

At a regular meeting of the Board of Supervisors, Alleghany County, Virginia held on Tuesday, January 5, 2016 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
James M. Griffith
Cletus W. Nicely
Richard Lee Shull

and Jonathan A. Lanford, Interim County Administrator
Chris Clark, Director of Public Works
Chad Williams, Director of Parks and Recreation
Ryan Muterspaugh, Director of Public Safety
Jim Guynn, County Attorney
Melissa A. Munsey, Deputy Clerk to the Board

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.

The Chairman then turned the meeting over to Mr. Lanford for election of Chairman.

ELECTION OF CHAIRMAN:

Mr. Lanford, acting as Chairman *Pro Tem*, called for nominations for Chairman of the Board.

Mr. Nicely nominated Mr. Stephen A. Bennett for Chairman.

On motion of Mr. Garten, seconded by Mrs. Cox, that nominations for Chairman of the Board be closed.

Unanimously adopted by the following roll call vote:

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

On motion of Mr. Nicely, seconded by Mr. Garten, that Mr. Stephen A. Bennett be elected Chairman of the Board.

Unanimously adopted by the following roll call vote:

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

ELECTION OF VICE-CHAIRMAN:

Mr. Bennett, the elected Chairman, took over the meeting. He asked for nominations for Vice-Chairman of the Board.

Mr. Nicely nominated Mr. G. Matt Garten for Vice-Chairman.

On motion of Mr. Nicely, seconded by Ms. Adcock, that nominations for Vice-Chairman of the Board be closed.

Unanimously adopted by the following roll call vote:

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

Stephen A. Bennett Yes

On motion of Mr. Nicely, seconded by Ms. Adcock, that Mr. G. Matt Garten be elected Vice-Chairman of the Board.

Unanimously adopted by the following roll call vote:

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

ADOPTION OF CODE OF ETHICS:

Mr. Bennett commented that the Board has a draft resolution of the Code of Ethics in the agenda packet which is the same as last year.

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

BE IT RESOLVED by the Alleghany County Board of Supervisors that the Board and County officials will be guided by the following Code of Ethics:

The ethical elected and non-elected County official should:

- * Properly administer the affairs of the County.
- * Promote decisions which only benefit the public interest.
- * Actively promote public confidence in County government.
- * Keep safe all funds and other properties of the County.
- * Conduct and perform the duties of the office diligently and promptly dispose of the business of the County.
- * Maintain a positive image to pass constant public scrutiny.
- * Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility.
- * Inject the prestige of the office into every day dealings with public employees and associates.
- * Maintain a respectful attitude toward employees, other public officials, colleagues, and associates.
- * Effectively and efficiently work with governmental agencies, political subdivisions, and other organizations in order to further the interest of the County.
- * Faithfully comply with all laws and regulations applicable to the County and impartially apply them to everyone.

The ethical elected and non-elected County official should not:

- * Engage in interests that are not compatible with the impartial and objective performance of his or her duties.
- * Improperly influence or attempt to influence other officials to act in his or her own benefit.
- * Accept anything of value from any source which is offered to influence his or her action as a public official.

The ethical elected and non-elected County official accepts the responsibility that his or her mission is that of servant and steward to the public.

Unanimously adopted by the following roll call vote:

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

ADOPTION OF BOARD BY-LAWS:

Mr. Bennett stated that the Board has a draft resolution in the agenda packet to adopt the Board's By-Laws which are the same as last year.

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

BE IT RESOLVED that the By-Laws of the Alleghany County Board of Supervisors be adopted as submitted.

Unanimously adopted by the following roll call vote:

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

The adopted Board By-Laws and Public Comment Guidelines are as follows:

BY-LAWS ALLEGHANY COUNTY BOARD OF SUPERVISORS

These by-laws are for the purpose of promoting properly conducted meaningful and orderly meetings of the County Board of Supervisors in the transaction of County business, and to maintain decorum at all times. The by-laws are designed to allow the Board and its Chairman to conduct the meetings efficiently, allowing all necessary and appropriate opportunities for any person to address the Board on matters under consideration.

SECTION (1) REGULAR MEETINGS:

(A) *The Alleghany County Board of Supervisors shall meet in one (1) Regular Meeting a month on the first Tuesday at 7:00 P.M. in the Board Room of the County Governmental Complex for the purpose of conducting the business of Alleghany County. Any Regular Meeting that falls on Election Day in November shall be held on the following day (Wednesday).*

(1) *The Agenda for the Regular Meeting shall be prepared by noon on the Thursday prior to the first Tuesday in each month. The Agenda shall be placed on the County web site on the Friday prior to the first Tuesday of each month. The agenda shall be as follows:*

*Call to Order
Invocation
Pledge of Allegiance
Minutes
Public Hearing
Public Comment
Unfinished Business
New Business
County Administrator's Report
Board Member Comments (Inquiries/Reports)
Closed Meeting (as needed)
Adjournment*

(2) *The following is an explanation of various agenda headings:*

Public Hearings are conducted in accordance with the Code of Virginia, 1950, as amended, for the purpose of receiving public input on the topic of the public hearing. The Board has a policy to not act on a public hearing on the same night, but may waive this policy and take action with unanimous approval of members present.

Public Comment gives the public an opportunity to address the Board on matters appropriate to the responsibilities of the Board. There shall be a maximum time limit of five (5) minutes for comments from each speaker with a maximum time limit of 30 minutes allocated to Public Comment in any one meeting. A sign-up sheet will be provided at a table near the meeting room for Public Comment. Adopted Public Comment Guidelines for speakers will also be provided on the table. If the number of individuals on the sign-up sheet would exceed the allotted 30-minute time-frame, the Chairman has the latitude to place a shorter limit on individuals. After the Board has heard comments from those who signed up, others in the audience who have not had an opportunity to speak and desire to do so will be invited to speak, time permitting. If speakers have copies of comments available, they should be provided to the Deputy Clerk to the Board for inclusion in the minutes. If this section is amended at any time, then the adopted Public Comment Guidelines will automatically be amended.

Unfinished Business consists of items that have been presented and discussed at a previous meeting, but more discussion was necessary for clarification prior to a vote or the item was tabled. Items under Unfinished Business can be voted on at any time.

New Business consists of items that have not been presented or discussed or is something new in relation to an item that has previously been presented or discussed. Items under New Business can be voted on at any time.

(3) *The agenda shall be finalized by noon on the Wednesday prior to any Board meeting. The agenda shall not thereafter be changed except by Board action taken at the meeting.*

Persons wanting a topic placed on the agenda shall make the request to the County Administrator or Deputy Clerk to the Board. The County Administrator will then report to the Chairman on the request.

- (4) *Matters not on the agenda for the Regular Meeting may be considered by the Board when requested by the Administrator, or his/her representative, the County Attorney, or a member of the Board. The item will be added to the New Business or Unfinished Business section of the agenda.*
- (5) *All meetings of the Board of Supervisors shall be governed by the Code of Virginia, Roberts Rules of Order, as revised, and these by-laws.*
- (6) *The County Attorney or his Assistant shall be the parliamentarian and the legal advisor to the Board of Supervisors at all meetings.*
- (7) *A roll call vote shall be held for all motions except to go into a Closed Meeting, come out of a Closed Meeting, and to adjourn.*

SECTION (2) SPECIAL MEETINGS/PUBLIC HEARINGS/WORK SESSIONS/ADJOURNED MEETINGS:

- (A) *Special meetings, public hearings, work sessions, and adjourned meetings shall be held when necessary in accordance with provisions in the Code of Virginia pertaining thereto.*

SECTION (3) ADHERENCE TO POLICY:

- (A) *Policy matters of the Board shall be followed and adhered to and no action should be taken by the Board of Supervisors if such action would actually be in conflict or at cross purposes with the intent of an established policy. The Board may, where circumstances warrant, waive a given policy for a particular situation and action as the Board deems desirable, with unanimous approval of members present.*

SECTION (4) PRECEDENCE OF LAWS:

- (A) *These by-laws shall govern in all cases to which they are applicable and in which they are not inconsistent with the federal, state, or local law.*
- (B) *Any provision of any part of these by-laws which are found to be in conflict with the Code of Virginia or the Constitution shall be null and void and the remaining provisions shall continue to apply.*

SECTION (5) CHANGES OR AMENDMENTS:

- (A) *These by-laws may be changed or amended by action of the Board of Supervisors at any regular meeting, provided that each Board member is given proper notice of any proposed change or amendment.*

Deputy Clerk to the Board

PUBLIC COMMENT GUIDELINES

- *A sign-in sheet will be placed near the Board Room door for citizens who wish to speak during the Public Comment. Citizens should list their name, address, and topic to be addressed. After all speakers who signed up have spoken, anyone else interested in speaking will be given the opportunity.*
- *Speakers are limited to five minutes. There is a maximum time limit of 30 minutes allocated to Public Comment in any one meeting. If the number of individuals on the sign-up sheet would exceed the allotted 30-minute time-frame, the Chairman has the latitude to place a shorter limit on individuals.*
- *Speakers are to provide a copy of remarks to the Deputy Clerk, if in writing.*
- *The Board of Supervisors encourages and values citizen input on all topics or issues of relevance to the Board's responsibilities.*
- *Speakers shall direct all comments to the Board (not individual members or employees of the Board).*
- *Profane or vulgar language, partisan political statements, or comments related to the conduct or performance of Board members or staff are not appropriate in this setting.*
- *Board members are not expected to respond to questions or comments unless the Chairman deems such response appropriate. Board members may seek clarification or additional information from speakers through the Chair.*

MINUTES:

Hearing no corrections or deletions, the Chairman declared the following minutes approved as submitted: (1) a regular meeting held on December 1, 2015.

PUBLIC HEARING AND APPROVAL - CONVEYANCE OF UNDERGROUND UTILITY EASEMENTS TO DOMINION VIRGINIA POWER:

- Public Hearing was held to consider the conveyance by Alleghany County of the following to Dominion Virginia Power:
- 1. *A 15' wide by approximately 102' long utility easement across the Jackson River Scenic Trail (between property owned on both sides by Rodney and Doris Kyle) to install underground facilities and remove overhead electric lines (plat #13-15-0685).*

2. A 15' wide by approximately 1,680' long utility easement along the Jackson River Scenic Trail (beginning at the above intersection with the Kyle property and extending to property owned by Harry and Amanda Sargent) to install underground facilities and remove overhead electric lines (plat #13-15-0685).

The Chairman announced that this public hearing was advertised in the Virginian Review on Tuesday, December 29, 2015 in accordance with the Code of Virginia. He then called the public hearing to order.

Mr. Williams stated that this is a standard utility easement requested by Dominion Virginia Power to remove overhead power lines and put them underground. He commented that one easement crosses the trail and the other goes along the edge of the trail within 15' of the property line. He mentioned that he has worked with the contractor for Dominion Virginia Power so that there will be no impact to the trail.

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

On motion of Mr. Nicely, seconded by Mr. Garten, 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	Yes
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

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

BE IT RESOLVED that the Alleghany County Board of Supervisors authorize Mr. Jonathan A. Lanford, Interim County Administrator, to sign the Right of Way Agreement to convey the following to Dominion Virginia Power:

1. A 15' wide by approximately 102' long utility easement across the Jackson River Scenic Trail (between property owned on both sides by Rodney and Doris Kyle) to install underground facilities and remove overhead electric lines (plat # 13-15-0685)
2. A 15' wide by approximately 1,680' long utility easement along the Jackson River Scenic Trail (beginning at the above intersection with the Kyle property and extending to property owned by Harry and Amanda Sargent) to install underground facilities and remove overhead electric lines (plat # 13-15-0685)

Unanimously adopted by the following roll call vote:

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

PUBLIC COMMENT (5 MINUTE TIME LIMIT):

Mr. H. M. "Sam" Darby, Jr., Attorney for the Town of Clifton Forge in the pending suit over the payment of sewer rates under the wastewater agreement, submitted a document to the Board entitled "Claim Made Pursuant to Virginia Code Section 15.2-1243, et. seq. by the Town of Clifton Forge to the Board of Supervisors, the County Administrator, and the Clerk of the Board of Supervisors of Alleghany County, Virginia." The claim is a part of the records of this meeting.

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 pothole patching
 - Cleaned pipes County-wide
 - Cleared debris from heavy rains
 - Cut brush on Routes 311 and 613
 - Responded to citizen complaints

Other

- *Public hearing was held for I-64 interchange/Route 696. Positive comments received during the meeting.*

Mr. Shull commented that the west end of the bridge in Selma in front of the church has cracks and has sunk more. He stated that he drove around the County over the holidays and certain subdivisions (i.e. Brentwood and Jackson Heights) have smooth streets, but when you get to Low Moor and Selma there is tar and gravel. He commented that it appears the higher developed areas have the best streets. He mentioned that he has called Senator Deeds who will get with him and Ms. Hammond regarding this after the first of the year.

Ms. Hammond commented that subdivisions such as Brentwood are more recent developments that had different subdivision standards when constructed. She stated that she will be glad to meet with Mr. Shull and Senator Deeds.

Mr. Griffith mentioned that the lights on the interstate at the Kmart exit are not burning. Ms. Hammond replied that VDOT is in the process of getting a contractor out to replace the lights.

Mrs. Cox commented that the sycamore tree near Mr. Hall's home on Dunlap needs to be looked at. She stated that the bridge above Mr. Fridley's near the trailer park (Dunlap heading to West Virginia) has a sharp curve going into the bridge. Ms. Hammond replied that this curve is on the paving schedule for this year for their contractor. Mrs. Cox mentioned that the tunnel heading west towards Alleghany is holding a lot of water.

There was some discussion regarding the feedback received from the I-64 interchange hearing and that no adverse comments were received at or during the 10 days following the hearing.

MS. MARLA AKRIDGE, AHEDC - INTRODUCTION AS AHEDC EXECUTIVE DIRECTOR AND UPDATE:

Ms. Marla Akridge, AHEDC Executive Director, introduced herself to the Board. She handed out and reviewed an "Active Prospect Activity Report" for December 2015 which is a part of the records of this meeting. She commented that she will send the Board a report each month and plans to come to the Board quarterly with updates. She mentioned that a followup will be done with prospects that did not work out to see what is being done wrong. She stated that the AHEDC has held work sessions on strategies, recruiting, incentives, etc. and plan to work more on workforce.

Mr. Bennett welcomed Ms. Akridge on behalf of the Board.

MRS. ELLEN HATFIELD - REQUEST WAIVER OR REDUCTION OF HOOK UP FEE FOR WATER FOR HER MOTHER (ETTIS BACK):

Mrs. Ellen Hatfield, daughter of Ms. Ettis Back, stated that she is present on behalf of her mother who resides at 4430 Midland Trail. She commented that when the water line was being put in the Callaghan area her father was dying and they could not afford a water bill. She mentioned her mother having health issues and that her and her husband have moved in to care for her. She stated that her and her husband are disabled and still can not afford connecting to the public water. She asked the Board to consider waiving or reducing the tap fee.

Mr. Nicely commented that the Water and Sewer Commission did not recommend waiving the fee. He asked if they have gone to any other organizations to seek help. Mrs. Hatfield replied that she received information from a Department of Social Services staff member, but can not find the information given to her.

Ms. Adcock suggested Mrs. Hatfield give her a call at Social Services and she will assist her. She also mentioned TAP and SERCAP.

Mr. Bennett asked Ms. Adcock to keep the Board updated on this situation prior to the Board taking any action.

PRESENTATION BY AECOM ON PHASE I OF THE RADIO COMMUNICATIONS STUDY AND APPROVE PROCEEDING WITH PHASE II:

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

As you may recall, on July 7, 2015, the Board of Supervisors authorized an amendment (attached) to the term contract with AECOM for a three-phase project providing Radio Communications Consultant Engineering Services. Since that time, AECOM has been working to gather input and data while meeting with County and City staff and local law enforcement, fire, and rescue personnel. The Phase I portion is now complete and AECOM is prepared to present their findings and recommendations to the Board at the January 5th meeting. With the Board's approval, the County and AECOM are ready to move to Phase II, which includes finalizing specifications and conceptual radio system design and RFP development/issuance for procurement of a vendor to construct the new radio system. County staff is requesting that the Board consider approving a resolution giving authorization to move forward to Phase II at a cost not to exceed \$83,543.00. The funding to cover this phase is provided for in the current year's budget. No additional money is being requested at this time. Please let me know if you have any questions. Thank you.

Mr. Kevin Uhl, Project Manager with AECOM, handed out and gave a PowerPoint presentation on "Phase I Needs Assessment and Recommendations" with assistance from Mr. Greg Douglas, Design Engineer. The PowerPoint is a part of the records of this meeting. Key points reviewed were:

- Existing system has two tower sites with 43% portable and 52% mobile talk-out capability.
- Proposed 7-site Conventional UHF Analog Simulcast System with 70% portable and 80% mobile talk-out capability.
- Proposed 7-site P25 UHF Digital Trunked Simulcast System (Stand-Alone or Regional) with 77% portable and 87% mobile talk-out capability.
- Proposed 11-site P25 UHF Digital Trunked Simulcast System with 89% portable and 95% mobile talk-out capability.

Probable costs associated with each proposed system were reviewed as follows:

Alternative	List Price	Negotiated	Competitive
Conventional 7-Site System	\$7,260,000	\$6,484,800	\$6,078,000
P25 7-Site Stand-Alone System	\$10,139,000	\$8,954,800	\$8,265,000
P25 7-Site Regional System	\$8,892,000	\$8,610,000	N/A
P25 11-Site System	\$16,020,000	\$14,262,800	\$13,298,000

There was much discussion regarding owning versus leasing tower sites (can do either); costs for sites vary due to equipment/hardware needs; the life expectancy of the P25 system is approximately 15-20 years; the big jump in price from the 7-site system to the 11-site system is that those sites are more remote; if all the tower sites shown in red on the presentation are new (some are existing, but not in use - i.e. cell towers); being close to Green Bank affects the cost and what can or cannot be done; the probable costs do not include site maintenance/operating costs which could be an additional 2 to 5% of the total cost (currently pay approximately \$100,000/yr.); Covington has been included in discussions held; Rockbridge is going with a P25 system and Botetourt is looking at an upgrade in the next few years; that the County will never have 100% coverage; costs were calculated with all work performed by a single vendor that would subcontract out, but can possibly save costs by bidding work multiple ways to compare and make a decision; AECOM recommends the 7-Site system with 85-87% coverage; specific guarantees would be included in the bidding that would have to work or no final payment; etc.

Mr. Muterspaugh commented that there is a draft resolution in the agenda packet to proceed with Phase II.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors authorize proceeding with Phase II of the Term Contract with AECOM for Radio Communications Consultant Engineering Services in an amount not to exceed \$83,543.00. Phase II work includes specification development and procurement process support. Funds are included in the FY 15-16 budget.

Unanimously adopted by the following roll call vote:

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

DISCUSS AND APPROVE RESOLUTION OF RESPECT FOR MR. JESSE BROOKMAN:

Ms. Adcock read the draft Resolution of Respect for Mr. Jesse Brookman which included in the agenda packet.

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

WHEREAS, Mr. Jesse L. Brookman, General Maintenance and Refuse Floater in the Allegheny County Public Works Department, passed away on November 28, 2015; and

WHEREAS, Mr. Brookman gave unselfishly of his time to the County, setting an example of citizenship throughout his life; and

WHEREAS, Mr. Brookman had worked in the Public Works Department since June 26, 2014; and

NOW, THEREFORE, BE IT RESOLVED that the Allegheny County Board of Supervisors, in honor and respect, does hereby recognize the life of Mr. Jesse L. Brookman for his loyalty, dedication, and service to Allegheny County;

BE IT FURTHER RESOLVED that the Board extend its sincere condolences and sympathy to the family of Mr. Brookman.

Unanimously adopted by the following roll call vote:

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

DISCUSS AND APPROVE RESOLUTION REGARDING SMALL PURCHASE PROCEDURES:

Mr. Lanford commented that State law allows localities to adopt small purchase procedures for procurement of nonprofessional service/nontransportation related construction procurement of less than \$100,000 and for professional service related procurement of less than \$60,000. If no small purchase procedure is adopted, then every purchase no matter how small must be competitively bid. He stated that staff opinion is that the dollar amounts allowed are high for a locality of our size and recommend setting those amounts at \$75,000 for nonprofessional service/nontransportation related construction and \$50,000 for professional service. He mentioned that the last time the policy was adopted in 1987 and amended in 1999, the amounts for both categories was set at \$15,000. He commented that amounts over \$75,000 and \$50,000 would be considered large purchases and procurement is set forth and governed by the Code of Virginia. He asked the Board to consider repealing the previous purchasing policy and authorize the County Administrator or designee to set up internal controls with any adjustments to these dollar amounts requiring Board approval.

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

A Resolution Adopting Small Purchase Procedures for the County Pursuant to the Virginia Public Procurement Act

WHEREAS, pursuant to the Virginia Public Procurement Act, as amended, the County is authorized to conduct procurements of goods and services, including small purchases conducted pursuant to procedures adopted in writing; and

WHEREAS, small purchases generally do not justify the administrative time and expense necessary to conduct competitive formal bidding or competitive negotiation and adoption of small purchase procedures provides for more efficient use of County resources; and

WHEREAS, section 2.2-4303(G) of the Virginia Public Procurement Act authorizes the County to establish small purchase procedures, if adopted in writing, not requiring competitive sealed bids or competitive negotiation for single or term contracts for (i) goods and services other than professional services as defined therein, and (ii) non transportation-related construction, if the aggregate or the sum of all phases is not expected to exceed \$100,000; and

WHEREAS, section 2.2-4303(G) of the Virginia Public Procurement Act also authorizes the County to establish small purchase procedures for single or term contracts for professional services as defined therein without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed \$60,000; and

WHEREAS, on October 13, 1987 by resolution R-87-139, the County previously adopted certain Purchasing Policies and Procedures including Small Purchase Procedures, effective October 14, 1987, as amended through September 7, 1999, that have become outdated and the Alleghany County Board of Supervisors desires to repeal such Purchasing Policies and Procedures and adopt revised Small Purchase Procedures as set forth herein.

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

1. The County's Purchasing Policies and Procedures, including Small Purchase Procedures, previously adopted on October 13, 1987 by resolution R-87-139, effective October 14, 1987, as amended through September 7, 1999, are hereby repealed in their entirety.

2. The following Small Purchase Procedures are adopted and the County Administrator or the County Administrator's designee is authorized to make purchases on behalf of the County in accordance with such Small Purchase Procedures which shall apply to single or term contracts without further Board action (i) for goods and nonprofessional services as defined in the Virginia Public Procurement Act in which the aggregate cost or the sum of all phases is not expected to exceed \$75,000.00, and (ii) for professional services as defined in the Virginia Public Procurement Act in which the aggregate cost or the sum of all phases is not expected to exceed \$50,000.00.

A. GOODS AND/OR NONPROFESSIONAL SERVICES NOT TO EXCEED \$75,000

I. \$0.00 - \$2,999.99

The County shall obtain a minimum of one (1) documented quote. Quotes must document vendor name, name of vendor's representative, date, phone number, and price quoted. Staff is encouraged, but not required, to obtain more than one quote. The award shall be made to the vendor with the best price and the order placed.

II. \$3,000.00 - \$9,999.99

The County shall solicit quotes/ proposals from vendors by using a Request for Quotations, Request for Unsealed Proposals, or other written means. Quotes shall be received from a minimum of three (3) vendors.

III. \$10,000.00 - \$29,999.99

The County shall solicit quotes/proposals from vendors by using a Request for Quotations, Request for Unsealed Proposals, or other written means. Quotes shall be received from a minimum of three (3) vendors.

IV. \$30,000.00 - \$49,999.99

Same as (III) above, except a minimum of four (4) written quotes are required.

V. \$50,000.00 - \$74,999.99

Same as (IV) above, except the contract must be approved by the Alleghany County Board of Supervisors prior to execution.

B. PROFESSIONAL SERVICES NOT TO EXCEED \$50,000

I. \$0.00-\$49,999.99

The County shall prepare a Request for Unsealed Proposals (RFUP) including the County's General Terms and Conditions. Proposals shall be received from a minimum of four (4) vendors if possible. The County shall evaluate all proposals based on criteria as set out in the RFUP and then shall enter into negotiations with the offeror who, in their opinion, submitted the best proposal. Upon satisfactory negotiations, the County shall extend an offer of contract award. The County shall prepare a contract, issue a purchase order, or use other documentation as necessary to implement the purchase.

II. Contracts of \$50,000.00 and Over

Contracts of \$50,000.00 and over must be approved by the Alleghany County Board of Supervisors prior to execution.

3. Such Small Purchase Procedures shall provide for competition wherever practicable as set forth herein and when used for construction, the procedures shall not waive compliance with applicable requirements of the Uniform State Building Code, as amended.

4. The County Administrator and the County Administrator's designees shall be authorized to take such actions as are necessary to conduct procurements on behalf of the County in compliance with the applicable provisions of the Virginia Public Procurement Act, as amended, and the Small Purchase Procedures adopted herein, including, without limitation, establishment from time to time of appropriate internal procurement procedures and responsibilities as may be deemed necessary to conform to the County's organizational structure and/or applicable law; and,

5. This resolution shall take effect immediately

Unanimously adopted by the following roll call vote:

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

DISCUSS AND APPROVE UPDATED PERSONNEL POLICY:

Mr. Lanford stated that the Board has a copy of the updated personnel policy. He mentioned that the existing policy is dated and sections were added regarding VRS Hybrid employees who were hired after January 2014 who receive a different class of leave (paid time off versus annual and sick leave). He also commented that there were minor language changes.

Mr. Bennett asked if the policy was reviewed by the County Attorney's Office. Mr. Guynn replied that it has been reviewed by his office.

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

WHEREAS, the Alleghany County Board of Supervisors has long been committed to good management practices in the conduct of County affairs; and

WHEREAS, the Board believes that one of the major components of efficient and effective local government is a good personnel system; and

WHEREAS, the Board intends to have a complete and effective personnel policy by updating the elements already in place and by establishing additional elements as needed; and

WHEREAS, the Administration Staff and the County Attorney Office have collectively worked toward the development of an updated personnel policy;

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

1. The County's Personnel Policy previously adopted on June 5, 2001 by resolution R-01-44, effective July 1, 2001, as amended over the years is hereby repealed in its entirety.

2. The updated "Alleghany County Personnel Policy" be adopted effective February 1, 2016.

Unanimously adopted by the following roll call vote:

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

DISCUSS AND CONSIDER INCREASE IN SITE SUPERVISOR PAY FOR YOUTH LEAGUE EVENTS DUE TO IRS REGULATION CHANGES:

Mr. Lanford stated that Botetourt County was audited by the IRS in regards to handling contractors versus being on payroll, reimbursements, providing uniforms, gift cards, etc. He commented that due to the IRS regulations the County has made internal changes.

Mr. Williams handed out a revised information sheet in relation to increasing pay for Site Supervisors for youth league events. The revised sheet is part of the records of this meeting and is as follows:

The IRS is now treating our Site Supervisors as regular employees. Therefore, we will now have to take state, federal, and social security taxes out before they receive their checks. In the past, they were treated as temporary help and no taxes were taken out. If they made \$600 or more they would be required to file taxes and would receive a notice from Alleghany County telling them how much to claim. The following table shows how much each Site Supervisor brought home under the old system.

# of Games Worked/# of Hours Worked	\$ Brought Home on Paycheck
2 games basketball/volleyball or 1 game of football	\$42
3 games basketball/volleyball or 2 games of football	\$54
4 games basketball/volleyball	\$66
Per hour rate supervising gym for practice	\$10/hr.

The following table shows how much each Site Supervisor makes based on their duties. With this breakdown, two people could work and divide these duties up on a particular date.

# of Games	Collecting Money & Cleaning Up	Supervising the Gym	Total Bring Home
2 game rate	\$18	\$24	\$42
3 game rate	\$24	\$30	\$54
4 game rate	\$30	\$36	\$66

We typically schedule 3 games for basketball/volleyball, and two games in football. If the field in football is divided in half and two games take place at the same time, they are paid as if only one game is taking place.

After meeting with Ann Shawver, she informed me that an estimated 10% increase for married workers and 15% increase for single workers, would allow them the same net pay. Based on those estimates, and the proportionate amount of duties performed, I suggest the following pay increases to keep our workers as whole as they were before this change. This is approximately a 12.5% increase and is an average of single and married workers increase. This amount of take-home pay will enable us to continue to attract capable individuals.

# of Games	Collecting Money & Cleaning Up	Supervising the Gym	Total Cost for County
2 game rate	\$20	\$27	\$47
3 game rate	\$27	\$34	\$61
4 game rate	\$33	\$41	\$74
Per hour rate	N/A	\$12.50/hr.	\$12.50/hr.

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

WHEREAS, IRS regulations have changed and Site Supervisors for youth league events through the Parks and Recreation Department will now be treated as regular part-time employees of the County which means taxes will be taken out of their checks;

NOW, THEREFORE, BE IT RESOLVED by the Alleghany County Board of Supervisors that pay for Site Supervisors be increased effective January 1, 2016 as follows to cover the taxes taken out of their checks:

# OF GAMES	COLLECTING MONEY & CLEANING UP	SUPERVISING THE GYM
2 Game Rate	\$20.00	\$27.00
3 Game Rate	\$27.00	\$34.00
4 Game Rate	\$33.00	\$41.00

Per Hour Rate	N/A	\$12.50/hr.
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Unanimously adopted by the following roll call vote:

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

APPROVE REAPPOINTMENT OF MR. KENNETH YEAGLEY TO THE BOARD OF BUILDING CODE APPEALS:

Mr. Bennett stated the term of Mr. Kenneth Yeagley (Clifton Forge West District) on the Board of Building Code Appeals expires January 20, 2016. Terms are for five years and Mr. Yeagley is eligible for reappointment.

Mr. Shull commented that Mr. Yeagley does want to be reappointed.

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

BE IT RESOLVED by the Alleghany County Board of Supervisors that Mr. Kenneth Yeagley (Clifton Forge West District), 517 Roxbury Street, Clifton Forge, VA 24422 be reappointed to the Board of Building Code Appeals for a term of five years beginning January 21, 2016 and ending January 20, 2021.

Unanimously adopted by the following roll call vote:

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

COUNTY ADMINISTRATOR’S REPORT:

Mr. Lanford gave a report on the following items:

Approve Affordable Care Act Reporting Agreement

Mr. Lanford handed out to the Board an email and copy of an agreement regarding designating The Local Choice and the Department of Human Resource Management to report on behalf of the County regarding healthcare coverage of employees pursuant to the Affordable Care Act. The handout is a part of the records of this meeting. He commented that this was received after the agenda went out and needs to be turned in by tomorrow. He mentioned that the County Attorney has reviewed the agreement and there is nothing burdensome on the County.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors authorize Mr. Jonathan A. Lanford, Interim County Administrator, to sign the agreement entitled “Affordable Care Act - Designated ‘The Local Choice’ (TLC) Government Entity Reporting Agreement” on behalf of the County.

Unanimously adopted by the following roll call vote:

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

Apex Clean Energy Hearings in Botetourt County

Mr. Lanford that the County has received a notice from Botetourt County regarding public hearings for Apex Clean Energy for a Special Exception Permit to construct a wind energy system. The hearings will be held on January 11th at 6:00 p.m. in Fincastle and on January 26th at 6:00 p.m. in Daleville. The notice was sent to us as a neighboring locality.

River Access Points

Mr. Lanford commented that previously Mr. Bill Hodges and Ms. Anne Wright came before the Board in relation to the need for restroom facilities and trash receptacles at river access points. He stated that Mr. Pat Sheridan, District Ranger, was working on this and planned to meet last month; however, due to a family funeral and his retirement at the end of the month he was unable to meet. He commented that he received an email from Mr. Sheridan that Mr. Steve Panguay will be the Acting District Ranger and that he hopes to meet in January with him for a briefing with possibly an update to the Board in February or March.

Frontier Communications

Mr. Lanford stated that he has had several conversations with the representative from Frontier Communications which handles the Crows-Hematite area. He commented that the representative attended the Broadband meeting held recently. He stated that he will send a letter on behalf of the County requesting a schedule and update from them. He mentioned that infrastructure is in place.

Refuse Collection Schedule Change

Mr. Lanford commented that the County is going back to the five-day collection schedule and if calls are received to send them to Public Works. He mentioned that there have been ads in the newspaper, as well as an article on the change.

Jail Capacity Issues

Mr. Lanford stated that Sheriff Hall and Major Terry Cronk are present. He commented that there are capacity issues at the jail and funds were transferred within their budget due to exceeding costs to house inmates outside of the area. He mentioned that he will be meeting with them to come up with a recommendation on moving forward with housing inmates outside the area and limits with the current facility.

BOARD MEMBER COMMENTS (INQUIRIES/REPORTS):

Miscellaneous

The Board thanked everyone for coming to the meeting.

Mr. Griffith thanked everyone for their input regarding radio communications.

Mr. Shull commented that he was enlightened by AECOM's presentation and that he does know where the dead places are located.

Mrs. Cox stated that she would like to see radio communication improvements go forward. She commented that she appreciates the responses and participation of fire and rescue and law enforcement. She mentioned that the County spends money on a lot of things and this can be done and should not be put on a back burner. She stated that there are fire/rescue and law enforcement personnel out in the field all the time and we need to protect them.

Ms. Adcock commented that she appreciates the input on radio communications and thanked Mr. Muterspaugh and others for working on this.

Mr. Garten stated that he also appreciates the comments received and thanked Ms. Akridge for her update.

CLOSED MEETING:

On motion of Mr. Nicely, seconded by Mr. Shull, that the Board go into a Closed Meeting under Code of Virginia Sections 2.2-3711(A)(3) and (7) for the purpose of: (1) disposition of publicly held real property; and (2) consultation with legal counsel on actual and potential litigation. Unanimously adopted.

On motion of Mr. Nicely, seconded by Ms. Adcock, that the Board come out of the Closed Meeting with the following certification:

CERTIFICATION
SECTION 2.2-3712

To the best of our knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter, and (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the session.

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

ADJOURNMENT:

On motion of Mr. Nicely, seconded by Mr. Garten, that the meeting be adjourned at 10:05 p.m. Motion carried.

Stephen A. Bennett
Chairman