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

Tuesday, April 10, 2018 7:00 p.m. Regular Meeting

At the Regular Meeting of the Board of Supervisors of Bath County, Virginia, Richard B. Byrd, Chairman; Phillip B. Perdue, Vice Chair; Edward T. Hicklin; Stuart L. Hall; Ronald R. Shifflett; Supervisors; Michael W.S. Lockaby, County Attorney; and Ashton N. Harrison, County Administrator.

Upon a motion made by Supervisor Hall, seconded by Supervisor Perdue, 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 Discussion, consideration, of assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Supervisor Perdue made the motion which was seconded by Supervisor Hall and adopted 5-0, in favor of coming out of closed 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: Supervisors Richard B. Byrd, Stuart L. Hall, Ronald R. Shifflett, Edward T. Hicklin, and Phillip B. Perdue.

Nays: None

Absent: None

Chairman Byrd announced April 8 through 14, 2018, as National Public Safety Telecommunicator Week. Chairman Byrd read the notice declaring April 8 through 14, 2018 as National Public Safety Telecommunicator Week.

Chairman Byrd explained the budget public hearing process and asked those who wished to comment on the budget to do so during the public hearing comment period.

Chairman Byrd announced that Bath County received a grant from Virginia Department of Emergency Management totaling $7,150 to purchase respiratory masks.

Chairman Byrd asked for a motion to call the meeting to order. Supervisor Perdue made the motion to call the April 10, 2018 Board of Supervisors meeting to order at 7 p.m. The motion was seconded by Supervisor Hall and adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Chairman Byrd led the Pledge of Allegiance and Supervisor Hall offered the invocation.

Chairman Byrd asked the Board if they wished to approve or amend the agenda and minutes from the March 13, 2018 Board of Supervisors meeting.

Supervisor Perdue made the motion to approve the agenda with additional invoices, a request for a letter of support for Bolar Volunteer Department, actions from closed session, and appropriation of federal funds in the amount of $47,894.43 to the school system. Supervisor Hall seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Supervisor Hall made the motion to approve the minutes of the March 13, 2018 Board of Supervisors meeting as submitted. Supervisor Perdue seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Public Comment

Kari Sponaugle, Virginia Cooperative 4-H agent for Bath and Highland Counties thanked the Board for their funding support. Ms. Sponaugle offered to answer questions and presented a packet of information outlining Virginia Cooperative Extension services.

Matt Ratcliffe, Warm Springs District, spoke on behalf of Bolar Volunteer Fire Department. Mr. Ratcliffe asked the Board to endorse a letter of support to establish a first responder unit.

Supervisor Hall asked how many EMT's currently support Bolar Volunteer Fire Department. Mr. Ratcliffe responded five (5), three (3) basic EMT's and two (2) advanced life support.

Kim Rexrode, Warm Springs District, asked for any assistance the Board might offer to assist Bolar Volunteer Fire Department as they strive to establish a first responder unit.

Brett Schoenfield, Valley Springs District, spoke regarding the Central Shenandoah Planning District Commission's Small Area Study for U.S. Route 220 and VA Route 615 intersection. Mr. Schoenfield said Omni Homestead supports any enhancements that improve vehicular and foot traffic in the Route 220 and 615 intersections. The roundabout seemed to offer the most appealing option.

Bonnie Lee, Warm Springs District, thanked the Board for the enhanced county website. Ms. Lee also thanked the Board of Supervisors for their support of volunteer fire and rescue departments. Ms. Lee recognized volunteers for their countless hours of dedicated service and asked that the county look for ways to appreciate volunteers.

Cliff Gilchrest, Millboro District, recognized Valley Elementary and Bath County High School teams who will participate in a national wind power competition. Mr. Gilchrest asked the Board to reconsider level funding for schools and appropriate additional much needed funding for schools in the FY 2019 budget.

Board Comment

Supervisor Perdue announced an upcoming presentation of historic survey work in the Warm Springs area by Virginia Department of Historic Resources.

Chairman Byrd read a letter asking for monetary support for students attending National Kid Wind Challenge a national competition that will take place in Chicago Illinois, May 8-10, 2018. Chairman Byrd said the Board would consider a request for monetary aid once a formal letter was received by county administration.

Letter of Support for Bolar Volunteer Fire Department

Supervisor Hall, Emergency Services Director, requested the Board send a letter of support to Highland County Board of Supervisors asking that Bolar Volunteer Fire Department be allowed to establish a first responder unit and ultimately a full service rescue squad. Supervisor Hall read comments from Jeannette and Gary Robinson urging the Board to support Bolar's request.

Supervisor Hall made the motion to send a formal letter of support to Highland County Board of Supervisors asking that Bolar Volunteer Fire Department be allowed to establish a first responder unit that would serve Highland and Bath Counties. Supervisor Perdue seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Smart Scale Discussion with Central Shenandoah Planning District Commission, Bath County Planning Commission and VDOT

Sherry Ryder, Bath County Planner/Zoning Administrator introduced Susan Hammond, VDOT, Jonathan Howard and Ann Cundy, Central Shenandoah Planning District Commission.

Ms. Cundy explained funding sources for the project. Mr. Howard presented the U.S. Route 220 and VA Route 615 Intersection Small Area Study. Statistics, recommendations and costs were presented for the Boards consideration.

Sherry Ryder, County Planner/Zoning Administrator asked the Board of Supervisors if they wanted Central Shenandoah Planning District Commission to move forward with the application process.

Chairman Byrd directed County Administration to include further discussion of the U.S Route 220 and VA Route 615 Intersection Small Area Study on the May 2018 Board of Supervisors agenda.

Public Hearing to Rezone Tax Parcels 72-80 and 72-80A, 132 Donze Lane, Hot Springs from M-1 Light Industrial to A-2 Agricultural General

Sherry Ryder, County Planner/Zoning Administrator explained the request made by Robert Donze on behalf of Rock Roadhouse LLC, and Mountain Cellar LLC for rezoning tax parcels 72-80 and 72-80A located at or near 132 Donze Lane, Hot Springs from M-1 Light Industrial to A-2 Agricultural General. The property does not have the necessary public utilities suitable for light industrial. Ms. Ryder explained the property would be use for a winery; grape vines have been planted on the property. The old school building would be renovated to a farmhouse. Other parts of the property would be used for agricultural purposes. The uses presented fit within agricultural zoning. The rezoning would be in accordance with 802.05, et seq, and 603.00, et seq, of the Bath County Land Use Regulations, and 15.2-2288.6 of the Code of Virginia. Ms. Ryder noted the Planning Commission met February 26, 2018, and voted 4-0 to recommend approval to the Board of Supervisors. Ms. Ryder commented no one in the public has opposed to the rezoning request.

Robert Donze, property owner addressed the Board asking for their support.

Chairman Byrd opened the public hearing.

Carl Chestnut, Cedar Creek District, spoke in favor of the proposed rezoning request.

Chairman Byrd closed the public hearing.

Supervisor Shifflett made the motion to approve the request to rezone tax parcels 72-80 and 72-80A located at or near 132 Donze Lane, Hot Springs from M-1 Light Industrial to A-2 Agricultural General. Supervisor Perdue seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Public Hearing on County Tax Levies for FY 2018-19

County Administrator Harrison explained the proposed tax rates for fiscal year 2018-19 are recommended at $0.50 per one hundred of assessed value for real property and $0.35 per one hundred of assessed value for personal property, which is unchanged from the current fiscal year. The public service corporation valuation ratio for fiscal year 2018-19 will be set at 99.9 percent.

Chairman Byrd opened the public hearing.

Cliff Gilchrest, Millboro District, spoke in favor of a tax increase of two to three cents to support the school system.

Sharon Lindsay, Warm Springs District, Carl Chestnut, Cedar Creek District, and Wallace Robertson, Cedar Creek District spoke against a tax increase.

Chairman Byrd closed the public hearing.

Supervisor Hicklin said realistically the Board may be faced with increasing taxes to provide services.

Chairman Byrd commented taxes are already higher than they should be. He stated when the Board was elected they were elected to represent everyone and some of those people cannot afford to pay higher taxes. Chairman Byrd said it is the Boards fiduciary responsibility to use public funds responsibly.

Supervisor Hall agreed with Chairman Byrd. He acknowledged that some citizens cannot afford higher taxes.

Supervisor Shifflett agreed taxes should not be increased.

Public hearing on County and Schools FY 2018-19 budget

County Administrator Harrison outlined the proposed FY 2018-19 County and Schools budget. The major changes from the requested budget and the recommended budget based on the last Board of Supervisors work session include: level funding for schools; capital projects that the Board is committed to are $15,000 for Burnsville Volunteer Fire Department; $275,000 for seconded phase of paving high school parking lot; $82,854 election equipment. Also included in the recommended budget $240,000 Mountain Grove Volunteer Fire Department mini pumper; $200,000 Mountain Grove Volunteer Fire Department rescue truck. The Board also asked staff to look into the cost of adding school security for Valley and Millboro Elementary Schools. Health insurance rates are unknown at this time. The draft budget includes a fifteen percent increase. Lodgers fund is recommended to use fund 15 for marketing.

Chairman Byrd opened the public hearing.

Stephen Hiner, Warm Springs District, spoke in support of hiring a school resource officer for Millboro Elementary and in favor of Mountain Grove Volunteer Fire Departments request for fire trucks. He also questioned what detail of information was provided by the school system supporting their budget request.

Sue Hirsh, Superintendent of Schools, explained the detailed information provided to the Board of Supervisors concerning the schools budge request. Mrs. Hirsh offered to go over the budget line by line with the Board of Supervisors to answer any questions concerning the schools request.

Jon Trees, Warm Springs District, and Wallace Robertson, Cedar Creek District, spoke in favor of adding school resource officers in all schools.

Ruth Sturgill spoke in favor of increased communication between the Board of Supervisors and the public school system.

Bryan Secoy, Millboro District, commented on the many accomplishments of students in the Bath County school system.

Kathy Lowry, Valley Springs District, invited anyone concerned about the schools budget to attend School Board meetings.

Sheriff Robert Plecker spoke regarding additional school resource officers. Sheriff Plecker explained the qualifications of a school resource officer and the timeline for hiring and training a new officer.

Roy Burns, Warm Springs District, spoke regarding how the School Board budgets and expends funds. Unused funds are returned to the County. Mr. Burns encouraged anyone with questions regarding the schools budget to ask the School Board or School Administration.

Chairman Byrd closed the public hearing.

Chairman Byrd said the School Board presents a line item budget. Chairman Byrd commented that when the schools budget was received it contained several large salary increases for individual employees from a salary survey study. Chairman Byrd stated the Board uses information provided by the school system to make their decision on funding.

Set public hearing to review and amend Land Use Regulations for inclusion of open space markets in B-2 General Business zoning districts

Sherry Ryder, County Planner/Zoning Administrator requested the Board of Supervisors consider setting a date to receive public input on inclusion of open space markets in B-2 General Business zoning districts. The Planning Commission met on March 26, 2018, and voted 4 in favor 0 against to recommend to the Board of Supervisors to present for public hearing to include open market space in B-2 General Business zoning districts and include a definition of open space market in the Bath County Land Use Regulations.

Supervisor Perdue made the motion to set a public hearing for May 8, 2018, at 7 p.m. or soon thereafter to receive public input regarding inclusion of outdoor market space in B-2 General Business zoning districts. Supervisor Hall seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Resolution Supporting Extension of Jackson River Trail

County Administrator Harrison recommended the Board of Supervisors approve a resolution supporting extension of the Jackson River Trail and approve $5,000 from lodgers fund 16 to assist Alleghany County secure private grant funding. Alleghany County is applying for

VDOT funding. VDOT requires a resolution from Bath County Board of Supervisors as the trail extension is located in Bath County. The trail follows the former C&O railroad and begins/terminates at a 1.3 acre trailhead located at the old Cascades golf course.

Supervisor Perdue made the motion to adopt the following resolution supporting extension of the Jackson River Scenic Trail, and to approve $5,000 from lodgers fund 16 to assist Alleghany County secure private grant funding. Supervisor Hall seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE
COUNTY OF BATH, COMMONWEALTH OF VIRGINIA,
SUPPORTING THE JACKSON RIVER SCENIC TRAIL

WHEREAS, Alleghany County owns a trail easement along the former Chesapeake and Ohio – Hot Springs Branch Railroad rail corridor that runs from the Alleghany/Bath County line north and terminates at Coles Mountain Road with a 1.33 acres trailhead easement also owned by Alleghany County; and

WHEREAS, Alleghany County has completed all phases of the Jackson River Scenic Trail development except for Phase 5 which entails the aforementioned easements that extend into Bath County;

NOW, THEREFORE, BE IT RESOLVED that upon an unanimous vote, the Bath County Board of Supervisors supports the endeavors of Alleghany County in the development of the entire Jackson River Scenic Trail, as well as implementing the final phase of the trail and trailhead into Bath County.

Appointments to Boards and Commissions

Supervisor Perdue made the motion to recommend Glen Criser and Carl Cleek for appointment to the Warm Springs Sanitation District, terms ending April 15, 2022. Appoint Amanda McGuire to the Rockbridge Regional Library Board, term ending June 30, 2019. Re-appoint John Loeffler, Warm Springs District, to the Bath County Planning Commission, term ending April 12, 2022. Re-appoint Robert "Joe" Wood, Millboro District and Roy Burns, Warm Springs District, to the Economic Development Authority, terms ending April 15, 2022. Appoint Pete Minetree as the at-large member on the Economic Development Authority, term ending April 15, 2022. Supervisor Hall seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Actions from Closed Session

Supervisor Perdue made the motion to authorize the County Administrator to hire a full time Tourism Coordinator effective May 1, 2018. Supervisor Shifflett seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Consent Agenda

Supervisor Perdue made the motion to approve payment of invoices, additional invoices, requests for transfers and appropriations, accept correspondence and monthly reports as

submitted. The motion was seconded by Supervisor Hall. The motion was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Additional Items

a) Letter to S. Duke Storen, Commissioner, VA Department of Social Services, requesting full funding for Medicaid expansion if approved by the General Assembly. Supervisor Hall made the motion to send a letter from the Board of Supervisors requesting full funding for Medicaid expansion. The motion was seconded by Supervisor Perdue. The motion was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye

b) Stipends for Boards and Commissions.
Supervisor Perdue made the motion to add a $75 stipend for members representing Bath County on Rockbridge Area Community Services Board, Shenandoah Valley Partnership, and Shenandoah Valley Workforce Investment Board. The stipend will be paid if the member attends the regular monthly meeting. Mileage will also be reimbursed. Supervisor Shifflett seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

c) Appropriation request of federal funds from Bath County Schools.
Supervisor Perdue made the motion to appropriate $47,894.43 to schools maintenance category. Supervisor Hall seconded the motion which was adopted 5 in favor, 0 against, with Supervisors Byrd, Perdue, Hall, Hicklin and Shifflett voting aye.

Public Comment

Jon Trees, Warm Springs District, asked if the position in the Tourism department would be advertised.

Roy Burns, Warm Springs District commented on a recent article that appeared in The Recorder newspaper. The increase in the schools budget went a lot further than the compensation study salary increases. In order to get quality educators the School Board wanted to be regionally competitive Other items included in the schools budget include a school bus, school nurses, safety measures and other items that are directly related to education and safety of students.

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

Supervisor Perdue commented that the budget as it stands today will require $1.7 million from the County fund balance.

Chairman Byrd said when the budget process began the Board received $3.5 million above the current year's budget. The increase from the school system was not the only increase.

Supervisor Perdue made the motion to adjourn the meeting. The motion was seconded by Supervisor Hall. The motion was adopted 5 in favor, 0 against, with Supervisors Byrd, Hall, Hicklin, Perdue and Shifflett voting aye.

Ordered that this Board do now stand adjourned until 7:00 p.m., May 8, 2018, for the regular monthly meeting of the Board of Supervisors.

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Ashton N. Harrison, Clerk

APPROVED:

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Richard B. Byrd, Chairman