrator Harrison introduced Todd Anderson who gave the Board an overview of services provided by JRE. Mr. Anderson said recycling is JRE's core business, other services provided are handmade baskets, shredding services, mowing, and digitizing documents.

County Administrator Harrison said Republic Services would rent containers to the County at \$100 per month and \$257 per haul for transportation to JRE. Businesses that request a container be placed on site would pay the same rate. The cost for recycling is \$100 per ton for clear and brown glass. Green glass and other colors would not be recycled at this time.

Supervisor McWilliams asked how the County would work to educate the community.

County Administrator Harrison replied the County receives a recycling grant each year that could be used for advertising and outreach.

Supervisor Gilchrest asked what other localities in the area use JRE for glass recycling and where would Bath locate glass recycling containers.

Mr. Anderson replied Alleghany County, Covington, Clifton Forge, and Iron Gate use JRE for glass and other recycling.

County Administrator Harrison said initially glass recycling containers would be located at Valley Elementary, Warm Springs, and Millboro Springs recycling/waste collection sites.

Supervisor Gilchrest made the motion to approve the agreement between the County and JRE for glass recycling services. Supervisor McWilliams seconded the motion which was adopted 5-0.

Resolution 2015-2, Designated Growth Areas for State and Federal Transportation Requirements

Mrs. Sherry Ryder, County Planner and Zoning Administrator, said the proposed resolution addresses VDOT and HB2 requirements for continued funding. Mrs. Ryder said the area is mainly along US Route 220, a corridor of statewide significance. The resolution references county code section 15.2-2223.1 and references the comprehensive plan to include urban areas, however, the County does not have urban areas but includes designated growth areas which is based on the same planning principals of urban development.

Supervisor McWilliams made the motion to adopt the following resolution. Supervisor Gilchrest seconded the motion which was adopted 5-0.

RESOLUTION 2015-2

A Resolution of the Board of Supervisors of the County of Bath, Commonwealth of Virginia, Finding that Designated Growth Corridors in the Bath County Comprehensive Plan are Consistent with the Intent of the Virginia Code: §15.2-2223.1 Comprehensive Plan to include urban development areas, and Hereby Notifies the Commonwealth Transportation Board that Its Local Plans meet the Requirements of HB 2

- Whereas**, Governor Terry McAuliffe signed HB2 into law in 2014; and
- Whereas**, HB2 directed the Commonwealth Transportation Board to develop and use a scoring process for projects based on safety, economic development, congestion, accessibility, land use, and environment beginning in 2016; and
- Whereas**, projects fall into three categories: Corridors of Statewide Significance, Regional Networks, and Urban Development Areas; and
- Whereas**, Highway 220 is a Corridor of Statewide Significance; and
- Whereas**, highways 39 and 42 are also of important significance to the traveling public; and
- Whereas**, like other rural counties, Bath County does not have Urban Development Areas; and
- Whereas**, in the absence of having Urban Development Areas, the Commonwealth Transportation Board still requires rural localities to have locally adopted plans and policies that encourage and manage growth in specific areas as a condition of receiving funds and local projects being ranked accordingly with other jurisdictions; and
- Whereas**, a Designated Growth Corridor is based on the same planning principals of Urban Development Areas, but are more appropriate for rural localities; and
- Whereas**, Bath County, primarily through its most recent, approved Comprehensive Plan, adopted December 9, 2014, has Locally Designated Growth Corridors that directly impacts - and is impacted by Highway 220, a Corridor of Statewide Significance, and Highways 39 and 42; and

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Now Therefore, Be It Resolved That, the Board of Supervisors of the County of Bath Finds That

- I. Designated growth areas in the Bath County Comprehensive, duly adopted on December 9, 2014, and described below, are consistent with the intent of the Commonwealth of Virginia Code § 15.2-2223.1 Comprehensive Plan to include urban development areas.
(<https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+15.2-2223.1>); and
- II. Designated growth areas are inclusive of conservation easements; and
- III. Does hereby submit to the Commonwealth Transportation Board the list of Designated Growth Areas in Bath County, along with supporting documentation via link to Bath County's official website, and maps hereto attached to this Resolution:

Locally Designated Growth Area 1: ROUTE 220 CORRIDOR

The Route 220 Corridor is the most heavily traveled highway in Bath County. Tourists travel this route to view scenic attractions such as the Warm Springs Pools, the historic Bath County Courthouse, and enjoy staying at the world-famous Homestead Resort. With the communities of Warm Springs, Mitchelltown, Hot Springs, Ashwood, Healing Springs, and Carlover situated along Route 220, growth is occurring. This corridor has long been home to many Bath County residents and businesses. It will continue to thrive for years to come. This area has public water and public sewer.

Zoning: A-1, A-2, R-1, R-2, R-3, R-5, B-1, B-2, M-1

Source: [http://www.bathcountyyva.org/assets/Bath County Comp Plan 2014-2019 ADOPTED 1.pdf](http://www.bathcountyyva.org/assets/Bath%20County%20Comp%20Plan%202014-2019%20ADOPTED%201.pdf) page 11-9

Locally Designated Growth Area 2: ROUTE 39 CORRIDOR

The Route 39 Corridor, west of Warm Springs, including the community of West Warm Springs is both growth area and a tourism corridor. The area follows Route 39 almost to the intersection of Route 687 (Jackson River Turnpike). This portion of Route 39 is frequently traveled by tourists, as it serves as a route to Lake Moomaw and the Back Creek Recreation area near Mountain Grove. The County has utilized grant funding to successfully revitalize low-income housing and install public water and sewer to homes in the West Warm Springs community. This area has public water and public sewer.

Zoning: A-1, A-2, B-1, B-2, R-1, R-3, M-1

Source: [http://www.bathcountyyva.org/assets/Bath County Comp Plan 2014-2019 ADOPTED 1.pdf](http://www.bathcountyyva.org/assets/Bath%20County%20Comp%20Plan%202014-2019%20ADOPTED%201.pdf) page 11-9

Locally Designated Growth Area 3: COMMUNITY OF BACOVA

The community of Bacova is located primarily along Route 687. The area is primarily zoned Residential with the exception of the former Guild building and the refurbished Bacova Gallery located in the old church. Residents of Bacova benefited from improved sewer services provided by the Bath County Service Authority. This area has public water and public sewer.

Zoning: A-1, A-2, R-1, R-2, R-3, R-5, B-1, M-1

Source: [http://www.bathcountyyva.org/assets/Bath County Comp Plan 2014-2019 ADOPTED 1.pdf](http://www.bathcountyyva.org/assets/Bath%20County%20Comp%20Plan%202014-2019%20ADOPTED%201.pdf) page 11-9

Locally Designated Growth Area 4: ROUTE 687

Further down Route 687, south of the former Lower Cascades Golf Course and north of Cedar Creek Mobile Home Park, lies the smallest growth area in the County. The property between the two above mentioned points has few topographical constraints which allows for proper wastewater system installation and excellent home sites. A new wastewater treatment plant was completed in 2007 for the trailer park and may be expanded to support future home sites. This area has public water and public sewer.

Zoning: A-1, A-2, R-3, R-4, R-5, B-2

Source: [http://www.bathcountyyva.org/assets/Bath County Comp Plan 2014-2019 ADOPTED 1.pdf](http://www.bathcountyyva.org/assets/Bath%20County%20Comp%20Plan%202014-2019%20ADOPTED%201.pdf) page 11-9

Locally Designated Growth Area 5: MILLBORO SPRINGS AND MILLBORO

Heading eastward on Route 39 are the Millboro Springs and Millboro growth areas. These areas, situated along Route 39 and 42, as well as Routes 633, 635, and a portion of 678, could serve more local needs for housing and employment. Millboro is home to the Bath County Industrial Park. Only some of this area has public water and public sewer.

Zoning: B-1, B-2, A-2, F-1, R-1

Source: [http://www.bathcountyyva.org/assets/Bath County Comp Plan 2014-2019 ADOPTED 1.pdf](http://www.bathcountyyva.org/assets/Bath%20County%20Comp%20Plan%202014-2019%20ADOPTED%201.pdf) page 11-9

Locally Designated Growth Area 6: FUTURE VILLAGE NODES - RURAL CENTERS

The County may also consider allowing the creation of Village Nodes or Rural Centers in areas such as Mountain Grove, Burnsville, Williamsville, and other communities to curb sprawl and promote connectivity and rural amenities. These areas do not have public water or public sewer.

Zoning: A-1, A-2, FH-1

Source: [http://www.bathcountyyva.org/assets/Bath County Comp Plan 2014-2019 ADOPTED 1.pdf](http://www.bathcountyyva.org/assets/Bath%20County%20Comp%20Plan%202014-2019%20ADOPTED%201.pdf) page 11-9

Bath County has also included in its Comprehensive plan the following, which addresses the principals of Traditional Neighborhood Design:

- **Smart Growth Principles**

Source: [http://www.bathcountyyva.org/assets/Bath County Comp Plan 2014-2019 ADOPTED 1.pdf](http://www.bathcountyyva.org/assets/Bath%20County%20Comp%20Plan%202014-2019%20ADOPTED%201.pdf) (appendix B, page B-1)

- Goal#4 of Land Use encourages "Village Type" growth models for business and residential areas.

Source: [http://www.bathcountyyva.org/assets/Bath County Comp Plan 2014-2019 ADOPTED 1.pdf](http://www.bathcountyyva.org/assets/Bath%20County%20Comp%20Plan%202014-2019%20ADOPTED%201.pdf) page 11-25

- Goal#6 of Transportation (page 7-23) states new development should encourage creativity, a mix of uses, and connectivity through a variety of transportation means included roads, bicycle routes and pedestrian trails.

Source: [http://www.bathcountyyva.org/assets/Bath County Comp Plan 2014-2019 ADOPTED 1.pdf](http://www.bathcountyyva.org/assets/Bath%20County%20Comp%20Plan%202014-2019%20ADOPTED%201.pdf) page 7-23

Tourism Marketing Strategic Plan

Maggie Anderson, Tourism and Economic Development Director, presented the Tourism Development Plan/Building Our Economy to the Board. Mrs. Anderson said the plan was developed by Randall Rose, Virginia Tourism Corporation, and a group of 16 stakeholders. Mrs. Anderson said in 2010 the County adopted its first Tourism plan developed by Dr. Dave Nutter, Virginia Tech. Mrs. Anderson asked the Board to consider the revised plan.

Supervisor McWilliams made the motion to adopt the Tourism Marketing Strategic Plan as presented by Maggie Anderson, Tourism and Economic Development Director. Supervisor Perdue seconded the motion which was adopted 5-0.

Supervisor Gilchrest said he was impressed by the Tourism Marketing Plan and commended all involved with its development.

Chair Collins concurred and suggested a special letter of thanks be mailed to the stakeholder group.

CHA Agreement for Contract Management of Transfer Station Pad Design

County Administrator Harrison said the County had previously entered into an agreement with Draper Aden Associates, for engineering recommendations for the retaining wall and transfer station building floor. Mr. Harrison said this agreement with CHA is different as it involves an engineered pad design that would make it easier for households and small contractors to drop off debris without having to unload by hand. Mr. Harrison said the agreement also includes drainage issues and replacing a culvert.

Supervisor McWilliams made the motion to enter into an agreement with CHA for convenience center/transfer station property improvements, bidding and construction oversight. Supervisor Gilchrest seconded the motion which was adopted 5-0.

Swimming Pool Fees for 2016 Season

County Administrator Harrison said the County recovers about \$6,000 per season in revenues for pool admission and food sales. Mr. Harrison said it costs approximately \$42,000 per season to operate the two pools. Mr. Harrison said increasing fees would most likely discourage attendance. Mr. Harrison said the facilities have been improved over the last several years and waiving the fees might encourage the public to utilize them more.

Supervisor Fry made the motion to waive admission fees for the Valley and Millboro Pools beginning with the 2016 season. Supervisor Perdue seconded the motion which was adopted 5-0.

Rockbridge Area Community Services Annual Performance Contract

County Administrator Harrison said the Code of Virginia requires localities to approve their community services board's annual performance contract with the Virginia Department of Behavioral Health and Developmental Services by September 30, of each year.

Supervisor McWilliams made the motion to accept the Rockbridge Area Community Service Board's annual performance contract as presented. Supervisor Gilchrest seconded the motion which was adopted 5-0.

Ordinance Codifying Staggered Terms of the Bath County Board of Supervisors and Bath County School Board

County Administrator Harrison said the Board adopted staggered terms for the Board of Supervisors and School Board at its meeting in November 2014, after a duly advertised public hearing. Codifying Bath County Code Section 9-1 and 9-2 is a procedural issue that needs to be taken care of before the upcoming elections.

Supervisor Fry made the motion to codify Bath County Code Section 9-1 and 9-2 implementing staggered terms for Bath County Board of Supervisors and School Board. Supervisor Gilchrest seconded the motion which was adopted 3-2, with Supervisor Perdue and Chair Collins casting the dissenting votes.

Revised Personnel Policies Manual and Employee Performance Management and Evaluation System

County Administrator Harrison said there had been no changes to the employee performance management system since it was presented to the Board at a work session. He said after meeting with Constitutional Officers and Department Heads there were minor changes to the personnel policies manual that included better defining the work week as 40 hours, employees are required to take one week of consecutive vacation but it can be scheduled to include holidays, and sick leave can be used to care for family members.

Supervisor McWilliams made the motion to adopt the revised Personnel Policies Manual and Employee Performance Management and Evaluation System as developed for the County by Springsted with an effective date of September 1, 2015. Supervisor Gilchrest seconded the motion which was adopted 5-0.

MOU between the County and Central Shenandoah Planning District Commission (CSPDC) for Telecommunications Broadband Planning Services

County Administrator Harrison said he presented this to the Board last month but asked for a delay to look over the budget and try to find somewhere to take the funds. Mr. Harrison said the cost would be \$18,000 and he could take \$9,000 from ARC funds and the remaining \$9,000 from contingencies or the County Administration budget.

Supervisor Gilchrest made the motion to enter into the MOU with CSPDC for Telecommunications Broadband Planning Services. Supervisor McWilliams seconded the motion which was adopted 5-0.

Appointments to Boards and Commissions

Supervisor Gilchrest made the motion to reappoint Mr. John C. Singleton and Dr. James Redington to the Bath County Airport Authority for a three year term ending August 1, 2018. Supervisor Perdue seconded the motion which was adopted 4 in favor, 0 against, with Supervisor Fry abstaining, because he is a member of the Airport Authority.

Consent Agenda

Supervisor Gilchrest made the motion to approve the payment of invoices, additional invoices, requests for transfers and appropriations, and to accept correspondence and monthly reports as submitted. Supervisor Fry seconded the motion which was adopted 5-0.

Additional Items

Supervisor McWilliams made a motion to surplus a 2005 Chevrolet Tahoe from the Sheriff's fleet to be sold at public auction as part of the Drug Task Force advertised sale. Supervisor Perdue seconded the motion which was adopted 5-0.

Public Comment

Mr. Jay Trinca, Warm Springs District, said the references to antiquing are important and he hoped his suggestions would be implemented in the Tourism Plan. Mr. Trinca urged the Board to remove references to downtown development from the Tourism Plan. He said it would hurt other businesses. Mr. Trinca said the village of Hot Springs is very quaint and the property owners had deep pockets therefore, tax dollars should be used to preserve other assets like the Warm Springs Pools.

Mr. Carl Chestnut, Cedar Creek District, encouraged the Board to find out why so many children and teachers were leaving Bath County Schools. He said the lack of good coaches could be one issue. Mr. Chestnut spoke in favor of adding antiquing to the Tourism Plan.

Mr. Jack Lindsay, Warm Springs District, said he was not opposed to waiving pool fees but if staff continued to sell concessions and collect money the County was not solving anything. Mr. Lindsay spoke in support of career and technical class at Mertz.

Mr. Keswick Phillips, Cedar Creek District, urged the Board to have a work session with the School Board and encourage them to hire a qualified teacher and continue the auto mechanics class at Mertz. Mr. Phillips said stressed the need for classes that teach a trade.

Mrs. Sherry Ryder, Planning and Zoning Administrator, said the new school zone signs at Bath County High School would be operational by the first day of school.

Board Comments

Supervisor McWilliams said we have talked a lot about economic development and diversity, and we are all reflecting on what Mr. Cardwell said about not having enough children to support our schools. We can continue to talk about how and where to develop but are we forgetting about the basics and how we treat people who are new to the community. Mr. McWilliams said we can look at how to grow our community but we also need to look at ourselves and how we treat each other and those that are new to the County.

Supervisor Fry thanked the Planning Commission for discussions with the Board and their willingness to improve the Capital Improvement Plan process. Mr. Fry commended Hot Springs Fire Department for how well they placed in state competition.

Supervisor Perdue said he had received many calls about the atrocious school zone signs at BCHS. Mr. Perdue said the Board agenda is published in the newspaper. He urged citizens to know what is going on and think about how it will affect them and their property. Mr. Perdue said people need to pay attention and speak up before decisions are made. Mr. Perdue said he is always willing to listen and consider constituents opinions.

Supervisor Gilchrest said the meeting was very productive. Mr. Gilchrest concurred with Mr. McWilliams concept of a kinder gentler nation. Mr. Gilchrest said when the Board was elected they took on a responsibility to constituents and were expected to make leadership decisions. Mr. Gilchrest said are we willing to slow down to 25 MPH in a school zone realizing some of the most precious parts of the community are coming off that hill.

Chairperson Collins thanked the public for attending the meeting and sharing their comments. Ms. Collins said Bath has always been a community who cares for others and we can find common ground in the comments made tonight. Ms. Collins said the Board is in transition, we are not the same Board we were four years ago. She said she understands change is hard and many people want to hold onto the past but change happens fast and we can chose to be part of it.

Closed Session

Upon a motion made by Supervisor Fry, with a second from Supervisor Gilchrest, and adopted 5 in favor, 0 against, the Board went into closed meeting in the Upper Level Conference Room Pursuant to Code of Virginia of 1950 as amended section 2.2-3711.A.1 Personnel.

Supervisor Perdue made a motion, with a second from Supervisor Gilchrest which was adopted 5-0, in favor of coming out of closed meeting and returning to the regular meeting and to certify as follows:

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Bath County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Bath County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Bath County Board of Supervisors certifies that, to the best of each member's knowledge (1) Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies and (2) Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed and considered by the Bath County Board of Supervisors.

Ayes: Clifford Gilchrest, Claire Collins, Bart Perdue, Bruce McWilliams and Kevin Fry

Nays: None

Absent: None

Actions from Closed Session - There were no actions from closed session.

Supervisor Gilchrest made the motion to adjourn the meeting. Supervisor Perdue seconded the motion which was adopted 5-0.

Chairperson Collins adjourned the meeting.

Ordered that this Board do now stand adjourned until 7:00 p.m., September 8, 2015 for the regular monthly meeting of the Board of Supervisors.

Ashton N. Harrison, Clerk

APPROVED:

Claire A. Collins, Chairperson