

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

Tuesday, December 10, 2013, 7:00 p.m. Regular Meeting

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

Chairman McWilliams called the meeting to order.

The Chairman led the Pledge of Allegiance, and Mr. Perdue offered the invocation.

The Chairman opened the first public comment session.

Messrs. Wally Robertson, John Hart and Carl Chestnut of the Cedar Creek District, and Glen Lowry of the Warm Springs District, urged the Board to continue operations at the transfer station.

The Chairman closed public comment and asked for comments from Board Members.

Mr. Gilchrest said it was nice to see so many in attendance. Mr. Gilchrest thanked the fire and rescue volunteers for their service to the community.

Ms. Collins concurred with Mr. Gilchrest and expressed holiday wishes.

Mr. Fry said he appreciated all the hours that went into preparing Bath County Fire and Rescue capital plan.

Chairman McWilliams proposed moving away from the second business meeting of the month and making that meeting a town hall type format with dialog from the public. The Chairman said the Board would consider this at their January meeting.

The Chairman asked the Board if they wished to approve or amend the agenda and the minutes from the November 12, 2013 meeting of the Board of Supervisors.

Mr. Gilchrest made the motion to add an appointment to the Warm Springs Sanitation Commission under item 219-13A and to approve the agenda with the aforementioned amendment. Ms. Collins seconded the motion which was adopted 5-0.

Ms. Collins made the motion to approve the minutes of the November 12, 2013, meeting with one correction. Mr. Perdue seconded the motion which was adopted 5-0.

Chairman McWilliams introduced the next agenda item which was consideration of an Erosion and Sediment Control and Stormwater Management Plan Review Agreement for Services.

Mrs. Sherry Ryder said the agreement for professional services for erosion and sediment control and stormwater plan review if adopted will be between the County and Central Shenandoah Planning District Commission (CSPDC). Mrs. Ryder said the agreement was presented to the Board earlier for their review and consideration. Mrs. Ryder said the County is working closely with CSPDC and Highland County to develop a plan for erosion and sediment control and stormwater management that meets the new guidelines. Mrs. Ryder briefly reviewed the background, scope of services and associated fees. Mrs. Ryder said the fees are reasonable and adopting this agreement was the most feasible solution for the County. Mrs. Ryder said the draft ordinance will be presented for the Board's review in January 2014.

Ms. Collins commented that this is another example of a regulation that came down from the federal government to the state and ultimately to the County.

Ms. Collins said after thorough review of the options and working with the CSPDC and Highland County she would like to make the motion to authorize the County Administrator, Mr. Harrison, to sign the agreement with CSPDC to provide the services for stormwater management plan review that meets the requirements for the state law for stormwater management and erosion and sediment control. Mr. Perdue seconded the motion which was adopted 5-0.

Chairman McWilliams introduced the next agenda item which was a presentation of future capital improvement requests from Bath County Fire and Rescue Association.

Mr. Harrison, County Administrator, introduced Mr. Harold King, Bath County Fire and Rescue Association Chairman.

Mr. King thanked Supervisor Fry for his help in getting the Bath County Fire and Rescue Association organized and for his support as they worked to prepare the capital improvement plan. Mr. King said an initial meeting in April 2013 recognized the need for a consolidated emergency services capital improvement plan. Mr. King said currently nine first response vehicles are beyond their remove from service date and nine more will be before their scheduled removal from service date. Mr. King said a training facility and adequate training are also needed for volunteer preparedness. Mr. King presented the Board with a spreadsheet outlining the total dollars needed to maintain an adequate emergency services infrastructure for the County. Mr. King said the Bath County Fire and Rescue Association is not asking for approval tonight and they understand they will need to submit their requests through the County's CIP process. Mr. King said hopefully other funds can be obtained through grants and fund raising.

Ms. Collins asked Mr. King if he could provide the number of miles per vehicle and the number calls the equipment was used as a front line vehicle. Ms. Collins also inquired if the departments would be transferring the vehicles from the larger departments to the smaller ones in order to keep the equipment in service as long as possible.

Mr. King responded said all options would be considered to keep the equipment in service as long as it was feasible to do so.

Mr. Gilchrest commended the Bath County Fire and Rescue Association for organizing and working to put together a comprehensive plan in such a short time frame.

Chairman McWilliams asked for clarification on wording in the National Fire Protection Association document such as guidelines and compliance and questioned if these are laws with fines attached or are they industry guidelines.

Mr. King stated that the Bath County Fire and Rescue Association wanted to be in full compliance and while some of the items are guidelines becoming compliant helps with ISO rates. This program provides an objective, countrywide standard that helps fire departments in planning and budgeting for facilities, equipment, and training, and by securing lower fire insurance premiums for communities.

Ms. Collins said working with FEMA she has found that in the future funding will depend on being compliant with these programs.

Mr. Harrison, County Administrator, said he would respect the process and procedures of going through Capital Improvement Plan process with the Planning Commission.

Mr. King said he had spoken with Mr. Jeff Wilson, Warm Springs Representative on the Planning Commission and offered to repeat his presentation at one of their meetings as the Capital Improvement Plan is developed.

Chairman McWilliams introduced the next item on the agenda which was an update from the Millboro Fire Department.

Mr. Harrison, County Administrator, said the Millboro Volunteer Fire Department was involved in an unfortunate accident involving one of their new trucks. Mr. Harrison continued that the County wanted to get an update to make sure the vehicle was covered under insurance and to see if anything might arise that would affect the budget.

Mr. Jeff Grimm, Millboro Volunteer Fire, said the vehicle was fully insured and no additional County funding would be necessary. Mr. Grimm said an insurance adjustor and a representative from the manufacturer met with the department and estimated the damages at \$60,000 or more. Mr. Grimm said the department was thankful that the injuries were not more severe and all involved are expected to make a full recovery.

Chairman McWilliams introduced the next agenda item which was consideration of a six month contract extension with Republic Services for solid waste management.

Mr. Harrison, County Administrator, said the Board has been working for the past several months to obtain a request for proposals for solid waste management and in doing so the request for proposals deadline was extended pushing the time frame for negotiations with the successful

bidder back. Republic Services has offered an extension of six months with the current agreement with no changes in the current scope of services.

Mr. Fry made the motion to extend the current contract with Republic Services for solid waste management for a period of six months. Ms. Collins seconded the motion which was adopted 5-0.

Chairman McWilliams introduced the next agenda item which was discussion of uniform signage for County Properties.

Mr. Harrison, County Administrator, said Board members have been approached about signage at County locations. Mr. Harrison said he would like to gather the needed information and options to share with the Board at a future work session.

Ms. Collins said she wants to make sure the County has presentable and appropriate signs at County locations. She said she would like County Administration to bring information back to the Board for consideration.

Chairman McWilliams introduced the next agenda item which was a request suggested during the County's audit review to reverse a decision made on June 14, 2011, to set aside \$300,000 to be used in the future to fund a self insurance fund for County and Schools.

Mr. Perdue made the motion to overturn the motion made on June 14, 2011, to set aside \$300,000 to be used in the future to fund a self insurance program and remove the restricted status on the funds. Ms. Collins seconded the motion which was adopted 5-0.

Chairman McWilliams introduced the next agenda item which was a resolution of the Board of Supervisors concerning the first day introduction requirement for bills with local fiscal impacts.

Ms. Collins made the motion to adopted the following resolution as read and authorize all signatures. Mr. Fry seconded the motion which was adopted 5-0, with Messrs. McWilliams, Fry, Gilchrest and Perdue and Ms. Collins voting aye.

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTYT OF BATH,  
COMMONWEALTH OF VIRGINIA CONSERING THE FIRST DAY INTRODUCTION REQUIREMENT  
FOR THE BILLS WITH LOCAL FISCAL IMPACTS**

**WHEREAS**, many local governing bodies in Virginia have an ever-growing concern about the impact on localities of state mandates and cost shifting; and

**WHEREAS**, Section 30-19.03 of the Code of Virginia states that the Commission on Local Government shall prepare and publish a statement of fiscal impact for "any bill requiring a net additional expenditure by any county, city, or town, or ... any bill requiring a net reduction of revenues by any county, city, or town, is filed during any session of the General Assembly"; and

**WHEREAS**, numerous bills fitting this criteria have been submitted and gone through the legislative process without review for local fiscal impacts due to limited time and resources to review these bills during the General Assembly session; and

**WHEREAS**, it is also recognized that a need exists for additional time and resources to provide such information during the tight procedural confines of the current legislative process; and

**WHEREAS**, we believe it is critical that lawmakers have better and timelier information on the fiscal impact to localities when they consider bills and budget items; and

**NOW, THEREFORE, BE IT RESOLVED THAT THE BATH COUNTY BOARD OF SUPERVISORS HEREBY:**

Requests that the General Assembly support measures that require its members to file bills with local fiscal impacts as early as possible and no later than the first day of session.

Consent Agenda: Payment of Invoices, Requests for Transfers and Appropriations, Correspondence and Monthly Reports

Ms. Collins made the motion to approve the payment of invoices for December 2013, and requests for appropriations and transfers as submitted. Mr. Perdue seconded the motion which was adopted 5-0.

Chairman McWilliams introduced item 219-13A which was added to the agenda as a request from the Warm Springs Sanitation to accept the resignation of Ms. Linda Stoneham and to consider the appointment of Mr. John Loeffler with a term expiring April 15, 2016.

Mr. Perdue made the motion to accept the resignation of Ms. Linda Stoneham and to appoint Mr. John Loeffler to the Warm Springs Sanitation Commission with a term expiring April 15, 2016. Ms. Collins seconded the motion that was adopted 5-0.

The Chairman opened the floor for the final public comment session.

Mr. Keswick Phillips, Cedar Creek District, asked if there was a maximum amount that the Shenandoah Planning District Commission would charge the County to attend meetings regarding the Stormwater Management program.

Mr. Harrison said the County Staff has had a very positive relationship with the Planning District Commission and it was a concern that an engineer working in the same capacity might be more expensive.

Mr. Carl Chestnut, Cedar Creek District, said he would like to see the Board get off to a positive start in the new year without the majority of their votes being 3 in favor and 2 against. Mr. Chestnut said the Board did not assure the public that the transfer station would stay open from now on and get the needed repairs.

Mr. Harrison said in the next fiscal year he would like to recommend that the Board set up a separate fund for solid waste revenue and restrict those funds to be spent on repairs and improvements.

Mr. Chestnut said the repairs to the transfer station was more important than other projects the County was currently working on. Mr. Chestnut said instead of hiring engineers to study the repairs, just get the transfer station fixed. Mr. Chestnut said three minutes is not enough time for the public to express their opinions.

The Chairman closed public comment and asked for comments from the Board.

Mr. Fry thanked the Board for their patience and said he understood the Fire and Rescue Association shared a lot of information and appreciated their hard work.

Ms. Collins thanked everyone in attendance. Ms. Collins said citizens and businesses are asking for a public forum style meeting. Ms. Collins said she plans to continue the Cedar Creek District meetings in 2014 because an informed public is a better public.

Mr. Perdue thanked the Bath County Service Authority for their work and dedication to the community during the water line break.

Mr. Gilchrest concurred and noted a statement made by Mr. Phillips, Service Authority Director that some of the critical infrastructure in the county is older than others. Mr. Gilchrest commended the Service Authority for their attentiveness in restoring service. Mr. Gilchrest said may all of us and our loved ones have that sense of childlike joy during the holidays.

Mr. Gilchrest made the motion to adjourn the meeting. Mr. Fry seconded the motion which was adopted 5-0.

The Chairman adjourned the meeting.

Ordered that this Board do now stand adjourned until 7:00 p.m., January 14, 2014, for the regular monthly meeting of the Board of Supervisors.

---

Ashton N. Harrison, Clerk

APPROVED:

---

Bruce W. McWilliams, Chairman