

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

Tuesday, May 12, 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; Henry "Kevin" Fry; Phillip "Bart" Perdue; Lady and Gentlemen Supervisors; Michael M. Collins, County Attorney; and Ashton N. Harrison, County Administrator. Supervisor McWilliams was absent from the meeting.

Claire A. Collins, Chair called the meeting to order.

Upon a motion made by Supervisor Gilchrest, with a second from Supervisor Fry, and adopted 4 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 Gilchrest made a motion, with a second from Supervisor Perdue which was adopted 4-0, 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 and Kevin Fry

Nays: None

Absent: Bruce McWilliams

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 April 14, 2015, Board of Supervisors meeting.

Supervisor Perdue made the motion to approve the agenda as submitted with the addition of item 092-15 a) approval of demolition bids for 129 Pinehurst Heights and 42 Forestry Road. Supervisor Fry seconded the motion which was adopted 4-0, 1 absent.

Supervisor Gilchrest made the motion to approve the minutes from the April 14, 2015, Board of Supervisors meeting as submitted. Supervisor Fry seconded the motion which was adopted 4-0, 1 absent.

Public Comment

Mrs. Sharon Lindsay, Rockbridge Regional Library Branch Manager, recognized Senator Deeds, County Administrator Ashton Harrison, Board Chair Claire Collins, Parks and Recreation Director Mark Nelson, Bath County Sheriff's Office, Bath County Historical Society, and numerous volunteers who helped make the Civil War Mobile History Museum a success. Mrs. Lindsay said the event was well attended by all age groups.

County Administrator Harrison thanked Mrs. Lindsay for her efforts in bringing the mobile museum to Bath County.

Board Member Comment

Supervisor Gilchrest concurred with Administrator Harrison. Supervisor Gilchrest said he visited the mobile museum and found it very impressive.

Chairperson Collins said visitors from all walks of life enjoyed the event and thanked those who volunteered their time and efforts. Ms. Collins announced upcoming meetings including Cedar Creek district meeting May 18, 7 p.m., Hot Springs Fire Hall; economic development public input session May 27, 6:30 p.m., Hot Springs Fire Hall; Bath Highland Telecommunications Meeting June 17, 6 p.m., Circuit Court Room. Ms. Collins said May is National Teachers and National Older Citizens Month.

Lingo Networks Presentation and Easement Agreement

Mr. Craig Smith, President, and Mr. Donnie Owen, Director Business Technology, Lingo Networks addressed the Board of Supervisors and provided a PowerPoint presentation on expanding services to new areas in the region.

Mr. Smith provided background information on MGW Telephone and Lingo Networks.

Mr. Owen said they continue to explore new business opportunities to better serve the community. Mr. Owen said it is important to bring technology to small communities by increasing bandwidth, adding fiber, and developing partnerships with organizations.

Mr. Owen asked the Board of Supervisors to approve a right of way easement for the purpose of constructing a buried fiber system in order to provide expanded service within the County.

Supervisor Perdue made the motion to execute the right of way easement with MGW Networks, LLC. Supervisor Gilchrest seconded the motion which was adopted 4-0, 1 absent.

Public Hearing

County Administrator Harrison said the public hearing was being held to receive input on transferring Cedar Creek Waste Water Treatment Plant facilities, easements, road, utility line easements, ingress and egress from the County to Bath County Service Authority.

County Attorney Collins asked the Board for authorization to execute the deed to convey Cedar Creek Waste Water Treatment Plant facilities, easements, road, utility line easements, ingress and egress from the County to Bath County Service Authority.

Chair Collins opened the public hearing. Having no comments the Chair closed the public hearing.

Mr. Gilchrest made the motion to authorize County Administrator Harrison to execute the deed to convey Cedar Creek Waste Water Treatment Plant facilities, easements, road, utility line easements, ingress and egress from the County to Bath County Service Authority. Mr. Fry seconded the motion which was adopted 4-0, 1 absent.

FY 2015-16 Tax Levies

County Administrator Harrison recommended setting FY 2016 real estate tax levies at \$.48 per one hundred of assessed value and personal property tax levies at \$.35 per one hundred of assessed value.

Supervisor Perdue made the motion to approve FY 2016 real estate tax levies at \$.48 per one hundred of assessed value and personal property tax levies at \$.35 per one hundred of assessed value. Supervisor Fry seconded the motion which was adopted 4-0, 1 absent.

FY 2015-16 Annual Fiscal Plan

County Administrator Harrison provided an overview of the proposed amounts for general fund \$18,117,261; lodgers fund \$856,980; Department of Social Services fund \$1,193,904; and the school and cafeteria funds \$10,610,936; for a total proposed budget of \$30,779,081. Mr. Harrison said the only change between the public hearing and this recommendation was to transfer two behavioral intervention specialists positions from the general fund to the Virginia Public Assistance fund therefore creating a net effect of minus 5,600 from the advertised budget.

Supervisor Perdue made the motion to adopt the budget as advertised with the change of transferring funds for two behavioral intervention specialists from the general fund to the

Virginia Public Assistance fund and to transfer funds for the Springsted compensation study to the contingency line item and put the Springsted Classification and Compensation study on the June Board of Supervisors agenda as an action item. (motion died for lack of a second)

Supervisor Gilchrest expressed his support for the Springsted study and stated that while the study may not be perfect it is a good place to start and the ad-hoc committee would continue to work with Springsted and Administration to improve it.

Chair Collins said all funds will remain in the budget and emphasized that the outcome of the study could only be as good as the information Springsted was given to work with. Ms. Collins questioned if all employees had a full understanding of what needed to be provided to Springsted.

Supervisor Fry suggested making a motion to approve the budget as written, implementing the Springsted salary study once the employee performance evaluation system is in place.

Supervisor Perdue said he agreed with this compromise.

Supervisor Gilchrest said we are trying to create a system that looks at the position not the person. Mr. Gilchrest said adopting the study and putting it in place now gives the committee an entire fiscal year to fine tune the study.

Chair Collins did not agree. She said she preferred using a step system, and was afraid implementing the study now would cause hard feelings between employees.

County Administrator Harrison said effective August 1, 2015, constitutional officers and their staff would receive a 2% increase from the state compensation board. Mr. Harrison said this 2% is not in addition to the salary study increase.

Supervisor Fry said he would like to make a motion that the Board table the budget in its entirety until the June 9, 2015, meeting. (motion died for lack of a second)

Supervisor Perdue said he would like to pass the budget before adjourning the meeting.

Chair Collins passed the gavel to Vice-Chair Gilchrest and made a motion to adopt the annual fiscal plan with a 2% across the board increase for all employees and set aside the funds to make an official vote on the use of those fund at the June 2015 meeting. (motion died for lack of a second)

Chair Collins said she was not sure all employees understood the study and are happy with the results.

Treasurer Pam Webb said her office opted to participate in the study and were happy with the end results.

Supervisor Gilchrest Springsted studies have been affirmed by the EEOC. Mr. Gilchrest said this study is better than any information we have had in the past.

Chair Collins said it's not as much about the study as it is about the communication process. Ms. Collins said if there is an atmosphere of fear that employees can't come and discuss the study with administration then the Board needs to correct this. Ms. Collins said she heard from employees that not all employees doing the same type of work are in the same grade.

County Administrator Harrison said he was not aware of any employees that were afraid to come talk with him about their concerns. Mr. Harrison added that some employees had talked with him and he explained the study and answered their questions.

Supervisor Gilchrest made a motion to separate the schools budget from the county budget and vote on the schools budget. Mr. Fry seconded the motion.

Supervisor Perdue made a substitute motion to adopt the budget as advertised with the change of transferring funds for two behavioral intervention specialists from the general fund to the Virginia Public Assistance fund and to transfer funds for the Springsted compensation study to the contingency line item and put the Springsted Classification and Compensation study on the June Board of Supervisors agenda as an action item. Chair Collins passed the gavel to Vice-Chair Gilchrest and seconded the motion which failed 2 in favor, 2 against, 1 absent, with Collins and Perdue voting aye, Gilchrest and Fry voting nay.

Chair Collins called for the vote on Supervisor Gilchrest's original motion to separate the schools budget from the county budget and vote on the schools budget. The motion failed 2 in favor, 2 against, 1 absent, with Gilchrest and Fry voting aye, and Collins and Perdue voting nay.

Supervisor Fry made a motion to table any action on FY 2015-16 budget until the June 9, 2015, Board of Supervisors meeting. (motion died for lack of a second)

Supervisor Perdue made the motion to approve funding for schools in the amount of \$10,610,936. Supervisor Gilchrest seconded the motion which was adopted 4-0, 1 absent.

Supervisor Gilchrest made the motion to table the county budget until the Board of Supervisors June 9, 2015, meeting. Supervisor Fry seconded the motion which was adopted 4-0, 1 absent.

Supervisor Gilchrest made the motion to appropriate \$7,901,466 in county funds for the school system, and \$332,502 in county funds to schools cafeteria beginning July 1, 2015. Supervisor Fry seconded the motion which was adopted 4-0, 1 absent.

Department of Social Services FY 2014 Report

Mr. Jason Miller, Department of Social Services Director, provided the annual report for fiscal year 2014. Mr. Miller said the local office spent \$5,043,829 in fiscal year 2014, across all benefit programs providing assistance to 982 individuals. Mr. Miller said local county funding provided \$210,465; a portion of those funds are matched at 42.78% for every dollar spent that

reduces the local funding to approximately \$157,056. Mr. Miller said 55% of the total funding is federal, 41% state, and 4% county.

Schedule Upcoming Meetings

Joint work session between the Board of Supervisors and Planning Commission to discuss Capital Improvement Plan process. County Administrator Harrison suggested August 11, 2015, beginning at 5 p.m. in room 115 of the courthouse. The meeting would begin prior to the regular Board of Supervisors meeting. All present agreed and the joint meeting was set at the aforementioned time and date.

July 1, 2015, at 6 p.m. in room 115 of the courthouse was proposed as a work session for the Board to receive information on the revised employee personnel manual. All present agreed and the work session was set for the aforementioned time and date.

July 15, 2015, at 6 p.m. in room 115 of the courthouse was proposed as a work session for the Board to receive information on the proposed employee performance evaluation system. All present agreed and the work session was set for the aforementioned time and date.

Contract for Audit Services

County Administrator Harrison said the proposed contract for audit services would be for fiscal years ending June 30, 2015 through June 30, 2017. Mr. Harrison said the contract is subject to annual renewal with Robertson, Farmer, Cox Associates at a cost not to exceed \$27,100 for FY 2015, \$27,600 for FY 2016, and \$28,100 for FY 2017. Bath County Service Authority is included at an additional cost of \$6,00 for fiscal years 2015 and 2016, and \$6,500 for FY 2017.

Supervisor Gilchrest made the motion to execute the contract for audit services with Robert, Farmer, Cox Associates, as presented by County Administrator Harrison. Supervisor Perdue seconded the motion which was adopted 4-0, 1 absent.

MOU between Bath County and Central Shenandoah Planning District Commission for Parcel Data Improvement/Maintenance

County Administrator Harrison said the Board included funding in the current budget to update county zoning maps and improve parcel data. Mr. Harrison said this request is to increase the contract to \$18,000. Mr. Harrison said if the request is approved a transfer of existing funds will be made to fund the project.

Supervisor Fry made the motion to approve the Memorandum of Understanding between the County and Central Shenandoah Planning District Commission to increase the project budget for parcel data improvements and mapping updates to \$18,000, an increase of \$6,000. Supervisor Gilchrest seconded the motion which was adopted 4-0, 1 absent.

Participating Agreement between the Bath County and USDA, Forest Service, George Washington & Jefferson National Forests

Mrs. Maggie Anderson, Tourism and Economic Development Director, asked the Board for permission to execute an agreement between Bath County and Warm Springs Ranger District to allow the office of Tourism to produce materials to help promote forest service properties and use of the USDA insignia on promotional materials.

Supervisor Gilchrest made the motion to authorize Mrs. Anderson to execute a Participating Agreement between the Bath County and USDA, Forest Service, George Washington & Jefferson National Forests to jointly market and advertise environmentally and financially sustainable national forest recreation in Bath County. Supervisor Perdue seconded the motion which was adopted 4-0, 1 absent.

Schedule Joint Public Hearing with Virginia Department of Transportation, Secondary Six Year Improvement Plan for FY 2016-2021

Supervisor Perdue made the motion to schedule a joint public hearing with Virginia Department of Transportation, secondary six year improvement plan for fiscal years 2016-2021, for June 9, 2015, at 7:30 p.m. or as soon thereafter as possible. Supervisor Fry seconded the motion which was adopted 4-0, 1 absent.

May 2015, Virginia Business Appreciation Month

County Administrator Harrison read the following proclamation recognizing May 2015 as business appreciation month in the Commonwealth of Virginia.

**A Proclamation of the Board of Supervisors
of the County of Bath, Commonwealth of Virginia
Recognizing May 2015 as Business Appreciation Month**

WHEREAS, Virginia and Bath County businesses play a pivotal role in strengthening our Commonwealth by embracing job creation, innovative technologies, and employing a diverse workforce to preserve the economic well-being of all our citizens; and

WHEREAS, Virginia businesses provide nearly 3.1 million jobs to our citizens throughout the Commonwealth and offer a variety of services and products worldwide; and

WHEREAS, Virginia's businesses operate in diverse industries, including advanced manufacturing, energy, life sciences, tourism, agribusiness and information technology; and

WHEREAS, Virginia is currently home to more than 35 Fortune 1,000 firms and more than 70 firms with annual revenues in excess of \$500 million; and

WHEREAS, Bath County is home to businesses, both large and small, that provide the foundation of our local economy; and

WHEREAS, the Bath County Board of Supervisors is pleased to recognize the accomplishments of our existing businesses entrepreneurs; small, minority, and women owned businesses; and the major employers that contribute greatly to the economy of our County; and

WHEREAS, it is fitting to offer the citizens of our Commonwealth and County a unique opportunity to recognize Virginia and Bath County businesses for the essential role they play in driving our economy;

NOW THEREFORE, I, Claire A. Collins, on behalf of the unanimous support of the Board of Supervisors, do hereby recognize May 2015 as BUSINESS APPRECIATION MONTH in our COMMONWEALTH OF VIRGINIA, and COUNTY OF BATH, and I call this observance to the attention of all our citizens.

Supervisor Gilchrest made the motion to adopt the proclamation recognizing May 2015 as business appreciation month in the Commonwealth of Virginia. Supervisor Fry seconded the motion which was adopted 4-0, 1 absent.

Virginia Department of Rail and Public Transportation's Transit Feasibility Study

County Administrator Harrison said Central Shenandoah Planning District Commission contacted Bath and Highland Counties regarding a potential regional grant for public transportation. Mr. Harrison said Highland Board of Supervisors moved to table the item indefinitely. Mr. Harrison said the grant is a regional grant and Bath County is not able to apply without the support of another locality. Mr. Harrison recommended tabling the item indefinitely. No action was taken.

Appointments to Boards and Commissions

Supervisor Gilchrest made the motion to appoint Mr. Monroe Farmer as the Millboro representative on the Bath County Planning Commission, with a term ending April 12, 2019. Mr. Perdue seconded the motion which was adopted 4-0, 1 absent.

Closed Session - There were no actions from the 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 Fry seconded the motion which was adopted 4-0, 1 absent.

Additional Items - Demolition Bids

County Administrator Harrison recommended awarding bids for demolition of properties located at 129 Pinehurst Heights Road (bid \$10,990) and 42 Forestry Road (bid \$3,995) to Chuck White 709 E. Morris Hill Road, Covington VA, using funds budgeted in line item 408110-8218 blighted structures, and any funds remaining in the line item will be transferred for use in the Thomastown neighborhood improvement project for demolition of blighted structures.

Supervisor Perdue made the motion to award the demolition bids to Chuck White, Covington VA, and to approve the transfer of additional funds to Thomastown neighborhood improvement project for demolition of blighted structures. Supervisor Fry seconded the motion which was adopted 4-0, 1 absent.

Public Comment - There were no comments from the public.

Board Member Comments

Supervisor Fry thanked the Board for discussion and said it is an honor to serve as a member of the Board of Supervisors.

Chair Collins agreed and thanked her fellow Board members for engaging in dialogue and debate.

Supervisor Gilchrest made the motion to adjourn the meeting. Supervisor Fry seconded the motion which was adopted 4-0, 1 absent.

Chairperson Collins adjourned the meeting.

Ordered that this Board do now stand adjourned until 7:00 p.m., June 9, 2015 for the regular monthly meeting of the Board of Supervisors.

Ashton N. Harrison, Clerk

APPROVED:

Claire A. Collins, Chairperson