

At a regular meeting of the Board of Supervisors, Alleghany County, Virginia held on Tuesday, July 3, 2018 at 7:00 p.m. in the Alleghany County Governmental Complex, Covington, Virginia, thereof:

PRESENT: Stephen A. Bennett, Chairman
G. Matt Garten, Vice-Chairman
James M. Griffith
Cletus W. Nicely
Richard Lee Shull
M. Joan Vannorsdall

and Jonathan A. Lanford, County Administrator
Chad Williams, Director of Parks and Recreation
Suzanne T. Adcock, Director of Finance
Jim Guynn, County Attorney
Melissa A. Munsey, Deputy Clerk to the Board

ABSENT: Shannon P. Cox

CALL TO ORDER:

The Chairman called the regular meeting to order. Mr. Nicely 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 June 5, 2018; and (2) an adjourned meeting held on June 12, 2018.

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

- Completed spring mowing.
- Cut brush and weeds at intersections for sight distance.
- Completed emergency slope repair on Route 604.
- Repaired shoulders County-wide.
- Skin patching County-wide.

Construction

- Exit 21 project nearing completion. Major ticket items are complete. Working on punch list items now. Signal timings will continue to be evaluated as the truck stop and school opens.
- Route 638 Natural Well bridge demolition scheduled for next week.

Mr. Nicely asked if VDOT takes care of Ridgeway Street and if the Smart Scale application by Clifton Forge will take the road into consideration. Ms. Hammond replied that they do not take care of Ridgeway Street and that the Smart Scale application is more for pedestrian facilities.

Mr. Garten thanked Ms. Hammond as the slate that has collected at the bottom of the Rt. 220 high wall has been cleaned off and looks good.

APPROVE RESOLUTION OF SUPPORT FOR THE TOWN OF CLIFTON FORGE'S VDOT SMART SCALE APPLICATION:

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

**RESOLUTION OF SUPPORT FOR THE RIDGEWAY STREET/U.S. 60
BICYCLE/PEDESTRIAN IMPROVEMENTS**

WHEREAS, the Commonwealth of Virginia now prioritizes transportation projects for funding based on the cost effectiveness of those projects to meet performance goals, as established by the Smart Scale program; and

WHEREAS, Clifton Forge Town Council plans to submit an application for an allocation of funds for a project under the Smart Scale prioritization program; and

WHEREAS, it is identified in the VTRANS 2025 Needs Assessment as part of the Urban Development Area; and

WHEREAS, the County understands this project to include the provision of a bike lane, sidewalks, and crosswalks on Ridgeway Street/U.S. 60 from Dabney S. Lancaster Community College (DSLCC) to Roxbury Street; and

WHEREAS, the Town of Clifton Forge has already begun the design process for this project and is committed to delivery; and

NOW, THEREFORE, BE IT RESOLVED that the Alleghany County Board of Supervisors hereby supports the application to be submitted by the Town of Clifton Forge for the improvements described to compete for State and Federal funding under the Smart Scale Program.

Unanimously adopted by the following roll call vote:

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

APPROVE AWARD OF OUTFITTER CONCESSIONAIRE CONTRACT TO JAMES RIVER BASIN CANOE LIVERY, LTD:

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

Requests for Proposals for the Outfitter Concessionaire were received prior to 2:00 p.m. on April 23, 2018. One proposal that meets all of the qualifications put forth in the RFP was received. The Concessionaire will provide equipment rentals, shuttle service, organized trips, etc. along the Jackson River Scenic Trail and Jackson River as well as other outdoor locations. The business will be located in the facility being constructed at Intervale between the Jackson River Scenic Trail and the Jackson River.

The Concessionaire contract will initially be for five years with options for renewal. The Concessionaire will be responsible to pay Alleghany County 6% of their gross revenue the first year, 7% the next year, and 8% each year after. They will also be responsible for all taxes, the building utilities, and custodial care of the facility.

It is staff's recommendation that the Board award the Concessionaire contract to James River Basin Canoe Livery, Ltd., of 653 Lowe Street, Buchanan, Virginia 24066 and authorize Mr. Lanford to sign all associated contract documents. James River Basin Canoe Livery is more familiarly known as Twin River Outfitters and plan to do business locally as Alleghany Outdoors.

Mr. Williams added that the percentage for payment of gross revenue was phased in at their request due to the potential of losing funds the first couple of years until they are established. He commented that their financial data shows that once established they would be paying the County over \$13,000/year. He mentioned that they are also required to pay 3% of gross revenue to the Forest Service for use of their access points.

Mr. Garten stated that some contracts have a 1 ½% cost of living increase. He commented that this is a five year contract that caps out at 8%. He asked if the percentage can be renegotiated at renewal. Mr. Williams replied that it can. He mentioned that he looked at what other localities charge and the Roanoke County Explore Park concessionaire pays 10%; however, with our cap at 8% plus the 3% they would have to pay the Forest Service they total 11%.

Mr. Garten asked about the maintenance in regards to grass, snow removal, road upkeep, etc. Mr. Williams replied that the County would still cut the grass and snow removal would not be needed in the off season. He commented that this is a public access point and it would be hard to say from where damage occurred on the road.

Mr. Bennett stated that the outfitter would only be using the facility for a portion of the year and organizations/individuals would be able to use the meeting room area. Mr. Williams added that a fee for rental has not been set at this time, but the County currently charges \$45.00 to rent the Sharon Senior Center.

Ms. Vannorsdall asked how long the outfitter would operate during the year. Mr. Williams replied from April through October depending upon the weather.

Mr. Nicely asked if there would just be canoe rentals. Mr. Williams replied there would be bike rentals too.

Mr. Nicely stated that the Homestead uses the trail and they charge patrons \$50/day, but do not want to speak with the County or address the issue while they are reaping the benefits. He commented that if the County extends the trail into Bath County then they will capitalize more.

Mr. Williams stated that having an outfitter will be more economical and could pull business from the Homestead back to the County.

Mr. Shull asked if the County has met with Bath County representatives. Mr. Williams replied that they met with the Bath County Administrator and Planner. He commented that they support the trail and see the benefit of having another main trailhead. He mentioned that the Bath County Board of Supervisors approved a resolution of support for the trail to help with funding applications, have committed \$5,000, have offered to police the trail in Bath County, and potentially assist with utility costs. He stated the Homestead has a new Executive Director that has offered no communication or financial support.

Mr. Lanford commented that the minimum operation year for the outfitter is April 1st through October 31st. He stated that Mr. Williams has reached out to Bath County which is supportive, but the Homestead has been non-responsive. He mentioned that the County will continue to reach out to them.

Mr. Griffith suggested that the Homestead get a business license to use the trail.

Mr. Bennett stated that the outfitter would just be leasing the building and the public would still have access to the rest of the property (ramp, etc.). Mr. Williams replied that this is correct.

There was some discussion regarding the Forest Service fee of 3% being nation-wide and is only charged to outfitters and not the public.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors authorize Mr. Jonathan A. Lanford, County Administrator, to sign the "Contract for Lease, Operation, and Management of Outfitter Facility" between the County and James River Basin Canoe Livery, LTD. on behalf of the County.

Unanimously adopted by the following roll call vote:

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

APPROVE THE SUBMITTAL OF GRANT APPLICATIONS FOR PHASE 5 OF THE JACKSON RIVER SCENIC TRAIL TO THE APPALACHIAN REGIONAL COMMISSION AND THE DEPARTMENT OF CONSERVATION AND RECREATION:

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

The last time we discussed Phase 5 of the Jackson River Scenic Trail project the Board requested that staff try to engage Bath County and the Omni Homestead on their willingness to support the project. The Omni Homestead has been non-responsive in our efforts to make contact. A meeting was held with staff from Bath County. They were very supportive of the possibility of the completion of Phase 5. The Bath County Board of Supervisors adopted a resolution of support and committed \$5,000 to the project in an effort to help our work in securing grant funding. Bath County staff also said they would provide a law enforcement presence on Phase 5 once complete and entertained the idea of being responsible for utility costs at the future trailhead facilities.

At a previous meeting the Board approved for an application to be submitted to the VDOT revenue sharing program for Phase 5. Our last conversations with VDOT regarding the application was that it scored well and has a good chance of being funded. The Commonwealth Transportation Board should make official announcements sometime in July.

In our effort to provide the required 50% match to the revenue sharing grant we may receive, staff would like to apply for two more grants. This request is being brought to you now because one of the grants is time sensitive.

I am requesting the Board of Supervisors adopt a resolution of support for the submittal of a grant application to the Appalachian Regional Commission's (ARC) grant program in the amount of \$500,000 for Phase 5 of the Jackson River Scenic Trail project. The grant is a 50/50 reimbursable grant.

I am also requesting the Board adopt a resolution of support for the submittal of a grant application to the Virginia Department of Conservation and Recreation's (DCR) Recreation Trails Program in an amount up to \$200,000 for Phase 5 of the Jackson River Scenic Trail project. The grant is a 80/20 reimbursable grant. The opportunity for this grant was recently announced and is due in July.

The grants will be used to match the revenue sharing grant if received, as well as each grant matching the other. Other funding sources will be sought to cover any outstanding match and remaining costs. Phase 5 is the final phase of the Jackson River Scenic Trail project. It consists of an additional 1.6 miles, as well as a 1.33 acre trailhead along Cole's Mountain Road with associated amenities.

Mr. Williams added that he received notification from the County's engineer that VDOT has approved the \$954,000 VDOT funding, but the County has not received official notification from VDOT.

Mr. Nicely stated that he has a problem with Phase 5 benefitting the Homestead as they have given no support. He commented that the County does all the work and then they will not speak with Mr. Williams.

Mr. Williams stated that it would be nice to have them on Board as it will be a big benefit to Bath County and the Homestead with the possibility of another outfitter on that end.

Mr. Griffith commented that the Homestead should have to get a business license.

Mr. Williams mentioned that the County could do a fee for businesses to drop-off, but the problem would be how to police it. He commented that he will look into this further.

Mr. Lanford stated that the County will continue to reach out to the Homestead and look into fee options.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors authorizes the submittal of a grant application to the Appalachian Regional Commission's grant program in the amount of \$500,000 for Phase 5 of the Jackson River Scenic Trail project.

Unanimously adopted by the following roll call vote:

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

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

WHEREAS, in accordance with Department of Conservation and Recreation's Virginia Recreational Trails Program procedures, it is necessary that a formal resolution from the governing body be received authorizing the submittal of an application for funding;

NOW, THEREFORE, BE IT RESOLVED that the Alleghany County Board of Supervisors authorizes the submittal of a grant application to the Department of Conservation and Recreation for Virginia Recreational Trails Program funding in an

amount up to \$200,000 for Phase 5 of the Jackson River Scenic Trail project.

Unanimously adopted by the following roll call vote:

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

APPROVE STREET NAME CHANGE (PARKLIN DRIVE CHANGE TO PENCE LANE):

Mr. Lanford stated that there is a request in the agenda packet from Ms. Erin Pence asking that Parklin Drive, which is an extension from Covington City Limits, be changed to Pence Lane. He commented that there is also a letter from an adjoining property owner in the packet in support of the street name change. He mentioned that any costs regarding the change are the responsibility of the property owner. He recommended approval of the name change.

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

BE IT RESOLVED by the Alleghany County Board of Supervisors that the following name be adopted as an official street name for Alleghany County:

<u>MAP NO.</u>	<u>OLD APPROVED NAME</u>	<u>LOCATION</u>	<u>NEW NAME</u>
56	Parklin Drive	Extension of N. Parklin Drive from Covington City Limits	Pence Lane

Unanimously adopted by the following roll call vote:

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

REAPPOINT SHERIFF KEVIN HALL TO THE ALCOHOL SAFETY ACTION PROGRAM REGIONAL POLICY BOARD:

Mr. Bennett stated that the term of Sheriff Kevin Hall on the Regional Policy Board of the Alcohol Safety Action Program expired June 30, 2018. Terms are for three years and Sheriff Hall is eligible for reappointment.

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 Sheriff Kevin Hall be reappointed to the Regional Policy Board of the Alcohol Safety Action Program (ASAP) for a term of three years retroactive to July 1, 2018 and ending June 30, 2021.

Unanimously adopted by the following roll call vote:

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

REAPPOINTMENT OF MR. JONATHAN LANFORD TO THE NINTH DISTRICT DEVELOPMENT FINANCING BOARD OF DIRECTORS:

Mr. Bennett stated that the term of Mr. Jonathan Lanford on the Ninth District Development Financing Board of Directors expired June 30, 2018. Terms are for two years and Mr. Lanford is eligible for reappointment.

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 Mr. Jonathan A. Lanford (County Administrator), 9212 Winterberry Avenue, Covington, VA 24426 be reappointed as the County's representative on the Ninth District Development Financing Board retroactive to July 1, 2018 and ending June 30, 2020.

Unanimously adopted by the following roll call vote:

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

DISCUSS APPOINTMENT TO THE WATER AND SEWER COMMISSION:

Mr. Bennett stated that a replacement needs to be made for Mr. Phillip Bowen (Jackson River District) on the Water and Sewer Commission. The appointment would begin immediately and expire March 1, 2022. He commented that he has a lead on an individual interested in the appointment, but has not spoken to them personally. He mentioned that this item will be placed on the next regular meeting agenda.

COUNTY ADMINISTRATOR'S REPORT:

Mr. Lanford reviewed a handout placed at each seat which is a part of the records of this meeting. The report is as follows:

Innovation Park (Triangle) Rezoning

Would appreciate feedback from Board on consideration of Joint Public Hearing with Planning Commission and Board of Supervisors for rezoning of Innovation Park property. We have held Joint Public Hearings in the past for large rezonings. It just so happens we have not had many recently as most have been relatively small rezoning requests. Staff would recommend a Joint Public Hearing and will work to schedule around either August or September regular meeting if Board so desires.

The Board agreed by consensus to hold a Joint Public Hearing.

VEDA Cardinal Visit

We had a very good visit from our Cardinal team consisting of Ann Blair Miller, Robin Sullenberger, and Kent Hill. They are comprising a report detailing their findings/recommendations. In the meantime, we have reached out to, requested, and received recent RFP's from Rockbridge and Fluvanna Counties from which they successfully repurposed vacant school buildings.

Botetourt Visit

Mr. Bennett, Mr. Garten, and myself will be meeting with Mr. Leffel, Mr. Scothorn, and Gary Larrowe on August 8th at 6:30 p.m. to discuss ways to build upon our relationship between Botetourt and Alleghany Counties.

Eldor Visit

On Monday, July 9, 2018, Marla Akridge, John Rainone, and myself are meeting with Eldor representatives in Botetourt to discuss opportunities for workforce, housing, and tertiary business support from the Highlands for their new Botetourt operation.

Board of Equalization

Melissa still needs a few more names for recommendation to Court for appointment. Please provide any you may think

would be valuable for inclusion on our August agenda.

Commerce Center

I have been the cause of a delay in finishing grading plans for a pad in our Commerce Center as we made some final engineering and costing decisions. I hope to have that information to you in August.

Jackson River Scenic Trail

Chamber of Commerce would like to host a ribbon cutting. Tentatively scheduled for August 2nd at 11:30 a.m.

Other

He added that the County had five employees that retired by June 30th with at total of over 150 years of hard work, knowledge, and dedication. He mentioned that the five employees are Basil Bryant, George Lewis, Charlie Moorman, Virgil Reid, and Ruby Simmons.

BOARD MEMBER COMMENTS (INQUIRIES/REPORTS):

Miscellaneous

Mr. Griffith asked everyone to be safe with the holiday traffic.

Mr. Shull wished everyone a great 4th of July. He suggested everyone attend the Clifton Forge parade. He mentioned that he and other veterans will be honored on the stage.

Mr. Nicely wished everyone a great 4th of July. He thanked the retirees mentioned for their service.

Ms. Vannorsdall also invited everyone to the 4th of July parade in Clifton Forge which begins at 11:00 a.m. She commented that it will be a wonderful day.

Mr. Garten wished everyone a safe 4th of July.

Mr. Bennett commented regarding the great landscaping on the left hand side as you go into Clifton Forge.

CLOSED MEETING:

On motion of Mr. Nicely, seconded by Mr. Garten, that the Board go into a Closed Meeting under Code of Virginia Section 2.2-3711(A)(7) for the purpose of: (1) discuss probable litigation. Unanimously adopted.

On motion of Mr. Nicely, seconded by Mr. Garten, 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/M. Joan Vannorsdall	Yes
/s/Stephen A. Bennett	Yes
/s/James M. Griffith	Yes
/s/G. Matt Garten	Yes
/s/Richard L. Shull	Yes
Shannon P. Cox	Absent

After the Closed Meeting, the following action was taken:

AGREE TO JOIN WITH OTHER LOCALITIES IN PAYMENTS IN LIEU OF TAXES (PILT) LITIGATION:

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

BE IT RESOLVED that the Alleghany County Board of Supervisors agree to join with other localities regarding the Payments in Lieu of Taxes (PILT) underpayment to localities litigation.

Unanimously adopted by the following roll call vote:

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

ADJOURNMENT:

On motion of Mr. Shull, seconded by Mr. Garten, that the meeting be adjourned at 8:25 p.m. Motion carried.

Stephen A. Bennett
Chairman