

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

Tuesday, June 17, 2014, 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.

Upon a motion made by Mr. Gilchrest, with a second from Mr. Fry, 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.

Chairman McWilliams called the regular meeting of the Board of Supervisors to order and stated the Board would return to closed session at the end of the regular meeting.

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

The Chairman opened the first public comment session.

Mr. Keswick Phillips, Cedar Creek District, asked Ms. Hammond, VDOT Residency Administrator, when crews would clean the ditches in his area.

Mr. Wally Robertson, Cedar Creek District, urged the Board to schedule the upcoming town hall meeting in the evening at the Courthouse. Mr. Robertson also expressed concerns regarding the lack of a flagman at a VDOT worksite at the bridge over Cowerdan Run on weekends.

Mr. Carl Chestnut, Cedar Creek District, agreed with Mr. Robertson's comments regarding the town hall meeting. Mr. Chestnut addressed VDOT concerns and requested signage near Run Wild Farm on Route 687 notifying the public that farm equipment is entering the highway. Mr. Chestnut suggested that the County Administrator make his comments before the final public comment session to allow for questions.

The Chairman closed public comment and asked for Board member comments.

Mr. Gilchrest reminded the public of upcoming events; Bath County Triathlon and Millboro Truck and Tractor Pull.

Mr. Collins noted Music on Main is a weekly Friday night event in downtown Hot Springs. Ms. Collins invited everyone to attend her district meeting scheduled for July 21, she said the meetings contain good discussions and comments.

The Chairman asked the Board if they wished to approve or modify the agenda and if the Board wanted to approve the minutes of the May 13, 2014, Board of Supervisors meeting.

Mr. Gilchrest made the motion to approve the agenda with two additions, a request for a fireworks permit from Mike Peery and a request to reappoint Ms. Collins to the Shenandoah Valley Partnership. Mr. Perdue seconded the motion which was adopted 5-0.

Ms. Collins made the motion to approve the minutes of the May 13, 2014, Board of Supervisors meeting with one minor correction. Mr. Perdue seconded the motion which was adopted 5-0.

Chairman McWilliams introduced Susan Hammond, VDOT Residency Administrator.

Ms. Hammond provided a quarterly update of routine maintenance activities and stated that crews would continue to address maintenance issues as the budget allowed. Ms. Hammond said crews responded to 29 snow events over the winter months which exceeded the snow removal budget. Ms. Hammond said a new law would take effect on July 1, 2014, making the speed limit 35 MPH on all gravel roads that are not otherwise posted. Ms. Hammond entertained questions and comments from the Board.

Mr. Perdue asked Ms. Hammond to send a letter to a property owner on Klondike Road to let the property owner know the portion of road that had washed out was not VDOT's responsibility.

Ms. Collins brought several issues to Ms. Hammond's attention and asked for help in getting the issues corrected. Ms. Collins inquired about ingress and egress to the former Springs Grill property in Mitchelltown. Ms. Collins said there was a renewed interest in this particular property and wanted to make sure the property could meet VDOT requirements.

Mr. Fry said Route 606 from Bath County to Clifton Forge is still experiencing issues with large trucks. Mr. Fry asked if VDOT planned to erect signage on the Bath County side restricting large trucks.

Mr. Perdue asked for an update of drainage issues in the village of Bacova.

Ms. Hammond replied that VDOT had maintained the drainage on their right of way, and the playground and other areas that are outside of the right of way would not be VDOT's responsibility.

Chairman McWilliams asked Ms. Hammond how the weather had effected the budget and if the County should expect a decrease in services.

Ms. Hammond said the budget is set based on past weather related events. Ms. Hammond said unfortunately there are no additional funds when this happens and crews are running slightly behind in routine maintenance activities.

Chairman McWilliams introduced the next agenda item approval of VRS certified rated for Bath County Schools.

Ms. Collins made the motion to approve the VRS certified rated for Bath County Schools as presented. Mr. Perdue seconded the motion which was adopted 5-0.

Chairman McWilliams introduced the next agenda item appointments to Boards and Commissions.

Mr. Gilcrest made the motion to approve the recommendation made the County Administrator to move Gloria Lindsay from an at-large seat on the Industrial Development Authority (IDA) to the Cedar Creek District representative, and to move Jamie Gwin from the Cedar Creek District representative to the at-large seat also on the IDA. Ms. Collins seconded the motion which was adopted 5-0.

Mr. Perdue made the motion to appoint Mr. Roy Burns as the Warm Springs District representative on the IDA with a expiration date of April 15, 2018. Mr. Fry seconded the motion which was adopted 5-0.

Board members thanked Mr. John Fischer for his application and willingness to serve.

Chairman McWilliams introduced the next agenda item year end closeout.

Ms. Collins made the motion to authorize County Administration and the Treasurer to make the necessary adjustments to close out FY 2014. Mr. Perdue seconded the motion which was adopted 5-0.

Chairman McWilliams introduced the next agenda item scheduling the July 1, 2014, town hall meeting.

Mr. Perdue made the motion to schedule the town hall meeting for Tuesday, July 1, 2014, at 7 p.m. in room 115 of the Courthouse. Ms. Collins seconded the motion which was adopted 5-0.

Chairman McWilliams introduced the next agenda item consideration of an overhead easement agreement with BARC Electric Cooperative for installation of trash compactors at Warm Springs and the Transfer Station.

Mr. Ashton N. Harrison, County Administrator, presented the agreements and said the initial costs of installation would be the responsibility of the County while monthly costs for service would be paid by Republic Services.

Mr. Perdue clarified the costs of installation and asked Mr. Harrison to work with local newspapers to inform the public that household waste should be deposited in the compactors while other items would go in the roll off container.

Mr. Fry made the motion to authorize the County Administrator to sign the overhead easement agreements. Mr. Gilcrest seconded the motion which was adopted 5-0.

Ms. Collins commented that compactors would reduce the number of trips to the Covington landfill and asked the public to be tolerant during the changes.

The Chairman said there were no actions from the closed session and the Board would return to closed session at the end of the meeting.

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

Additional Items: Request to reappoint Ms. Collins to the Shenandoah Valley Partnership for an additional two year term and a request by Mike Peery for a fireworks permit. Mr. Fry made the motion to approve a fireworks permit for Saturday, June 21, 2014, as requested by Mike Peery, and to approve the reappointment of Ms. Collins to the Shenandoah Valley Partnership. Mr. Gilcrest seconded the motion that was adopted 5-0.

Public Comment

Ms. Murphy Wilson said she attended the VDOT six year plan public hearing in Harrisonburg recently. Ms Wilson said she hoped the Board was actively reviewing the plan and are in constant contact with the Secretary of Transportation to ensure Bath County gets its share.

Mr. Carl Chestnut said the fence at the Warm Springs solid waste site needs to be repaired. Mr. Chestnut also stated that an open container at the Warm Springs site will be a mess and he urged the Board not to place an open container with the compactor.

Mr. Jack Lindsay requested the Board take action regarding the house that was built to close to his property line in Pinehurst Heights. Mr. Lindsay said the contractor had been paid in full for the work which he did not consider fair.

Ms. Collins replied that Virginia Department of Housing and Community Development along with the management team for the Pinehurst Community Rehabilitation Project were reviewing the issue and to date she had not heard back from VDHCD.

Board Member Comments

Ms. Collins thanked County staff, Sheriff's Office staff, and Fire and Rescue volunteers for the support they show to the community and its citizens.

Mr. Perdue congratulated the Hot Springs Rescue Squad for being named the 2014 Outstanding Emergency Medical Service Agency by the Central Shenandoah EMS Council.

Chairman McWilliams announced the upcoming work session.

County Administrator Comments

Mr. Ashton N. Harrison, County Administrator, reported that the inmate crew would be working to clean up the area surrounding the Warm Springs solid waste site. Mr. Harrison thanked Jack's Trash Service for arranging the clean up, he also thanked the Sheriff's Office for providing community service workers to assist with the clean up, and thanked Bugs Phillips for fixing a pot hole. Mr. Harrison also stated that the meals and lodgers taxes would be significantly above projections included in the FY 14 budget.

The Board returned to closed session 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 the motion to come out of closed session and to 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

Mr. Gilchrest made a motion that there were no actions from closed session. Mr. Perdue seconded the motion which was adopted 5-0.

Mr. Gilchrest made the motion to adjourn the meeting. Mr. Perdue 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., July 8, 2014, for the regular monthly meeting of the Board of Supervisors.

Ashton N. Harrison, Clerk

APPROVED:

Bruce W. McWilliams, Chairman