

At a regular meeting of the Board of Supervisors, Alleghany County, Virginia held on Tuesday, February 7, 2017 at 7:00 p.m. in the Alleghany County Governmental Complex, Covington, Virginia, thereof:

PRESENT: Stephen A. Bennett, Chairman
G. Matt Garten, Vice-Chairman
Suzanne T. Adcock
Shannon P. Cox
Cletus W. Nicely
Richard Lee Shull

and Jonathan A. Lanford, County Administrator
Jim Guynn, County Attorney
Melissa A. Munsey, Deputy Clerk to the Board

ABSENT: James M. Griffith

CALL TO ORDER:

The Chairman called the regular meeting to order. Rev. Jeff Riley gave the invocation and the audience remained standing for the Pledge of Allegiance.

PUBLIC HEARING AND APPROVAL - CAITLEN RYDER AND BRAD BAILEY SPECIAL USE PERMIT REQUEST:

Public Hearing was held to consider a request from Caitlen Ryder and Brad Bailey for a Special Use Permit to locate a double-wide manufactured home in a Residential R-2 zone classification on three lots which total approximately one acre located at 202 Treetop Drive in the Falling Spring Garden area of the Falling Spring District of Alleghany County. The property is further identified on the Real Property Identification Maps of Alleghany County as Map 12A1, Section 1, Lots 50, 51, and 52.

The Chairman announced that this public hearing was advertised in the Virginian Review on Tuesday, January 24, 2017 and Tuesday, January 31, 2017 in accordance with the Code of Virginia. He then called the public hearing to order.

Mrs. Shelly Mongold, County Planner, reviewed the staff report which is as follows:

STAFF REPORT

Case Number: SU-127
Name of Petitioner(s): Caitlen Ryder & Brad Bailey
Date Request Filed: December 12, 2016
Public Hearing Date: February 7, 2017 (BOS)
Staff Reviewer: Shelly Mongold, County Planner

SUMMARY OF REQUEST

The applicants are requesting a special use permit to place a double-wide manufactured home on 3 lots located at 202 Treetop Drive in the Falling Spring Garden Subdivision. The property is further identified on the Real Property Identification Maps as Map 12A1, Section 1, Lots 50, 51, and 52.

LAND USE AND COMPATIBILITY (Sec. 66-480(f))

Present Use: Vacant (the dwelling was destroyed by fire and the debris recently removed from the property)

Proposed Use: Residential with a double-wide manufactured home

Current Zoning: Residential R-2

Characteristics of Lot(s): The three lots have a combined area of approximately 1 acre and is fairly flat.

Surrounding Land Use and Zoning: The surrounding properties are zoned Residential R-2 and are used primarily for residential purposes.

Ingress and Egress: Primary access to the property is Treetop Drive (Rt. 715).

Comprehensive Plan: According to the Comprehensive Plan, the property is located in a "Secondary Growth Support Area," which is defined as areas that are predominantly residential, there are sites of population concentrations, and infrastructure and county regulations will ensure orderly development.

Effects on Adjoining Properties: The majority of homes in the Falling Spring Garden Subdivision are traditional stick built homes. There is one single-wide and one double-wide manufactured home in the general area. Their placement predates the adoption of the zoning regulations (Nov. 1988). Consideration should be made in setting a precedent for allowing manufactured homes in this area.

Screening and Buffering: Screening and buffering is not required by the zoning ordinance and is not being proposed by the applicant.

Setback Requirements: The required setbacks for an R-2 zone district can be met as outlined in the zoning regulations.

Floodplain: The property is not located in a flood hazard area as shown on the FEMA Flood Insurance Rate Map (FIRM) Panel 51005C0065D.

Utilities/Refuse Collection: The property has private water and wastewater systems. Other utilities such as electric, phone, and cable are available. The residence would receive refuse collection from Alleghany County. There should be no detrimental effect or impact on the existing utilities or services that are currently being provided.

Parking: Parking will be provided off the street.

Article XIV-Mobile/Manufactured Home Requirements: Zoning regulations require that manufactured homes be properly blocked, anchored, connected to utilities, and completely skirted as required by the Virginia Uniform Statewide Building Code. Sites of mobile/manufactured homes shall be kept in compliance with County ordinances. Noncompliance with County regulations allows the Board of Supervisors the right to revoke a special use permit. Noncompliance can include lack of maintenance of the property by not removing trash, weeds, and debris; and not properly maintaining the structure. If at any time the mobile/manufactured home is removed from the property, the special use becomes null and void and the placement of another unit at the same site would require the issuance of another special use permit by the Board of Supervisors.

Additional Notes/Comments:

If the special use request is approved, the applicant will be required to acquire a building permit for the setup of the home and to ensure compliance with the Uniform Statewide Building Code.

Mr. Garten commented that the applicants bought the property where the house burned down and cleaned it up. He stated that the new home will add value to the neighborhood and to the tax base.

There being no one else who wished to speak, the Chairman declared the public hearing closed.

On motion of Mr. Garten, seconded by Mr. Nicely, that the Board waive its policy of not acting on a public hearing on the same night.

Unanimously adopted by the following roll call vote:

Suzanne T. Adcock	Yes
Shannon P. Cox	Yes
James M. Griffith	Absent
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

On motion of Mr. Shull, seconded by Mr. Garten, that the following resolution be adopted:

WHEREAS, Caitlen Ryder and Brad Bailey have applied for a Special Use Permit under a Residential R-2 designation to locate a double-wide manufactured home on three lots which total approximately one acre located at 202 Treetop Drive in the Falling Spring Garden area of the Falling Spring District of Alleghany County. The property is identified on the Real Property Identification Maps as Map 12A1, Section 1, Lots 50, 51, and 52; and

WHEREAS, a Notice to the Public advertising a public hearing on this Special Use Permit application was advertised once a week for two successive weeks in the Virginian Review on January 24, 2017 and January 31, 2017, and adjoining property owners were notified in writing by certified mail on January 5, 2017; and

WHEREAS, a public hearing was held by the Alleghany County Board of Supervisors on February 7, 2017;

NOW, THEREFORE, BE IT RESOLVED by the Alleghany County Board of Supervisors that the Special Use Permit request under a Residential R-2 zoning designation be granted to Caitlen Ryder and Brad Bailey to locate a double-wide manufactured home on three lots which total approximately one acre and located at 202 Treetop Drive in the Falling Spring Garden area of the Falling Spring District of Alleghany County with the understanding that all local, State, and Federal regulations must be adhered to.

Unanimously adopted by the following roll call vote:

Suzanne T. Adcock	Yes
Shannon P. Cox	Yes
James M. Griffith	Absent
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

PUBLIC HEARING AND APPROVAL - SALE OF PROPERTY AT 102 FORK FARM ROAD TO WESLEY DEW:

Public Hearing was held to consider the sale by Allegheny County of an approximate 1.831 acre parcel located at 102 Fork Farm Road (adjacent to the Lower Jackson River Wastewater Treatment Plant). The property is further identified on the Real Property Identification Maps of Allegheny County as 04500-00-000-032B.

The Chairman announced that this public hearing was advertised in the Virginian Review on Saturday, January 28, 2017 in accordance with the Code of Virginia. He then called the public hearing to order.

Mr. Lanford stated that the County purchased property for the construction of the Lower Jackson River Wastewater Treatment Plant which included the 1.831 parcel (A-2) that included the Dew home. He commented that Norman and Annabelle Dew reserved a life estate in the property with the family given the right to repurchase the property. He mentioned that Mr. Wesley Dew is exercising this right and has offered \$100,000. He stated that the existing access road that the County uses will be retained as part of the transaction.

Mr. Wesley Dew commented that he lost his parents recently and would like to buy the house back. He asked the County to expedite the process.

There being no one else who wished to speak, the Chairman declared the public hearing closed.

On motion of Mr. Garten, seconded by Mr. Nicely, that the Board waive its policy of not acting on a public hearing on the same night.

Unanimously adopted by the following roll call vote:

Suzanne T. Adcock	Yes
Shannon P. Cox	Yes
James M. Griffith	Absent
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

On motion of Mr. Nicely, seconded by Mr. Garten, that the following resolution be adopted:

WHEREAS, the County received a request from Mr. Wesley A. Dew to exercise his option to purchase Parcel A2 described in that certain deed dated May 31, 2006 and recorded in the Allegheny County Circuit Court Clerk's Office as Instrument No. 060001498 (the "Property"); and

WHEREAS, the County owns Parcel A2 subject to the life estates of Norman E. Dew and Annabelle H. Dew, who recently died on August 3, 2016 and December 9, 2016, respectively; and

WHEREAS, the Property consists of approximately 1.831 acres, including a dwelling and improvements thereon, located at 102 Fork Farm Road (adjacent to the Lower Jackson River Wastewater Treatment Plant), and further identified on the Real Property Identification Maps of Allegheny County as 04500-00-000-032B; and

WHEREAS, Mr. Dew has offered \$100,000.00 for the above-mentioned Property; and

WHEREAS, the County desires to reserve unto itself a fifty (50) foot wide non-exclusive right-of-way located on the

Property currently used for ingress and egress to Parcel A1 by the County's personnel, employees, agents, and invitees; and

WHEREAS, the Board held a public hearing on February 7, 2017 concerning the conveyance of the Property to Mr. Dew in accordance with Section 15.2-1800 of the Code of Virginia, 1950, as amended;

NOW, THEREFORE, BE IT RESOLVED that the Alleghany County Board of Supervisors hereby agree to convey the above-mentioned Property to Mr. Wesley A. Dew, reserving unto the County a non-exclusive fifty (50) foot right-of-way over the Property, in exchange for a price of \$100,000.00;

BE IT FURTHER RESOLVED that the Board authorizes Mr. Jonathan A. Lanford, County Administrator, to sign all required documents to convey the Property to Mr. Dew.

Unanimously adopted by the following roll call vote:

Suzanne T. Adcock	Yes
Shannon P. Cox	Yes
James M. Griffith	Absent
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

PUBLIC COMMENT (5 MINUTE TIME LIMIT):

No one spoke at this time.

MS. SUSAN HAMMOND, VDOT RESIDENT ENGINEER - VIRGINIA DEPARTMENT OF TRANSPORTATION UPDATE:

Ms. Susan Hammond, VDOT Resident Engineer, gave a report on the following VDOT activities:

Maintenance

- *County-wide activities performed this month include:*
 - *Patching potholes*
 - *Grading stabilized roads*
 - *Brush cutting*
 - *Shoulder repairs*
 - *Drainage repairs*
- *Responded to minor winter weather events.*

Construction

- *Route 696/Exit 21 project has been re-advertised and bids are to be received on February 22nd.*
- *Route 220 Botetourt County Citizen Information Meeting will be held at the National Guard Armory Gymnasium at DSLCC on February 9th from 4-6 PM. Information presented will be the same as what was provided at the public hearing held in Eagle Rock in December of 2016.*
- *Route 696 bridge replacement project (between Route 616 and railroad trestle) will be held on March 30th in the Alleghany County Board Room from 4-6 PM.*

Mr. Shull stated that Mr. Ray Tucker in Selma needs a ditch unstopped. He asked if the pipe could be moved to run down Richmond Street. Ms. Hammond replied that she will look into this.

Mrs. Cox stated that Mr. Richard Fridley mentioned that there is a problem with the shoulders of the road on Route 311 where vehicles go off the road into the loose rocks and can not get back on the road. She asked when the bridge at the Walton's on Route 311 will be finished as work is still being done and she thought it was to be completed by now. Ms. Hammond replied that she will check on this.

Mr. Garten commented regarding rocks and hanging trees on Rt. 220 near Honda Nissan potentially falling due to the weather. Ms. Hammond mentioned that the geologist was in the area making rounds of problem areas and is monitoring this situation.

Mr. Bennett asked if funds from snow removal can be shifted to other items/projects if not used. Ms. Hammond replied that it can be reused.

MR. CORBIN STONE, ROBINSON FARMER COX ASSOCIATES - PRESENTATION OF THE COUNTY AUDIT FOR THE YEAR ENDING JUNE 30, 2016:

Mr. Corbin Stone, Robinson Farmer Cox Associates, commented that the Board has a copy of the audit for year ending June 30, 2016. He mentioned that the audit went extremely well with all departments and they did not have a problem getting information needed. He handed out to the Board a presentation which he reviewed. The presentation included: (1) a chart showing a comparison of the General Fund from 6/30/08 to 6/30/16 (shows annualized growth rates with total revenues having a 0.79% growth and expenditures a 0.87% growth); (2) a graph showing general fund revenues by fiscal year; (3) a graph showing general fund expenditures by fiscal year; (4) a chart showing a comparison of the School Operating Fund from 6/30/08 to 6/30/16 (shows annualized growth rates with total revenues having a 1.17% decrease and expenditures a 2.24% decrease); (5) a graph showing school fund revenues by fiscal year; (6) a graph showing school fund expenditures by fiscal year; (7) a chart showing a summary of original tax assessments (total annualized growth rate of 3%); (8) a chart showing select financial data (general fund balance of \$9.7 million and a debt per capita of \$1,420.76); (9) standard management letter (no issues to report); and (10) audit recommendations memo (three recommendations). The presentation is a part of the records of this meeting. He commented that he is impressed with the County having an adequate fund balance and low debt.

Mr. Bennett asked the Board to contact Mr. Stone if they have any questions after reviewing the full audit report.

MS. MOTT ATHERHOLT, COMMITTEE CHAIRMAN - UPDATE ON THE ALLEGHANY HIGHLANDS HERITAGE DAY FESTIVAL:

Ms. Mott Atherholt, Committee Chairman of the Alleghany Highlands Heritage Day Festival, read the following prepared statement pertaining to the festival which will be held on Saturday, June 3rd from 10:00 a.m. to 5:00 p.m. The statement is a part of the records of this meeting:

Good Evening – My name is Mott Atherholt and I am a member of the Board of Directors of Clifton Forge Main Street and the boards past president.

- The Alleghany Highlands Heritage Day Festival began 6 years ago as an idea by John Hillert for a way to celebrate our rich, diverse and historic pioneering heritage here in the Highlands. This idea was sprung from an annual event he enjoyed in his native Wisconsin as a kid.*
- The Heritage Day Committee has tried from the beginning to focus on the different cultural groups who settled here in the Highlands through food/music/artisan demonstrations and other presentations that call attention to the amazing skills and incredible determination of our forefathers to carve out a new and better life for themselves and their families here in the Highlands, a geographic area that reminded many of our pre-revolutionary settlers of the lands in Europe they migrated from.*
- The first year approximately 500 people attended. That was a good start but John felt that perhaps free admission would attract more people. Since then no admission has been charged to the public for this day long event and attendance has grown exponentially.*
- Heritage Day has grown in 5 years into a major day long event attracting considerably more than 2,000 visitors last year. For the past several years, as the event showed promise of being a long term sustainable event for years to come, every effort was made to include representatives from the entire region on the planning committee each year. Not only have representatives from the AH Chamber of Commerce been part of the annual planning but last year Paul Linkenhoker, from Covington, joined in the planning, providing us with a link a number of valuable artisans and presenters from the western part of the County. This year not only is Paul again part of the committee, but Debby Siebold, Director of Olde Town Covington, has joined the group. Both are providing valuable input during our planning sessions.*
- In 2016, there were more than 130 vendors/artisans/entertainers/presenters offering the public a glimpse into the ways of our ancestors who came here to settle and lived by their wits and their skills. We have demonstrators showing wood working skills using early tools. They demonstrate everything from how bowls and rakes were made from wood to how tools were created using the local blacksmith's hand forged instruments and attaching wooden handles to make the tools functional. (Yes we also have a blacksmith demonstrating how the chisels, hammers, and other tools were created.) Well you get the idea.*
- We have offered Scottish Highland Games demonstrations, apple butter making in a hand cranked wooden churn, Native American dancers, soul food, an English Tea, a German food experience in a German beer garden, and not to be out done by that - an authentic moonshine still and a vendor offering moonshine tastings - that is now a legal beverage here in Virginia. We have had everything from Irish Stew to a display of herbs used in early settlers' medical treatments to a look back through in time using the various collections of the areas Historical Societies, Botetourt, Alleghany and Bath. And yes....we have had wonderful entertainment too – Irish Fiddlers, banjo artists, bagpipers, gospel singers, and even a spoons player. Our Artisans, vendors, entertainers, and presenters are participating in the festival from all over the Highlands.*
- We have always offered displays of domestic livestock of the kind that the pioneers brought with them when they came to settle here. Last year we added horses/wagons and a demo of a log pull by horses to the mix.*
- The last two years we began to introduce themes into the event by taking a different era of our history here in the Highlands and focusing on it. Last year the Civil War era was our focus because the AH Chamber of Commerce was debuting their Docu-Drama, "A Gift from a Yankee", filmed here in the Highlands and featuring actors from our region. This year we will use WW 1 & 2 as our theme in keeping with Virginia's statewide WW 1 & 2 Memorial Commission focusing on that time. We will present the collections of people representing those war times in the lives of people here in the Highlands. We will show a movie from that era on the big screen in the theatre, and show*

a continuous loop of WW 1 & 2 news reels throughout the day. We will also have guides in period costumes of the 40's to encourage visitors to see all the happenings in the 6 different locations of this year's festival. We will have needlework and quilt displays and quilt turnings that feature quilts from that era, and there will even be a food tent that will feature Spam sandwiches, fried bologna, as well as mayonnaise and "mater samiches" etc. - All of this -while continuing to showcase the lives of our original pioneers.

- This event was never intended to be a Theatre fundraiser and now that the Theatre is open, it seems more than ever important to move it from the "Umbrella" of the Theatre, to a more broad based non-profit organization. For that reason... Clifton Forge Main Street was selected to facilitate the continuation of this unique and exciting festival in much the same way we at Main Street host the day long Stars and Stripes Festival where all of us in the Highlands come together to enjoy celebrating together our nation's birthday. I have been given the task of chairing this year's festival, and Paul Linkenhoker will assume the chairmanship in 2018. SPEAKING OF THE STARS AND STRIPES CELEBRATION, ONE INTERESTING NOTE: Similar to the way the Heritage Day Festival started, the Stars and Stripes Celebration was begun by Jack Backels our much beloved former President of DSLCC, who used to experience a similar 4th of July celebration in his grandparents small town in Michigan. The folks in that town were also immigrants from another country and proud to celebrate their new nation's birthday.
- One benefit of the Heritage Day event has been the opportunity to introduce people to our beautiful Alleghany Highlands region from as far away as Tidewater, Northern Virginia, North Carolina, and of course, West Virginia. Some folks have come from much further away because they have seen our marketing efforts in publications like the Virginia Festivals book, Daytripper, Blue Ridge Outdoors, etc. found in all the Welcome Centers in the state.
- Our area businesses have definitely seen an increase in their revenue during the festival, and although our Town Treasurer does not keep daily records of Meals and Retail Sales taxes, the monthly figures for those taxes in the month of June each year certainly show an uptick that we suspect comes in large part from the Heritage Day Festival.
- The Town of Clifton Forge has been very generous with the in-kind services of our Police and Public Works Departments often requiring overtime hours; but unfortunately, our Town's annual budget does not have any unallocated funds that we could ask to draw from to help fund this year's event.
- So....I come to you tonight not only to share this information about what has become a very special regional event showcasing Covington, Alleghany County, and Clifton Forge while highlighting all that is wonderful about the glorious Alleghany Highlands in which we all live, work and play.... But to tell you that there were no holdover funds from last year's festival to help fund this year's event.... So I am also asking that if you have the ability to contribute \$2,000.00 to the Alleghany Highlands Heritage Day Festival from unallocated funds in this fiscal year's budget, it will greatly help us to continue forward with this year's festival at the level that has been reached during the past five years... A level that is attracting more than 2,000 festival visitors each year who not only enjoy the Heritage Day Festival but discover while here, all that our Alleghany Highlands has to offer. These are the visitors that will help us continue growing our expanding tourist economy. With your support Main Street hopes to continue breathing life into this very special regional event.

Thank you so very much for your time and your patience.

MS. TERESA HAMMOND, CHAMBER OF COMMERCE - DISCUSS CREATING A COMMITTEE IN REGARDS TO ESTABLISHING TOURISM ZONES:

Ms. Teresa Hammond, Chamber of Commerce, reviewed the memo included in the agenda packet. The memo is as follows:

The Alleghany Highlands Chamber of Commerce and Tourism seeks to identify programs and resources that will help grow and enhance tourism in the region. One opportunity is to create Tourism Zones, which function much like Enterprise Zones. A Tourism Zone allows businesses to take advantage of state and local tax credits and deductions. Any city, county, or town may establish, by ordinance, one or more tourism zones. Each locality may grant tax incentives and provide certain regulatory flexibility in a tourism zone.

The goal of the incentives is to stimulate business attraction, growth, and increased employment opportunities within economically challenged areas of a locality. This can include, but is not limited to hiring credits, sales & use tax credits, expense and interest deductions, discount utility hook-up and payment plans, sewer facility hook-up payment plans, and reduced parking requirements.

Tourism Zones are passed by local ordinance and contain both requirements and benefits for existing and new tourism businesses including lodging, dining, retail, meeting and sports facilities, outdoor recreation areas, theme parks, and event venues.

The Chamber recommends that the County form a working committee to discuss the benefits of establishing tourism zones; develop a tourism zone map(s); recommend procedures that a business would follow to qualify for tourism zone incentives including an application; and create an approval process.

We believe this incentive program would help generate additional tourism development in our area. Your consideration is greatly appreciated.

/s/ Best regards,
Teresa Hammond
Executive Director

Ms. Hammond added that Clifton Forge recently adopted a tourism zone and Covington will be considering one in March. She mentioned that there is also a flyer in the agenda packet from Spotsylvania County and Fredericksburg on their tourism zones.

Mr. Lanford stated that Rockbridge County has a tourism zone for two areas that can also be used as a template.

Ms. Hammond commented that the Committee would be small (approximately 5) and include a representative from the Chamber of Commerce, AHEDC, County staff, and the Board.

Mr. Bennett suggested that Mr. Lanford work with Ms. Hammond on setting up the Committee. He mentioned to keep in mind that the tax abatement program is out there too.

Ms. Adcock stated that she could serve on the Committee if meetings are held in the evening.

APPROVE RESOLUTION AUTHORIZING A CONSENT TO ASSIGNMENT FROM ANDERSON & ASSOCIATES, INC. TO HURT & PROFFITT:

Mr. Lanford stated that Anderson & Associates, Inc. has been purchased by Hurt & Proffitt. He commented that the County has contracts with Anderson & Associates, Inc. and a Consent to Assignment would need to be done to transfer those contracts to Hurt & Proffitt.

On motion of Mr. Garten, seconded by Ms. Adcock, that the following resolution be adopted:

BE IT RESOLVED that the Allegheny County Board of Supervisors authorize Mr. Jonathan A. Lanford, County Administrator, to sign the "Consent to Assignment" with Hurt & Proffitt due to their acquisition of Anderson & Associates, Inc. currently under term engineering contract with the County.

Unanimously adopted by the following roll call vote:

- Suzanne T. Adcock Yes
- Shannon P. Cox Yes
- James M. Griffith Absent
- Cletus W. Nicely Yes
- Richard Lee Shull Yes
- G. Matt Garten Yes
- Stephen A. Bennett Yes

APPROVE CHANGE ORDER WITH SEKIV SOLUTIONS (ROSEDALE AND DUNLAP CREEK SEWER DESIGN CONTRACT):

Mr. Lanford reviewed the memo from him to the Board included in the agenda packet which is as follows:

Sekiv Solutions is currently under contract, in an amount equal to \$43,815, to perform re-design of the gravity sanitary sewer system serving Rosedale along with the gravity trunk sewer paralleling Dunlap Creek beginning at a point located behind the Red Cross building downstream to the existing Rosedale Sanitary Sewer Lift Station (the gravity trunk sewer upstream from the point behind the Red Cross building to the Oakwood Subdivision was replaced a few years ago).

The original design contract with Sekiv did not include key elements required to access Virginia Clean Water Revolving Fund program dollars, our primary sewer improvement funding source. As such, and in order to access funding to facilitate the needed construction improvements, a change order to the design contract is necessary. Staff recommends amending the contract to include development of a Preliminary Engineering Report (was not completed; design is at approximately 95%; funding program will not accept an application without a completed Preliminary Engineering Report), Environmental Assessment, Revolving Loan Fund Specific Construction Plan and Specification Documents, Additional Surveying, and Revolving Loan Fund Procedural Management.

<i>Total Change Order amount for above scope</i>	<i>\$31,825.00</i>
<i><u>Existing Contract Value (referenced above)</u></i>	<i><u>\$43,815.00</u></i>
<i>Total Adjusted Contract Value</i>	<i>\$75,640.00</i>

Funding to cover the change order value is available in the General Engineering budget.

On motion of Mr. Nicely, seconded by Mr. Garten, that the following resolution be adopted:

BE IT RESOLVED that the Allegheny County Board of Supervisors approve Change Order #1 with Sekiv Solutions in the amount of \$31,825.00 for the Rosedale and Dunlap Creek sanitary sewer design contract to incorporate requirements of the Virginia Clean Water Revolving Fund (development of a Preliminary Engineering Report, Environmental Assessment, Revolving Loan Fund Specific Construction Plan and Specification Documents, Additional Surveying, and Revolving Loan Fund Procedural Management). The funds are available in the General Engineering-Professional Services (4101-53002) budget;

BE IT FURTHER RESOLVED that the Board authorize Mr. Jonathan A. Lanford, County Administrator, to sign the abovementioned change order on behalf of the County.

Unanimously adopted by the following roll call vote:

Suzanne T. Adcock	Yes
Shannon P. Cox	Yes
James M. Griffith	Absent
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

APPROVE RESOLUTION SUPPORTING THE MARKETPLACE FAIRNESS ACT:

Mr. Lanford reviewed a memo from him to the Board included in the agenda packet which is as follows:

The City of Roanoke requested all Virginia localities to share the enclosed correspondence and measure with local governing officials. Roanoke City Council passed the attached resolution unanimously at its meeting on 03 January 2017.

Chris Morrill, Roanoke City Manager, has spoken with representatives affiliated with the Government Finance Officers Association (GFOA), National League of Cities (NLC), United States Conference of Mayors, National Association of Counties (NACO), and retailer associations, and believes the City of Roanoke can get enough momentum going to get the bill passed this year.

City officials are hoping that most of the local governments in the Commonwealth will consider adopting a similar resolution. I understand the Town of Clifton Forge and City of Covington will consider adoption at upcoming meetings.

In a recent conversation with Mr. Morrill, he indicated the City of Roanoke was seeing a 7% year-to-date (YTD) reduction in sales tax for FY17. In Alleghany County, we are trending at an approximate 9% FY17 YTD reduction as compared to FY16. You can certainly attribute some of the reduction to the closing of Kmart, but not the entire difference.

On motion of Mr. Garten, seconded by Mrs. Cox, that the following resolution be adopted:

WHEREAS, many State and Local governments rely on the collection of sales and use taxes to support funding to improve needed infrastructure improvements, strengthen local small businesses, create jobs for their citizens, and fund essential services; and

WHEREAS, local small businesses confront expanded competition from the explosion of Internet sales by remote sellers who are unwilling to collect and remit properly assessed sales taxes to State and Local governments; and

WHEREAS, national studies reveal that State and Local governments lose approximately \$30 Billion each year from uncollected sales taxes from transactions involving remote Internet retailers; and

WHEREAS, local businesses estimate that the County of Alleghany has lost millions of uncollected sales and use taxes from remote online sales; and

WHEREAS, State and Local associations, including the Government Finance Officers Association, the National League of Cities, the National Association of Counties, the United States Conference of Mayors, and the National Governors Association, along with partners in the retail community, worked together for years to develop a fair and easy system to collect and remit these sales taxes structured on a system of collection based on the purchaser's location; and

WHEREAS, through this collaborative effort, we believe that an effective and efficient response in eliminating the competitive disadvantage faced by our local small business retailers appeared in 2013 when the Marketplace Fairness Act passed in the United States Senate through a bi-partisan effort and would have established a fair system for the collection of existing taxes owed to State and Local government, and address the pressing need to level the playing field among remote Internet sellers and local "bricks and mortar" retailers; and

WHEREAS, following the passage of the Marketplace Fairness Act by the United States Senate in 2013, the United

States House of Representatives did not vote on the Marketplace Fairness Act or any alternative to address this critical economic development issue, and this inaction by the House of Representatives caused the United States Senate to reintroduce the Marketplace Fairness Act in 2015; and

WHEREAS, the continued inability of Congress to reach a consensus has resulted in an increase in the Virginia state sales tax from 5.0% to 5.3% and has placed significant and challenging limitations on localities; and

WHEREAS, 2017 is now the opportunity for the 115th Congress to demonstrate real political courage and break this unwarranted and unjustified stalemate by moving the Marketplace Fairness Act or other legislation to collect and remit sales taxes structured on a system of collection based on the purchaser's location through the United States Senate and United States House of Representatives during its 2017 session in order to protect localities and level the playing field between local retailers and remote Internet sellers;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Alleghany County, Virginia that:

1. The Board of Supervisors urges Senate Majority Leader Mitch McConnell, Senator Mark Warner, Senator Tim Kaine, and all United States Senators to reintroduce the Marketplace Fairness Act into the United States Senate during its 2017 session.
2. The Board of Supervisors urges Speaker Paul Ryan, Chairman Bob Goodlatte, and all Members of the House of Representatives to act on the Marketplace Fairness Act or other legislation to collect and remit sales taxes structured on a system of collection based upon the purchaser's location in the House Judiciary Committee.
3. The Board of Supervisors urges the United States Senate and the United States House of Representatives to hold votes to pass the Marketplace Fairness Act or other legislation to collect and remit sales taxes structured on a system of collection based upon the purchaser's location during the 2017 session and send the clear and unequivocal message to States and Localities that the United States Congress supports small business women and men who create jobs, produce revenues to support essential infrastructure improvements, and create a stronger and more resilient economy for the benefit of all Americans.
4. The Board of Supervisors directs the Deputy Clerk to provide attested copies of this Resolution to The Honorable Paul Ryan, Speaker of the United States House of Representatives, The Honorable Bob Goodlatte, Chairman of the House Judiciary Committee, The Honorable Mitch McConnell, Senate Majority Leader of the United States Senate, The Honorable Mark Warner, United States Senator, and The Honorable Tim Kaine, United States Senator.

Unanimously adopted by the following roll call vote:

Suzanne T. Adcock	Yes
Shannon P. Cox	Yes
James M. Griffith	Absent
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

COUNTY ADMINISTRATOR'S REPORT:

Mr. Lanford handed out and reviewed a memo with an update on various items. The memo is a part of the records of this meeting and is as follows:

Joint Budget Work Session with Covington City Council

As mentioned during my report at the January meeting, a 02 March 2017 joint meeting has been scheduled with City Council to hear initial budget requests from joint service departments/agencies/offices and jointly funded outside agencies. Initial invitee list includes Social Services, Community Services Board, Sheriff, Commonwealth Attorney, Circuit Court Clerk, RADAR, and Regional Library. The format would provide up to 20 minutes for each invitee to present requests for funding increases, new capital projects, staffing requests, new program implementation, etc. Premise is for both governing bodies with funding responsibility to hear these requests jointly, prior to the beginning of our respective independent budget development work. The Board will need to adjourn the meeting tonight to March 2nd at 6:00 p.m. at the Alleghany Highlands Regional Library.

Budget Schedule

Budget requests were distributed 03 February 2017 with requests due back on 27 February 2017. A joint meeting

is proposed for 02 March 2017 and we will begin budget committee (Mr. Griffith and Ms. Adcock) work sometime the week of 20 March or 27 March.

RADAR Update

Continue to work with RADAR staff, Department of Rail and Public Transit (DRPT), and Dawn Wilson and her group of interested community stakeholders. DRPT is currently engaging a consultant to evaluate existing RADAR service. The consultant will look to identify improvements/efficiencies. In addition to the \$15,200 level funding, the County has matched an additional \$8,500 in donations to date.

Natural Gas Concept Grant Application

Grant application to the Allegheny Foundation was submitted in mid-January.

Commission on Local Government Meeting - Revenue Sharing Agreement

Staff from the City, AHEDC, and County traveled to Richmond on 10 January to present the Joint Revenue Sharing Agreement and the presentation was well received. COLG is tentatively scheduled to host meetings in our community the week of 13 March to solicit public comment on the proposed agreement.

Virginia Association of Counties Steering Committee

Ms. Adcock serves on Health and Human Resources and Mr. Griffith and myself were recently appointed to serve on Economic Development and Planning.

VDOT Route 220 Public Meeting

Salem District VDOT officials are hosting a Public Meeting on the proposed Route 220 improvements at Dabney S. Lancaster Community College on Thursday, 09 February from 4-6 p.m. in the Armory.

Wythe County Support for Tobacco Tax

Effort to equalize taxing authority, specifically around tobacco among Counties (beyond Fairfax and Arlington) did not survive the current General Assembly session.

Allegheny Highlands Economic Development Authority Dissolution

Dissolution request was submitted to Governor Terry McAuliffe on 23 January 2017.

Intervale Property Development

A Public Meeting for the purpose of receiving feedback regarding the potential development of County-owned property adjacent to the Jackson River Scenic Trail in Intervale has been scheduled for 16 February 2017 at 5:30 p.m. in the Community Room of the Allegheny Highlands Regional Library. Tentative plans to develop the property for an outfitter styled operation will be presented with an opportunity for staff and district representatives (Mr. Griffith and Mr. Garten) to receive feedback and input from community members.

Highlands Delegation to Meet with Economic Development Officials

On Wednesday, 08 February, staff from the Town of Clifton Forge, City of Covington, Economic Development Corporation, Chamber of Commerce, and Allegheny County will travel to Richmond to meet with staff from State Agencies, Secretary of Commerce and Trade, USDA-Rural Development, Virginia Economic Development Partnership, and Delegate Austin. Delegate Austin facilitated the meeting through Mary Rae Carter, Rural Advisor in the Secretary of Commerce and Trade office. The purpose of the meeting is to identify means and methods by which the State can assist the Highlands with our economic development efforts.

BOARD MEMBER COMMENTS (INQUIRIES/REPORTS):

Miscellaneous

The Board thanked everyone for coming to the meeting.

Mr. Shull commented that he mentioned to people in his District to show more support by coming to Board meetings and they told him that is why he is there.

Mrs. Cox thanked Mr. Lanford for the written County Administrator's reports as it helps her keep up with items.

Ms. Adcock thanked Ms. Atherholt for her work with the Clifton Forge Main Street. She commented that she attended a meeting last Monday with the Clifton Forge Public Library Board and they will have financial considerations for the upcoming budget season. She stated that she is excited about the delegation going to Richmond tomorrow and this will go a long way with the group going together.

Mr. Garten commented that he hopes it is a non-wintery season.

ADJOURNMENT:

On motion of Mr. Nicely, seconded by Ms. Adcock, that the meeting be adjourned at 8:10 p.m. to Thursday, March 2, 2017 at 6:00 p.m. at the Alleghany Highlands Regional Library. Motion carried.

Stephen A. Bennett
Chairman