

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

Tuesday, January 14, 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.

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

The Chairman opened the first public comment session. Having no one who wished to speak the Chairman closed public comment and asked for comments from Board members.

Mr. Fry thanked everyone who came out to assist with the evacuation of the Springs Nursing Center and the relocation of residents. Mr. Fry commended Andy Seabolt, Building Official and Emergency Services Coordinator for his efforts.

Ms. Collins noted that 2014 is the 45th year celebration of the Virginia Tourism, Virginia is for Lovers campaign. Ms. Collins said tourism provides over 200,000 jobs across the state and Bath County accounts for about 1% of those tourism positions. Ms. Collins questioned what might happen if the County and the Board went back two years and started over. Ms. Collins said the Board needed to be aware of what the public wants from the Board in 2014. Ms. Collins gave a brief overview of her upcoming schedule. In closing, Ms. Collins thanked everyone who helped with the events surrounding the evacuation of the Springs Nursing Center.

Mr. Gilchrest wished everyone a Happy New Year and reflected on the chemical spill that polluted the river in Charleston WV. Mr. Gilchrest said this spill severely impacted the lives of residents and tourists in that part of the state. Mr. Gilchrest gave the address of the local food bank in WV and urged the public to donate. Mr. Gilchrest thanked those who offered assistance during the evacuation of the Springs Nursing Center

Chairman McWilliams thanked the business community who took time and offered resources to prepare food and help with the community effort along with volunteers and emergency personnel during the evacuation of the nursing center.

Chairman McWilliams asked for nominations for Chairman and Vice-Chair for the Board of Supervisors for the upcoming year.

Mr. Gilchrest said he would like to nominate the reinstatement of Bruce McWilliams as Chairman and Kevin Fry as Vice-Chair of the Board of Supervisors.

Mr. Perdue said he would like to nominate Mr. Gilchrest as Chairman of the Board of Supervisors.

Mr. Gilchrest said he appreciated the nomination but declined.

Mr. Gilchrest made the motion to reinstate Bruce McWilliams as Chairman and Kevin Fry as Vice-Chair of the Board of Supervisors. Mr. Fry seconded the motion which was adopted 3-2, with Ms. Collins and Mr. Perdue casting the dissenting votes.

Chairman McWilliams noted the next item was approval of the By-Laws, Roberts Rules of Order.

Mr. Perdue made the motion to adopt the revised version of Roberts Rules of Order as By-Laws for the Board of Supervisors. Ms. Collins seconded the motion which was adopted 5-0.

Chairman McWilliams introduced the next item which was the appointment of the Emergency Services Director.

Mr. Gilchrest nominated Mr. Fry to remain in the position of Emergency Services Director.

Ms. Collins nominated Mr. Perdue as Emergency Services Director.

Ms. Collins made the motion to nominate Mr. Perdue as Emergency Services Director. Mr. Fry seconded the motion.

Mr. Gilchrest said his motion was not a reflection on Mr. Perdue or his background and that he had every confidence in Mr. Perdue's abilities. Mr. Gilchrest said his motion was made because Mr. Fry has demonstrated competence and dedication to the position.

Ms. Collins agreed that Mr. Fry has demonstrated competence and dedication to the position. Ms. Collins said it is good to have other Board Members trained and able to serve in various positions.

Mr. Fry said the position of Emergency Services Director is one of the hardest things he has ever done. He said the person in this position has a lot of responsibilities and he would not be comfortable serving in that capacity without the support of the full Board.

The Chairman called for the vote on the motion made by Ms. Collins to appoint Mr. Perdue as Emergency Services Director. The motion was seconded by Mr. Fry and adopted 4-1, with Chairman McWilliams casting the dissenting vote.

Chairman McWilliams said there were two other appointments to Boards and Commissions, an appointment to the Industrial Development Authority an at-large seat and a seat on the Board of Zoning Appeals representing the Cedar Creek District.

Ms. Collins made the motion to appoint Mr. Richard Hise to fill the seat on the Board of Zoning Appeals representing the Cedar Creek District with a term of office to expire June 1, 2016, pending Circuit Court approval. Mr. Perdue seconded the motion which was adopted 5-0.

Mr. Fry made the motion to appoint Mr. J. Wayne Anderson, to fill the at-large seat on the Industrial Development Authority with a term of office to expire April 15, 2016. Ms. Collins seconded the motion which was adopted 5-0.

Chairman McWilliams asked the Board if they wished to approve or amend the agenda.

Mr. Harrison, County Administrator, stated the Sheriff had asked to be added to the agenda to award the bid for renovations within the Sheriff's Office. Mr. Harrison also added under item 016-14(a) execution of Thomastown CDBG Phase 1 contracts.

Mr. Gilchrest made the motion to approve the agenda with the aforementioned additions. Ms. Collins seconded the motion which was adopted 5-0.

Chairman McWilliams introduced Sheriff Plecker who asked the Board to approve the apparent low bidder Kardinal Construction to complete renovations in the Sheriff's Office. Sheriff Plecker said he received two bids for the advertised scope of work that included new floor covering, creating new office space in the upstairs portion once used to house prisoners, and other cosmetic repairs. Sheriff Plecker said both bids came in below the \$35,000 included in his budget but the bid received from Kardinal Construction was the lower of the two.

Mr. Fry made the motion to authorize the Sheriff to award the bid for renovations to Kardinal Construction of Warm Springs and to move forward with the project after execution of a signed contract. Ms. Collins seconded the motion that was adopted 5-0.

Chairman McWilliams introduced the next item which was adoption of the meeting schedule for the Board of Supervisors for the calendar year 2014.

Chairman McWilliams suggested changing the regular Board of Supervisors meeting from 7 p.m. to 6 p.m. and moving the closed session when necessary to the end of the meeting. Chairman McWilliams said he also wanted to talk about scheduling a series of quarterly town hall meetings and suggested that those meetings be schedule during the early afternoon when staff is available to answer questions and research items that may come up.

Board members discussed the possibility of changing the time and how it might impact the public.

Mr. Fry made the motion to schedule the regular monthly meeting of the Board of Supervisors on the second Tuesday of each month at 6 p.m. with the closed session to follow. Ms. Collins seconded the motion.

Ms. Collins said she seconded the motion but after thinking about it she wondered if changing the time to better accommodate the public would interfere with public hearings.

Mr. Fry said public hearings could still be scheduled for 7:30 p.m. as they are presently.

Mr. Gilchrest said he was ambivalent and didn't have a strong feeling either way.

The Chairman called for the vote on Mr. Fry's motion to schedule the regular monthly meeting of the Board of Supervisors on the second Tuesday of each month at 6 p.m. with the closed session to follow. The motion failed with Messrs. Fry and McWilliams voting aye, Ms. Collins and Mr. Perdue voting nay, and Mr. Gilchrest abstaining.

Ms. Collins made the motion to schedule the regular monthly meeting of the Board of Supervisors on the second Tuesday of each month at 7 p.m. Mr. Perdue seconded the motion which was adopted 4-1, with Mr. Fry casting the dissenting vote.

Chairman McWilliams suggested a quarterly meeting of the Board in the afternoon that would allow for open dialogue between the Board and the public. He stated that having the meeting in the early afternoon would allow staff the time to research questions that might arise and get the answer back during the meeting.

Mr. Gilchrest said it was going to be a unique opportunity for Bath County and he was excited about the opportunity to engage substantive dialogue with the public. Mr. Gilchrest said having the meeting when state and local offices are open will allow for them to participate. Mr. Gilchrest suggested April 1, July 1, September 30, and December 2, 2014 as perspective dates.

Ms. Collins suggested the quarterly meetings be called community forums instead of town hall meetings. She said this would allow for the community to bring ideas and not just ask questions. Ms. Collins said she would like to see staff hold community meetings in the schools to involve school children and get them involved in County government.

Mr. Gilchrest made the motion to hold quarterly meetings on April 1, July 1, September 30, and December 2, 2014, from 2 p.m. to 5 p.m. Mr. Fry seconded the motion that was adopted 5-0.

Chairman McWilliams asked the Board if they wished to approve the minutes of the December 10, 2013, meeting of the Board of Supervisors.

Ms. Collins made the motion with a second from Mr. Gilchrest to approve the minutes of the December 10, 2013 meeting as submitted. The motion was adopted 5-0.

Chairman McWilliams introduced the next agenda item which was consideration of a resolution approving financing terms for the Burnsville Volunteer Fire Department.

Mr. Harold King, Burnsville Volunteer Fire Department, presented the Board with a resolution approving the financing terms of a loan not to exceed \$75,000 for the construction of an addition to the Burnsville station. Mr. King said the internal revenue code requires certain steps in order to qualify for the lowest interest rate. Mr. King said one of the conditions of the loan is the resolution approving the financing terms.

Mr. Fry made the motion to authorize the Chairman to sign the following resolution. Ms. Collins seconded the motion that was adopted 5-0.

**Resolution 2014-1**

A Resolution Approving the Financing Terms by Bath-Highland County Volunteer Fire Department, Inc. of up to \$75,000.00 for the Construction of an addition to the Burnsville Station

**WHEREAS**, Bath-Highland County Volunteer Fire Department, Inc. has determined to finance an amount of up to \$75,000.00 for the construction of an addition to the Burnsville station. The United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, this Board must first approve the financing. The VFD has held a public hearing on the financing after published notice, as required by the Code. The VFD has reported the proceeding of the hearing to this Board.

**BE IT THEREFORE RESOLVED, the Board of Supervisors of Bath County, Virginia as follows:**

1. The County approves the VFD's entering in the financing, as required under the Code for financing to be carried out on a tax-exempt basis. The VFD'S conduct of the required public hearing is approved.

The resolution was adopted by unanimous vote on January 14, 2014, with Chairman McWilliams, Vice-Chair Fry, Supervisors Collins, Gilchrest, and Perdue voting aye.

Chairman McWilliams introduced the next agenda item which was to schedule a joint meeting with the Highland County Board of Supervisors for the purpose of discussing the Stormwater Management Program.

Ashton N. Harrison, County Administrator, gave the Board three available dates February 17, 18, and 26, 2014, to meet with Highland County to review the draft Stormwater ordinance. The meeting would be scheduled at 6 p.m. in Highland County at the modular building. After discussion the Board decided to meet at 6 p.m. on February 26, 2014.

Chairman McWilliams introduced the next agenda item which was consideration of Telecommunications Planning Services Request for Proposals.

Ashton N. Harrison, County Administrator, said included within the Board packet for review and discussion if necessary was the Telecommunications Planning Services Request for Proposals. Mr. Harrison noted there were no actions needed at this time and the information provided was informational only.

Chairman McWilliams introduced the next agenda item which was the County financial report provided by Pam Webb, County Treasurer.

Mrs. Webb gave an overview of account balances as of December 31, 2013, and provided revenues collected to date in each fund.

Chairman McWilliams asked Mrs. Webb if she could provide a breakdown of sales tax revenue.

Mrs. Webb said that was included in the appropriate report provided in the Board packet.

Ms. Collins said the Commissioner of the Revenue should be able to provide a report by business of the sales tax collected.

Consent Agenda: Payments of Invoices, Approval of Transfers and Appropriations, Acceptance of Monthly Reports

Mr. Gilchrest made the motion to approve the consent agenda payments of invoices, approval of transfers and appropriations, acceptance of monthly reports, as submitted. Ms. Collins seconded the motion that was adopted 5-0.

Chairman McWilliams introduced the next agenda item which was execution of the Thomastown CDBG Phase 1 contract.

Ashton N. Harrison, County Administrator, said the contract for phase 1 of the Thomastown Community Development Block Grant was much like the Pinehurst project that was scheduled in two phases. Mr. Harrison said appendix A of the contract defined the project. Mr. Harrison asked the Board to authorize him to execute the contract on behalf of the County.

Ms. Collins made the motion to authorize the County Administrator to sign and execute the contract for phase 1 of the Thomastown project between the County and VA DHCD. Mr. Perdue seconded the motion that was adopted 5-0.

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

Mr. Matt Ratcliff, Chief of Bolar Fire Department, addressed the Board to seek support in organizing a rescue squad unit in the Bolar area of Highland County. Mr. Ratcliff said although the building is located just outside the Bath County border the fire department answers calls and assists regularly in Bath County. Mr. Ratcliff said Bolar Fire Department was toned 25 times in 2013 for assistance in Bath County. Mr. Ratcliff said the current building will not house a rescue unit due to space restrictions. Mr. Ratcliff said the building can be expanded by adding a 50 X 80 foot addition for approximately \$25,000.

Ms. Collins asked if Mr. Ratcliff had approached the state to seek certification.

Ashton N. Harrison, County Administrator, asked Mr. Ratcliff to submit his request in writing to the County Administrator's Office.

Mr. Ratcliff said this one of the first steps and he would need to approach Highland County in order to formally organize as a rescue squad.

Sheriff Robert Plecker gave the Board a brief report of annual activities in the Sheriff's department.

Mr. Perdue asked if the school resource officer program was a success.

Sheriff Plecker said Deputy Knick was a positive asset to the department and school administration was pleased with the program.

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

Mr. Gilchrest asked everyone to keep Senator Deeds in their thoughts as the General Assembly convenes in Richmond.

Mr. Perdue thanked Mr. Fry for his support and past service as Emergency Services Director. Mr. Perdue urged the public to contact the Board with their comments and concerns.

Ms. Collins said the Board is here to help, and suggested the public voice their opinions at the state and federal level as well. Ms. Collins urged everyone to support PILT because some Counties will suffer if PILT is not funded.

Mr. Fry thanked all emergency service workers, Sheriff's office staff, fire and rescue volunteers for their support and said it was a privilege to work with them.

Chairman McWilliams announced the Board work session scheduled for January 28, 2014, at 6 p.m. at the Bath County High School Library.

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

The Chairman adjourned the meeting.

Ordered that this Board do now stand adjourned until 6:00 p.m., January 28, 2014, for a work session of the Board. The next regular monthly meeting of the Board of Supervisors is scheduled for February 11, 2014 at 7 p.m.

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Ashton N. Harrison, Clerk

APPROVED:

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Bruce W. McWilliams, Chairman