

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

Tuesday, January 13, 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; Phillip "Bart" Perdue; Henry "Kevin" Fry; Bruce W. McWilliams; Lady and Gentlemen Supervisors; Michael M. Collins, County Attorney; and Ashton N. Harrison, County Administrator.

Supervisor McWilliams called the meeting to order.

Upon a motion made by Ms. Collins, with a second from Mr. 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.

Mr. Perdue made a motion, with a second from Mr. 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, Bruce McWilliams, Claire Collins, Kevin Fry and Bart Perdue

Nays: None

Supervisor McWilliams led the Pledge of Allegiance, and Mr. Perdue offered the invocation.

Supervisor McWilliams asked the Board if they wished to approve or amend the agenda and the minutes from the December 9, 2014, Board of Supervisors meeting.

Mr. Gilchrest made the motion to approve the agenda with the addition of 017-15 (a) MOU between the County and FEMA for IPAWS, (b) consideration to form a committee to discuss future water and sewer needs, and additional bills list. Mr. Perdue seconded the motion which was adopted 5-0.

Mr. Gilchrest made the motion to approve the minutes of the December 13, 2014, Board of Supervisors meeting as submitted with the one revision sent to the Board in advance of the meeting. Mr. Perdue seconded the motion which was adopted 5-0.

### **Public Comment**

Mr. Jay Trinca, Warm Springs District, said government is suffering from "analysis paralysis" and questioned why the County hired outside agencies to evaluate, plan, and perform all the County's projects. Mr. Trinca said the January agenda was a perfect example of this. Mr. Trinca stated the transfer station should be repaired, and the County's general reassessment should be done in-house. Mr. Trinca questioned the need for another Economic Development study considering Virginia Tech completed a study in 2012.

Mr. Carl Chestnut, Cedar Creek District, concurred with Mr. Trinca. He said the transfer station should have been repaired years ago. Mr. Chestnut said everyone who applies for county positions should be considered and interviewed.

Mr. Mark Nelson, Parks and Recreation Director, announced a new learn to ski program for local youth developed in conjunction with Omni Homestead to provide reduced rates for Bath County residents ages 5 to 18.

Mr. Charlie Hamilton, Cedar Creek District, spoke regarding the lack of parking in Hot Springs near Hot Springs Pharmacy. Mr. Hamilton said this creates an inconvenience for the elderly.

Mr. Jack Lindsay, Warm Springs District, said Hot Springs parking is a problem due to parking being limited to one side of the street. Mr. Lindsay commented on the transfer station study and urged the Board to make the necessary repairs.

### **Board Member Comment**

Mr. Gilchrest said beginning January 19, 2015, folks 70 years plus can take advantage of the Wellness Center free of charge. Mr. Gilchrest said it was encouraging to hear that two local establishments the Omni Homestead and Bath Community Hospital are reaching out to the youth and senior citizens of the County by providing reduced or free programs.

## **General Agenda**

Approval of By-laws - Ms. Collins made the motion seconded by Mr. Fry to adopt Roberts Rules of Order Revised as the Board's by-laws for 2015. The motion was adopted 5-0.

Election of Chair and Vice-Chair - Mr. Perdue made the motion to elect Ms. Collins as Chairperson and Mr. Gilchrest as Vice-Chairman of the Board of Supervisors for 2015. Mr. Fry seconded the motion which was adopted with Messrs. Gilchrest, Perdue, McWilliams, and Fry voting aye, and Ms. Collins abstaining from the vote for Chair, but voting aye on the Vice-Chair.

Appointment of Emergency Services Director - Mr. Fry made the motion to reappoint Mr. Perdue as Emergency Services Director. The motion was seconded by Mr. Gilchrest and adopted 5-0.

2015 Meeting Schedule - County Administrator Harrison presented a draft meeting schedule for 2015 which included regularly scheduled Board of Supervisors meetings on the second Tuesday of each month, and budget and various work sessions to be scheduled as necessary.

Mr. McWilliams made the motion to adopt the meeting schedule as presented with regularly scheduled meetings of the Board of Supervisors to begin directly upon conclusion of the County Administrator's report which will begin at 6:30 p.m. Mr. Fry seconded the motion.

Mr. Gilchrest made a substitute motion to adopt the meeting schedule as presented with regularly scheduled meetings of the Board of Supervisors to begin directly upon conclusion of the County Administrator's report which will begin at 6:30 p.m., with the meeting time to be re-evaluated after a three month trial basis. Mr. Perdue seconded the substitute motion which was adopted 5-0.

Supervisor McWilliams turned the gavel and meeting over to the newly appointed Chairperson, Claire A. Collins.

Chairperson Collins introduced Tamy Mann, Executive Director Safehome Systems Inc.

Ms. Mann thanked the Board for their support and the opportunity to share information about Safehome Systems. Ms. Mann provided the type and total number of services provided to residents of Bath County for 2014 and entertained questions from the Board.

Chairperson Collins introduced the next agenda item which was discussion regarding parking issues in Hot Springs, primarily on Main Street.

County Administrator Harrison said a question was posed on the total number of street parking slots on Main Street. Mr. Harrison said Sherry Ryder, County Planner reported there are 31 on street parking slots regulated by the County. Mr. Harrison said he had spoken with Sheriff Plecker about time limits on regulated parking slots and asked Sheriff Plecker to share his thoughts with the Board.

Sheriff Plecker said Hot Springs parking has been an ongoing issue for years and he sees it as more of an inconvenience than a problem. Sheriff Plecker said 30 minute parking should be adequate for folks to conduct business. Sheriff Plecker said there seems to be a misconception in the public that the parking limit is 2 hours. Sheriff Plecker said deputies and troopers would have to stay in Hot Springs and watch cars for 30 minutes to issue a parking ticket. Sheriff Plecker said his suggestion would be repairs to the existing parking lot downtown.

Mr. McWilliams said the downtown parking lot is privately owned and may not always be a parking lot. Mr. McWilliams said he could not recommend the County spend public funds to repair a privately owned parking lot. Mr. McWilliams said the economic strategic plan should be able to help the county look at the bigger picture. Mr. McWilliams wondered if foot traffic and guests of the Homestead that are shuttled to businesses is being taken into consideration.

Mr. Gilchrest said he is aware of several rural places that would like to have a parking problem. Mr. Gilchrest discussed how other localities handle parking issues he said there has to be some way to fix the current problems.

Mr. Perdue said trucks parking on the street near the mechanical office causes site distance problems. Mr. Perdue suggested Mr. Harrison call Jason Brown, Omni Homestead and ask him to limit street parking by employees.

County Administrator Harrison said he would work with the Sheriff and Omni Homestead to discourage employees from all day parking in Hot Springs. Mr. Harrison said he would continue to work with Sherry Ryder, County Planner and the Planning Commission about the number of required parking spaces needed for downtown.

Chairperson Collins introduced the next agenda item which was consideration to engage Central Shenandoah Planning District Commission (CSPDC) for preliminary engineering report for the transfer station.

County Administrator Harrison said he had not received the agreement from CSPDC but should have it for discussion at the February Board meeting. Mr. Harrison said the county cannot locate engineering plans for the existing wall or any plans that detail how to fix the wall. Mr. Harrison said the geo-tech and borings for wall stabilization will cost approximately \$6,000. Mr. Harrison recommended having the borings completed. Mr. Harrison said the floor does not need to be considered until the wall is stabilized. Mr. Harrison said if the next six months continue the same as the previous six months the County should save \$400,000 in solid waste fees over last year.

Chairperson Collins introduced the next agenda item which was consideration to award the request for proposals for general reassessment. Ms. Collins asked the County Administrator and County Attorney to please explain why and when counties must reassess property.

Michael Collins, County Attorney said counties with populations under 50,000 are allowed up to six years between reassessments. Mr. Collins said there are requirements on in

house assessments for the purpose of impartiality. Mr. Collins said some larger counties employ fulltime assessors but short of that counties cannot appoint staff to perform property reassessments.

County Administrator Harrison said the County advertised the request for qualifications (RFQ) but only received one response. Wampler and Eanes Appraisal Group of Daleville, VA provided a proposal with a cost not to exceed \$129,000. Mr. Harrison said Wampler and Eanes meets all the requirements set forth in the RFQ, and after discussion with Leta Norfleet, Commissioner of the Revenue, it is their recommendation to engage Wampler and Eanes.

Mr. McWilliams asked if the RFQ would verify land use designations.

Mr. Harrison said that was not included in the RFQ.

Mr. McWilliams made the motion to accept the proposal from Wampler and Eanes Appraisal Group for general county reassessment. Mr. Perdue seconded the motion which was adopted 5-0.

**Actions from Closed Session:** Mr. McWilliams made the motion to offer the open position in the Parks and Recreation Department to the top candidate. Mr. Perdue seconded the motion which was adopted 5-0.

**Consent Agenda -** Mr. 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. Mr. Fry seconded the motion which was adopted 5-0.

**Additional Items -** a) MOU between the County and FEMA for Integrated Public Alert and Warning System (IPAWS). County Administrator Harrison explained the Board had previously approved expanding the Code Red System to include IPAWS. The Board would now need to approve the MOU with FEMA. Mr. Perdue made the motion to execute the MOU between the County and FEMA for Integrated Public Alert and Warning System (IPAWS). Mr. Gilchrest seconded the motion which was adopted 5-0.

b) Consideration to form a committee to discuss future water/sewer projects for Bath County. County Administrator Harrison said he received a request from Gene Phillips, Service Authority Administrator, to solicit interest from the Board of Supervisors regarding an informal committee to discuss future water and sewer projects in the County. Mr. Harrison said the committee would consist of 2 members of the Board of Supervisors, 2 members of the Planning Commission and 2 members of the Service Authority. Mr. Harrison said he would attend the meetings along with Sherry Ryder, County Planner and Gene Phillips, Service Authority Administrator. Mr. Fry made the motion to accept Mr. Gilchrest and Mr. McWilliams as representatives from the Board of Supervisors. Mr. Perdue seconded the motion which was adopted 5-0.

## **Public Comment**

Mr. John Hart, Cedar Creek District, said he is concerned about the lack of parking spaces for tourists. He suggested removing planter bump-outs to increase the amount of available spaces.

Mr. Jonah Windham, Cedar Creek District, said painting parking lines would allow for optimal parking.

Mr. Carl Chestnut, Cedar Creek District, suggested removing planter bump-outs in front of the pharmacy and repairing the existing parking lot. Mr. Chestnut did not agree with beginning the Board meeting at 6:30 p.m. instead of 7:00 p.m. Mr. Chestnut questioned the County's hiring process and wanted to know details of the County Administrator's employment contract.

Ms. Trudy Woodzell, Cedar Creek District, said the parking issue in Hot Springs could be resolved if hotel workers would park in employee parking provided by Omni Homestead instead of taking up spaces on Main Street.

Mr. John Fischer, Warm Springs District, offered his services to help with the upcoming reassessment.

Mr. Wally Robertson, Cedar Creek District, questioned how new businesses obtain permits if acceptable parking is not available.

Mr. Jack Lindsay, Warm Springs, said parking at events county wide is limited and needs to be addressed. Mr. Lindsay mentioned drainage issues in Hot Springs questioning who is responsible for cleaning gravel and dirt out of the stream bed.

Sheriff Plecker provided year end statistics for the Board's review.

### **Board Member Comment**

Mr. McWilliams said it's time to run for office and provided requirements and deadlines. Mr. McWilliams said all Constitutional Officers, School Board and Board of Supervisor's are up for election this year. Mr. McWilliams said anyone interested in running for office should contact Charles Garratt, General Registrar. Mr. McWilliams encouraged everyone to get involved.

Mr. Fry thanked the public in attendance.

Mr. Perdue said the Board has started the year off on a positive note and he hoped the Board would continue to accomplish positive things as the year evolves.

Mr. Gilchrest said this Board is beginning the fourth and final year of service but in retrospect felt the Board had accomplished some very positive things in their first three years. Mr. Gilchrest said he looks forward to expanding on the positive.

Chairperson Collins said she would continue her monthly district meetings with the first meeting of 2015 being held on January 19, 2015, at the Hot Springs Fire House. Ms. Collins agreed the Board is starting out well with open communication and dialogue between Board members.

Mr. Gilchrest made the motion to adjourn the meeting. Mr. 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., February 10, 2015 for the regular monthly meeting of the Board of Supervisors.

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Ashton N. Harrison, Clerk

APPROVED:

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Claire A. Collins, Chairperson