

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

Tuesday, June 9, 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.

Upon a motion made by Supervisor Gilchrest, with a second from Supervisor 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.29 Contract Negotiations.

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

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

Chairperson Collins asked the Board if they wished to approve or amend the agenda and the minutes from the May 12, 2015, Board of Supervisors meeting.

Supervisor McWilliams moved to cancel the advertised public hearing to amend Bath County Code Chapter 14, Section 14-4, Annual Levy of License Taxes, and to approve the agenda as written with the additional list of invoices. Supervisor Perdue seconded the motion which was adopted 5-0.

Supervisor Gilchrest made the motion to approve the minutes from the May 12, 2015, Board of Supervisors meeting as submitted. Supervisor Fry seconded the motion which was adopted 5-0.

Public Comment

Mrs. Cathy Singleton, Bath County Arts Association, Co-Chair, addressed the Board thanking them for their support. Mrs. Singleton said all monies raised goes back into the local community for scholarships, visual and performing arts programs, and education. Mrs. Singleton announced the upcoming 2015 Bath County Art Show, July 18-26.

Mr. Jay Trinca, Warm Springs District, spoke against a business license for Bath County. Mr. Trinca said the Board should recognize the business license as a bad idea. Mr. Trinca said he surveyed 33 local businesses and only 3 were in favor of establishing a business license. (original survey is attached to the minutes).

Mr. Wally Robertson, Cedar Creek District, said he is not in favor of implementing the employee compensation and classification study. Mr. Robertson said he felt employees are for the most part happy with their salaries and understand that this is Bath County. Mr. Robertson said he would support a cost of living increase for employees.

Board Member Comment

Chairperson Collins announced the upcoming Cedar Creek District meeting at the Hot Springs Fire House on June 15th at 7 p.m.

Energy Performance Contracting Presentation

Mr. Charlie Barksdale, Virginia Department of Mines, Minerals, and Energy provided a presentation on energy performance contracting (EPC). Mr. Barksdale said EPC was passed by legislation in 2001 and allows state agencies and public bodies to upgrade facilities and pay for the upgrades by reallocating existing energy dollars. Mr. Barksdale gave the steps of implementing an EPC. Mr. Barksdale provided a list of existing projects and entertained questions from the Board.

Public Hearing - VDOT's Secondary Six Year Improvement Plan for FY's 2016-2021

Ms. Susan Hammond, VDOT Residency Administrator, presented the secondary system construction program outlining the revenue sources and project descriptions. Ms. Hammond said issues arose after completion of a constructability review of the Route 615 drainage project. She said the box culvert to alleviate water requires shoring which increases the cost by at least \$400,000. Ms. Hammond said the costs outweigh the benefits and suggested the County table the Route 615 drainage and transfer the revenue to a bridge construction project on Route 687 near the lower cascades.

Supervisor McWilliams asked if the funds for Route 615 drainage could be used to build or improve parking in Hot Springs.

Ms. Hammond replied the funds for Route 615 are federal funds and could not be used for an enhancement project.

Supervisor Fry asked if the Route 615 funds are transferred when would the County be eligible for funding for Route 615 in the future. Mr. Fry also questioned if the funds should remain in the line item for Route 615 until additional funding to complete the project can be identified.

Ms. Hammond cautioned against leaving the funds setting for too long. She said there are two contributing factors that won't allow the Route 615 project to see a measurable difference or receive funding. Those factors are the cost of shoring the box and the amount of improvements needed on private property.

Chairperson Collins opened the public hearing.

Mr. Wally Robertson, Cedar Creek District thanked VDOT for their work on Switzerland and asked if signs could be erected to discourage truck traffic.

Mr. Jay Trinca, Warm Springs District, said the ditches and culverts at the intersection of Mountain Valley Road and Edgewater Lane need attention to deter flooding.

Mr. Rocklynn Phillips, Williamsville District spoke regarding the volume of traffic on Route 614.

Mr. Richard Byrd, Valley Springs District questioned moving the funds from Route 615 to a bridge replacement project on Route 687 where there is no possibility for economic development. Mr. Byrd cautioned removing the Route 615 drainage project from the six year plan.

Chairperson Collins closed the public hearing.

Supervisor McWilliams thanked Ms. Hammond for delving into the water control issues in Hot Springs. Mr. McWilliams said the County could have spent a lot of money and not really solved anything. Mr. McWilliams added the County had just invested over \$700,000 for water

needs in the Cedar Creek District which is a growth area, therefore, reassigning the funds to the Route 687 bridge project makes sense. Mr. McWilliams said he felt very comfortable with VDOT's recommendations.

Ms. Hammond said the Route 615 project can be shelved for now retaining the construction designs for the future. Ms. Hammond said applications can be filed for additional funding beginning July 2015. Ms. Hammond said the bridge project would need to be added to the six year plan if the Board approves.

Supervisor Gilchrest made the motion to adopt the Secondary Six Year Improvement Plan; keep the Route 615 project in the six year plan but at a lower priority; add the Route 687 bridge project to the six year plan; and move the funding from the Route 615 project to the Route 687 bridge project. Supervisor Fry seconded the motion which was adopted 5-0.

FY 2015-16 Annual Fiscal Plan

County Administrator Harrison recommended adopting the budget as advertised with one exception, to fund two Behavioral Intervention Specialist positions from the Department of Social Services fund as opposed to the general fund as advertised. Mr. Harrison said the total for FY 2016 for all funds is \$20,168,145.

Supervisor McWilliams made the motion to adopt FY 2016 budget as advertised in the amount of \$20,168,145, and to move funding for two Behavioral Intervention Specialist positions to the Department of Social Services fund. Supervisor Gilchrest seconded the motion.

Supervisor Perdue asked if the employee classification study would be implemented July 1, 2015.

County Administrator Harrison replied if the budget was adopted as recommended the employee classification would go into effect July 1, 2015.

Chair Collins said the idea the County was working toward was to address compensation reform and to provide a job description for each position. Chair Collins said the County should also have in place an evaluation system before awarding increases to employees. Chair Collins said she would support a cost of living increase or an across the board increase at this time and salary adjustments after the evaluation system is fully implemented. Chair Collins said out of respect to her fellow Board members and because the budget contained many good projects that benefit the community, she would support the budget.

County Administrator Harrison added the reason the ad-hoc committee did not recommend option 3 of the compensation and classification study was because that option gave increases based on years of service. Mr. Harrison said the committee was not comfortable with that level of increases without a performance system in place. Mr. Harrison explained option 2 recommended by the committee is included in the proposed budget and brings employees that are below the minimum recommended scale to the minimum and gives those above the minimum a 2% increase.

Chair Collins called for the vote on Supervisors McWilliams motion to adopt FY 2016 budget as advertised in the amount of \$20,168,145, and to move funding for two Behavioral Intervention Specialist positions to the Department of Social Services fund. The motion was adopted 4-1 with Supervisor Perdue casting the dissenting vote.

Appropriation of FY 2016 Funds

Supervisor McWilliams made the motion to appropriate the budget as adopted in the amount of \$20,168,145 for FY 2016. Supervisor Gilchrest seconded the motion which was adopted 4 in favor, 0 against, and Supervisor Perdue abstaining from the vote.

Statement of Agreement between Bath County and Virginia Department of Health

County Administrator Harrison said this is to renew the annual agreement between the County and Virginia Department of Health. Mr. Harrison said there are no changes in funding and the amounts are included in the budget.

Supervisor Gilchrest made the motion to approve the Statement of Agreement between the County and Virginia Department of Health as recommended. Supervisor Perdue seconded the motion which was adopted 5-0.

Shenandoah Valley Chief Elected Officials Consortium Agreement

County Administrator Harrison said Bath County is currently part of the regional organization and this agreement provides greater representation on the Board from the private and non-profit sectors and changes the agency name. County Administrator Harrison read the following resolution.

Resolution 2015-1

WHEREAS, the Bath County Board of Supervisors desires to create a positive business environment and has been a strong supporter of workforce development and education initiatives;

WHEREAS, on June 9, 2015, the Bath County Board of Supervisors approved a resolution establishing the Shenandoah Valley Chief Elected Officials Consortium Agreement which established the Shenandoah Valley Workforce Investment Area for the purpose of planning, establishing and operating a local workforce services delivery system;

WHEREAS, in accordance with Public Law 113-128, the Workforce Innovation and Opportunities Act of 2014, Section 06, the Shenandoah Valley Workforce Investment Area has been renamed the Shenandoah Valley Workforce Development Area and the Shenandoah Valley Workforce Investment Board shall be renamed the Shenandoah Valley Workforce Development Board;

THEREFORE BE IT RESOLVED, that the Bath County Board of Supervisors does hereby support these changes and approved this resolution accordingly.

Supervisor McWilliams made the motion to approve the Shenandoah Valley Chief Elected Officials Consortium Agreement and resolution. Supervisor Fry seconded the motion which was adopted 5-0.

Republic Services Contract

County Administrator Harrison recommended increasing Republic Services management fee by \$30,000 to 114,000 annually. Mr. Harrison said in return new operating hours at the transfer station would be Monday through Saturday 8 a.m. to 5 p.m., a licensed operator would be on site at all times, and Republic staff would be available to assist with unloading.

Supervisor McWilliams made the motion to amend Republic Services contract and increase the management fee by \$30,000 to \$114,000 annually. Supervisor Gilchrest seconded the motion which was adopted 5-0.

Revised Procurement Policy

County Administrator Harrison said the Commonwealth of Virginia has procurement laws but also allows localities to adopt their own policies. Mr. Harrison recommended revising the current procurement policy by increasing the limits and allowing for joint procurement. Mr. Harrison added the increased limits are still lower than the limits set forth by the Commonwealth of Virginia. Mr. Harrison said department heads and Constitutional officers make every effort to secure items and services using competitive procurement methods, and documenting their efforts.

Supervisor McWilliams made the motion to revise the County's procurement policy. Supervisor Gilchrest seconded the motion which was adopted 5-0.

Transfer County Vehicle to School System

Supervisor McWilliams made the motion to transfer a 1998 Ford pickup from the County's Parks and Recreation fleet to Bath County School System. Supervisor Gilchrest seconded the motion which was adopted 5-0.

Approve Payment to Purchase Property in Mitchelltown using Lodging Fund 16

County Administrator Harrison asked the Board to authorize a check out of cycle for purchase of the property in Mitchelltown. Mr. Harrison said the checks would total \$328,600.

Supervisor Gilchrest made the motion to authorize the County Administrator to cut a check out of cycle for the purchase of property in Mitchelltown using lodging fund 16, totaling \$328,600. Supervisor McWilliams seconded the motion which was adopted 5-0.

Maggie Anderson, Tourism Director, thanked the Board for authorizing payment of the Mitchelltown property. Ms. Anderson unveiled LOVE letters that are being developed for the proposed visitors center.

Request to Surplus Sheriff's Vehicles

Major Jay Bryan asked the Board's permission to surplus a 2005 Crown Victoria, 2008 Dodge Charger, and permission to trade in a 2012 Ford Escape. Major Bryan said Greenbrier

Motors had agreed to take the three vehicles and a cash sum of \$2,800 in return the Sheriff's office would receive a 2015 Ford Explorer. Major Bryan said the Sheriff's office has the available funds in their budget to cover the related costs.

Supervisor McWilliams made the motion to authorize the Sheriff's office to surplus the 2005 Crown Victoria, 2008 Dodge Charger, and permission to trade the 2012 Ford Escape for a 2015 Ford Explorer. Supervisor Perdue seconded the motion which was adopted 4 in favor, 0 against, and Supervisor Fry abstaining from the vote.

County Provided Accident and Sickness Insurance for Volunteers

County Administrator Harrison said the County received a quote for accident and sickness coverage for first responders from VACORP. Mr. Harrison said the policy adds additional coverage at a lower cost.

Supervisor Perdue made the motion to authorize VACORP as the County's provider of insurance for first responders. Supervisor McWilliams seconded the motion which was adopted 5-0.

Appointments to Boards and Commissions

Supervisor Perdue made the motion to appoint Mr. Phillip Martin to the Bath County Building Code Board of Appeals for a term to expire September 18, 2019, and to appoint Mrs. Janet Bryan to the Rockbridge Regional Library Board of Trustees for a term to expire June 30, 2019. Supervisor Gilchrest seconded the motion which was adopted 5-0.

Letter to Rockbridge Area Community Services Board

County Administrator Harrison said a letter would be sent to the Rockbridge Area Community Services Board requesting an explanation of RACS budget that reduces services to Bath County. Mr. Harrison said the Rudy Via Center in Millboro is slated to close and an in home services provider has been eliminated.

Supervisor McWilliams made the motion to authorize the County Administrator to send a letter to Rockbridge Area Community Services Board requesting an explanation of reduced services in Bath County. Supervisor Gilchrest seconded the motion which was adopted 5-0.

Actions from Closed Session

Action taken in closed session was addressed under agenda item 102-15, Republic Services contract amendment. There were no further actions from closed session.

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 Perdue seconded the motion which was adopted 5-0.

Public Comment

Mr. Jeff Grimm, Williamsville District and Sheriff's Office employee, asked the Board of Supervisors if employees of constitutional officers would be granted an additional two percent increase over and above the adopted salary study. Mr. Grimm said he was asking because the Governor had granted constitutional officers and their employees a two percent increase. Mr. Grimm said he wanted it noted for the record if constitutional officers and employees were not given an additional two percent then the County was giving no raise to officers.

Mr. Rocklynn Phillips, Williamsville District and Mr. Jack Lindsay, Warm Springs District urged the Board to fund improvements at the Burnsville Community Center play ground.

Mr. Jay Bryan, Valley Springs District suggested the Board copy Senator Creigh Deeds on the letter to Rockbridge Area Community Services Board.

Board Member Comments

Supervisor Gilchrest thanked everyone in attendance and announced an upcoming Red Cross Blood Drive in Millboro.

Supervisor Perdue announced upcoming district community meetings. Supervisor Perdue said meetings will take place on June 22nd, 7 p.m., at the Mountain Crest Community Center and June 29th, 7 p.m., at the Mountain Grove Community Center.

Supervisor Fry thanked everyone for attending the recent Economic Development Meetings. Supervisor Fry said in the past Bath County was a thriving business community and we need to get back to that.

Supervisor McWilliams said he struggled putting money into privately owned community centers. Supervisor McWilliams said the Library has a new bookmobile and thanked those responsible for funding. Supervisor McWilliams said the County needs to think about what it can provide for the community as a whole.

Chair Collins thanked everyone for attending and urged citizens to stay involved in their government.

Supervisor Gilchrest made the motion to adjourn the meeting. Supervisor Fry 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., July14, 2015 for the regular monthly meeting of the Board of Supervisors.

Ashton N. Harrison, Clerk

APPROVED:

Claire A. Collins, Chairperson