

At a regular meeting of the Board of Supervisors, Alleghany County, Virginia held on Tuesday, August 2, 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, County Administrator
Ryan Muterspaugh, Director of Public Safety
Chad Williams, Director of Parks and Recreation
Jim Guynn, County Attorney
Melissa A. Munsey, Deputy Clerk to the Board

CALL TO ORDER:

The Chairman called the regular meeting to order. Mrs. Cox gave the invocation and the audience remained standing for the Pledge of Allegiance.

MINUTES:

Hearing no corrections or deletions, the Chairman declared the following minutes approved as submitted: (1) a regular meeting held on July 5, 2016.

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

Still repairing storm damage from June 23rd and 24th flooding with State and contract forces. Approximately 80% of work is complete.

- *Bridges on Routes 311 and 159 repaired.*
- *Humpback Bridge repairs are underway and expected to be complete before the end of August.*
- *Frontage road washouts at Jerry's Run are being repaired now.*
- *Most areas are still lacking surface treatment and pavement to allow for settling. Will be done shortly.*
- *I-64 drainage channel is nearly cleared and contract is being put together for concrete repairs.*
- *Most slide areas have been cleaned and are being repaired.*
- *Damage totals are approximately \$5 million.*

Construction

- *Route 159 bridge replacement project is on schedule.*
- *Revenue Sharing project is on schedule for final plan submission this month.*

Mr. Garten commented regarding rocks and hanging trees on Rt. 220 near Honda Nissan potentially falling due to the weather. He asked about the washout under the bridge at Exit 7. Ms. Hammond replied that this is to be repaired and the stabilization of the bridge is okay.

Mr. Shull stated that at the turn into Selma at the two churches (Church of Brethren and the Methodist church) citizens have asked why the grass was not cut away from the sign when mowing was done. Ms. Hammond replied most mowing contracts are for an 8 ft. cut and if outside that area it would not be cut, but she will check on this.

Mr. Bennett asked if the Route 220 contract was awarded to a contractor out of Roanoke. Ms. Hammond replied that it was.

UPDATE ON THE RADAR BUS SERVICE FUNDING AND SERVICE OPTIONS:

Mr. Lanford stated that the RADAR Committee to evaluate funding and service options has met twice since the last Board meeting. He commented that the committee consists of him, Mr. Griffith, Mr. Richard Douglas, Mr. Bill Zimmerman, Ms. Darlene Burcham, and riders that use the service (Scott Hill and Dolly Ann Apartments). He mentioned that some options discussed included an increase in the fare from \$0.50 to \$1.00, reduction in hours of service (end at 3:30 p.m. versus 5:00 p.m.), etc. He mentioned that RADAR will need to schedule and hold a public hearing to institute changes and all will be notified of the date, time, and location. He stated that after the public hearing the committee will meet again to discuss the comments

heard at the hearing. He mentioned that RADAR lost \$16,000 in federal funding and wanted the County and Covington to pick up this difference. The County level funded the system and the dollar for dollar match is still being pushed, but RADAR does not seem receptive.

Mr. Shull stated that he has received more calls regarding the RADAR bus service than anything else since he has been on the Board. He commented that all three jurisdictions should participate in funding of RADAR and Clifton Forge should pay its fair share as a majority of the riders are from Briarcliffe and Ridgeview. He mentioned that he also contacted Briarcliffe and Ridgeview who run their own bus on Tuesday's and Thursday's to suggest they add another day.

CRISIS INTERVENTION TEAM COMMITTEE REPRESENTATIVES - DISCUSS CRISIS INTERVENTION TRAINING AND CIT ASSESSMENT SITES FOR THE AREA:

Mr. Jonathan Aldridge and Mr. Doug Albrecht, Crisis Intervention Team (CIT) Committee representatives, introduced other Committee members that were present (Mrs. Ingrid Barber and Ms. Felicia Prescott), and gave a PowerPoint presentation on CIT training for law enforcement and stakeholders on recognizing signs of a mental health crisis and establishing an assessment site. The PowerPoint is a part of the records of this meeting. They mentioned that there is a potential grant application opportunity in 2017 where legal assistance may be needed in reviewing MOU's between law enforcement, the AHCSB, an assessment site landlord (to be determined), and HCA/Lewis Gale Hospital Alleghany in advance of the application being submitted.

There was some discussion regarding the number of officers to be trained (25% per agency is recommended); what is needed at the assessment location (in or near a medical facility for medical evaluations); if Bath County is included as they are part of the regional jail (only serve those at the jail from the Alleghany Highlands catchment area; however, pre-screening could be done on those passing through); etc.

MRS. INGRID BARBER, ALLEGHANY HIGHLANDS COMMUNITY SERVICES EXECUTIVE DIRECTOR - DISCUSS AND APPROVE FY 17 PERFORMANCE CONTRACT WITH THE VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES:

Mrs. Ingrid Barber, AHCS Executive Director, stated that the Board has a copy of Exhibit A from the performance contract in its agenda packet. She read the following prepared statement:

Chairman Bennett, Mr. Lanford, and other members of the Board. I am here tonight to present and seek approval of our 2017 performance contract for Alleghany Highlands Community Services. Last year your \$100,000 made it possible for our agency to match and receive more than \$1.4 million in State general funds for the 2016 fiscal year. On behalf of the Board of Directors and staff, we thank you. We are pleased to accept your local contribution this year in the amount of \$112,282 for 2017.

I am here tonight to ask your approval of the 2017 performance contract. The changes this year continue to center around the Emergency Services Program, Department of Justice Settlement Agreement changes, developmental services, and prevention services. Emergency Service prescreener's must be certified and the educational and training requirements have increased, in addition, CSB's have taken ownership of developmental services, a new segment of population to serve...autism and brain injured individuals, and lastly, prevention services is changing from school based to more community based with more emphasis on tobacco and substance use in the community. The prevention program will be working closely with businesses in the community to educate them about the effects of selling tobacco and alcohol to underage minors.

Our latest data shows that we serve 780 Alleghany County residents and 444 Covington City residents for a total of 1,263. This is a substantial number of our population. I have with me tonight, Anne Dean, Chair of our Board and Jock Wedlowe Controller. At this time, I will explain our Exhibit A. I will be happy to entertain any questions that you may have.

Thank you.

Mrs. Barber then reviewed Exhibit A - Resources and Services. She commented that she would be glad to take any Board members around to the AHCS sites and explain services further.

There was some discussion regarding the gas savings from the County being an in-kind service; when the AHCS employees last got a raise (almost 3 years); etc.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors approve the performance contract between the Alleghany Highlands Community Services Board and the Virginia Department of Behavioral Health and Developmental Services for FY 17.

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 AGREEMENT FOR LAW ENFORCEMENT SERVICES WITH THE TOWN OF IRON GATE:

Lt. Col. Matt Bowser stated that a few months back the Sheriff's Office was approached by Iron Gate regarding additional law enforcement services. He commented that they have worked with Iron Gate, the attorneys, and Mr. Lanford to come up with the agreement which is included in the agenda packet. He mentioned that the agreement would provide \$500/week in additional law enforcement services to Iron Gate which would be approximately 15 hours/week by an off duty deputy. He stated that the citations written would go back to Iron Gate and they would be billed monthly for the time worked.

There was some discussion regarding the deputy being paid through County payroll (part is 599 funding and the agreement is needed to keep that funding); the pay would be at the overtime rate for the deputy with the County responsible for the fringes which are nominal; the Sheriff's Office is negotiating with Iron Gate to purchase its police equipment; the Town Code will be enforced by deputies; etc.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors approve the agreement entitled "Agreement for Law Enforcement Services" between the Sheriff, Board of Supervisors, and the Town of Iron Gate.

BE IT FURTHER RESOLVED that the Board authorize Mr. Jonathan A. Lanford, County Administrator, to sign the 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

APPROVE SUPPLEMENTAL APPROPRIATION FOR THE VICTIM-WITNESS ASSISTANCE PROGRAM GRANT:

Mr. Lanford stated that it was discussed during the budget process regarding the County becoming the fiscal agent for the Victim-Witness Assistance Program which was previously with Covington. He commented that the grant has been awarded and a supplemental appropriation is needed. He mentioned that the program is 100% grant funded and will be managed by the Commonwealth Attorney Office. He stated that there are three employees and the program also covers Bath County.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors budget and approve the following supplemental appropriation for the Victim-Witness Assistance Program Grant in FY17:

<u>Revenue Account</u>	
Victim-Witness Grant (1100-4240473)	\$182,589.33
<u>Expenditure Accounts</u>	

Salaries/Wages (Regular) (225111-510011)	\$130,500.00
FICA (225111-52001)	\$ 10,440.00
Retirement VSRS (225111-52002)	\$ 13,050.00
Hospital/Medical Plan (225111-52005)	\$ 11,745.00
Group Insurance VSRS (225111-52006)	\$ 2,610.00
Workers' Comp Insurance (225111-52011)	\$ 652.00
Employee 125 Plan (225111-52015)	\$ 652.00
Postal Service (225111-55201)	\$ 817.33
Telecommunications (225111-55203)	\$ 2,160.00
Office Supplies (225111-55401)	\$ 492.00
Mileage/Subsistence/Lodge (225111-55510)	\$ 4,370.00
Dues & Assoc. Memberships (225111-55801)	\$ 1,327.00
Machinery & Equipment (225111-57001)	\$ 3,774.00
	<u>\$182,589.33</u>

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 AMENDMENT TO THE ALLEGHANY COUNTY CAFETERIA PLAN IN RELATION TO FLEXIBLE SPENDING ACCOUNT LIMITS:

Mr. Lanford stated that there is an amendment to the County's existing Cafeteria Plan in the Board agenda packet where in the past participants could carry over up to \$500 even if they did not re-enroll in the plan and this amendment would require the individual to re-enroll to carry forward funds.

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF
ALLEGHANY COUNTY FOR THE AMENDMENT OF
ALLEGHANY COUNTY CAFETERIA PLAN

BE IT RESOLVED, that the form of Cafeteria Plan Code Section 125 with Health Flexible Spending Account under the Cafeteria Plan Code Section 1105 and with Dependent Care under the Cafeteria Plan Code Section 129 of the Internal Revenue Code of 1986, presented to this meeting is hereby amended and approved and that the proper Officers of the Employer are hereby authorized and directed to execute and deliver to the Plan Administrator one or more copies of the Plan.

BE IT FURTHER RESOLVED, effective June 1, 2016, that the \$500 Carryover will be restricted to those participants who re-enroll and make a new election in the Health FSA for the following plan year.

BE IT FINALLY RESOLVED, that the proper Officers of the Employer shall act as soon as possible to notify employees of the Employer of the amendment of the Plan. The undersigned certifies that attached hereto as Exhibits A is a true copy of the Plan Document for Alleghany County Cafeteria Plan approved and adopted in the foregoing resolution.

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 PAY FOR SUPPORT STAFF FOR YOUTH LEAGUE EVENTS DUE TO IRS REGULATION CHANGES:

Mr. Williams reviewed a memo from him which is included in the agenda packet regarding switching temporary help to part time. The memo is as follows:

Please add this to the Board of Supervisors meeting agenda on August 2nd.

This is a continuation of the County switching Parks and Recreation support staff from temporary help payroll

to part time payroll. This is in response to recommendations made by the County's auditor based on action taken by the IRS on similar pay practices by a nearby locality. I request the Board approve the following transition proposal so we may begin hiring for the upcoming fall season.

All part time support staff, including Site Supervisors, shall be hired as Parks and Recreation Support Staff. This will enable the support staff to work any of the positions and be compensated accordingly. The following rates are recommended based on current temporary help rates and rates paid by nearby localities. All the rates are per game.

- Basketball/Volleyball Referee - \$20
- Youth Volleyball Referee - \$10
- Basketball/Volleyball clock or book - \$9
- Football Official - \$30
- Football Clock - \$15
- Football Chain Crew - \$10

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

WHEREAS, IRS regulations have changed and temporary support staff 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 Allegheny County Board of Supervisors that pay for part-time support staff be set as follows effective August 1, 2016:

Support Staff	Amount to be Paid Per Game
Basketball/Volleyball Referee	\$20.00
Youth Volleyball Referee	\$10.00
Basketball Volleyball Clock or Book	\$9.00
Football Official	\$30.00
Football Clock	\$15.00
Football Chain Crew	\$10.00

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 CONTRIBUTION TO THE FUND FOR MR. ALAN WRIGHT:

Mr. Griffith stated that after discussions at the last meeting regarding getting the word out regarding the account set up at the Bank of Botetourt for Mr. Alan Wright, he contacted Mr. Ray Keen to work on an avenue for local individuals to donate as Mr. Wright came to our County and got injured. He commented that an account has been set up at Highlands Community Bank. He mentioned that he has spoken with Board members and suggested a contribution of \$5,000. He stated that Mr. Wright risked his life in the County, has not returned to work, and has small children.

Mr. Keen commented that Mr. Wright is in a rehabilitation center, but still in critical condition. He mentioned that Kars Unlimited will be doing a cruise-in fundraiser on August 19th.

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

BE IT RESOLVED that the Allegheny County Board of Supervisors approve a contribution of \$5,000.00 to the fund set up at Highlands Community Bank for Assistant Chief Alan Wright from the Eagle Rock Volunteer Fire Department who was injured in a swift water rescue in Allegheny County during the flooding on June 23, 2016.

BE IT FURTHER RESOLVED that the Board approve a budget transfer of \$5,000.00 from Operating Contingency (9100-54001) to Board of Supervisors - Contributions (1101-55604).

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 APPOINTMENT OF MR. JONATHAN LANFORD TO THE NINTH DISTRICT DEVELOPMENT FINANCING, INC. BOARD OF DIRECTORS:

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

BE IT RESOLVED by the Alleghany County Board of Supervisors that Mr. Jonathan A. Lanford (County Administrator), 9212 Winterberry Avenue, Covington, VA 24426 be appointed as the County's representative on the Ninth District Development Financing Board of Directors retroactive to July 1, 2016 and ending, June 30, 2018.

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:

Miscellaneous Updates

Mr. Lanford stated:

- The County is in the process with the Virginia Department of Emergency Management of an after action review from the June flood event along with Covington.
- The Zika Virus is in Southwest Virginia and staff attended a recent Health Department training with mitigation information distributed to libraries, hospital, etc. The mosquitoes do not live in natural bodies of water, but in tires, pipes, etc. which need to be dumped.
- Staff met last week to review the proposed new County website which will go live in the next few weeks. It will be cleaner and easier to utilize.
- At the September meeting, the joint revenue sharing agreement and the radio communications agreement will be brought to the Board.
- The County received an invoice for \$1.7 million from VDOT for the revenue sharing portion of the Low Moor interchange project and Love's is sending the County its portion of \$1.4 million.
- Mr. Griffith recently graduated the County Supervisor's Certification program which took a lot of effort and time.

BOARD MEMBER COMMENTS (INQUIRIES/REPORTS):

Miscellaneous

The Board congratulated Mr. Griffith for graduating from the County Supervisor's Certification program.

Mr. Griffith thanked everyone for coming to the meeting.

Mr. Shull commented that he hopes the funding/services situation with RADAR can get taken care of. He stated that it was a great thing to contribute to Mr. Alan Wright to show our appreciation. He mentioned that the State is saying they are going to give employees raises, but then take them back.

Mr. Nicely commented that he read the emails regarding Route 220 improvements between Delegate Creigh Deeds and Mr. Bill Wilson. He mentioned that politicians lie to us and we continue to be left out.

Mrs. Cox stated that she was in Alabama last month when the flooding occurred. She commented that she kept in touch with Mr. Lanford regarding the situation and citizen concerns. She mentioned that in the area of the church she pastors there are people still trying to get their homes in order and the dumpster set in that area is still being filled. She commented that it is great to live in this community with all the help people have given each other here and in West Virginia.

Ms. Adcock commented that she will be attending the VACo County Officials' Summit later this month which will include the Health and Human Resources Committee that she is a member of. She stated that VACo is a great resource.

Mr. Garten commented that school is starting back and the State fair will begin soon. He asked everyone to stay safe.

Mr. Bennett asked if information is being distributed to students regarding the Zika virus and mosquito mitigation. Mr. Eugene Kotulka, Superintendent of Schools, replied that information is on their website and being sent home as well with students.

CLOSED MEETING:

On motion of Mr. Nicely, seconded by Mr. Garten, that the Board go into a Closed Meeting under Code of Virginia Sections 2.2-3711(A)(1) and (29) for the purpose of: (1) discuss personnel related matters involving salary and status of current and potential employees; and (2) discussion of the award of a public contract involving the expenditure of public funds and discussion of the terms or scope of such contract where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, specifically relating to a contract for public utility services. Unanimously adopted.

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

ADJOURNMENT:

On motion of Mr. Nicely, seconded by Ms. Adcock, that the meeting be adjourned at 8:50 p.m. Motion carried.

Stephen A. Bennett
Chairman