

Minutes
Board of Supervisors
Regular Meeting
March 26, 2018

Members Present: Dr. Morgan Phenix, Chairman At-Large
D. Keith Guzy, District 1
David Wiatrowski, District 2
Mark Stroupe, District 3
Larry Foltz, District 4
Jeff Vaughan, District 5

Staff Present: Amity Moler, County Administrator
Janeena Zalipski, Office Clerk
Michael Helm, Esquire, Miller, Earle & Shanks PLLC

Call to Order:

Chairman Morgan Phenix called to order the regular meeting of the Page County Board of Supervisors, on March 26, 2018, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray. The Call to Order was followed by the Invocation given by Pastor Earl Painter of Lighthouse Gospel in Stanley, and the *Pledge of Allegiance*.

Adoption of Agenda:

Motion: Supervisor Vaughan moved to adopt the agenda. Supervisor Foltz seconded and the motion carried by a vote of 5-0. Aye: Phenix, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None. Abstain: Guzy.

(Clerk's Note: Supervisor Guzy arrived at 7:05 p.m.)

Public Comments on Agenda Items:

There were no speakers during Public Comments on Agenda Items.

Action Matters:

Refinancing RFP Award:

Kyle Laux, Davenport & Company, reported that the direct bank loan from Sterling National Bank, provided the best refinancing proposal, with a fixed interest rate of 3.798%, based on a 17-year loan refinancing the \$10 million of the County's landfill debt. The total savings will be \$2,274,823. The loan closing is scheduled for March 28, 2018.

Mr. Laux said that Davenport & Company's rate ended up being a little less than 1% of \$10 million, which equates to about \$97,000.

Bond Counsel Daniel Lauro, Botkin Rose PLC, said if the Board decides to move forward, the closing with the bank will be in about 3 days. The loan will be backed by the county's Moral Obligation Pledge, which means the County Administrator would see that funds are appropriated to meet the obligation in years where there may be a shortfall in funding.

Mrs. Moler pointed out that there is an immediate savings this year of \$185,000, which will go toward the General Fund.

Mr. Laux explained that it is not eligible for prepayment for the first 5 years, but years 6-11 can be prepaid with a 1% penalty, and after 11 years there is no penalty.

Motion: Supervisor Vaughan moved to adopt the refinancing resolution to move forward with refinancing the landfill debt. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Vaughan, Phenix, Nay: None.

Resolution in Appreciation of Joy Carr:

Mrs. Moler said a request was received from the J & DR Court requesting that the Board consider adopting a Resolution to Joy Carr on her retirement as Court Clerk.

#2018-03
RESOLUTION
OF APPRECIATION
TO
JOY CARR

WHEREAS, Joy Carr has worked in the Page County Juvenile & Domestic Relations Court from 1999 to April 1, 2018; and

WHEREAS, Joy Carr has distinguished herself as a loyal and valued employee of the Court; and

WHEREAS, Joy Carr has worked diligently to provide services to the citizens of Page County; and

WHEREAS, Joy Carr provided a professional, courteous and friendly atmosphere for citizens and her co-workers, and always assisted them in addressing their concerns and solving problems to ensure that the citizens of Page County received the most reliable assistance available.

NOW THEREFORE BE IT RESOLVED that the Page County Board of Supervisors expresses gratitude and appreciation to Joy Carr for her dedicated years of service to the citizens of Page County and congratulates her on her retirements.

This Resolution was adopted by the Page County Board of Supervisors on this 26th day of March, 2018.

Motion: Supervisor Guzy moved to approve the Resolution of Appreciation to Joy Carr. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Wiatrowski, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

Chairman Phenix presented Mrs. Carr with the Resolution and thanked her for her service.

Radio System RFP:

Mrs. Moler stated the current radio communication system used by law enforcement and emergency responders is unreliable. The end of support for the radio system is December 2018, which means they will no longer be serviced. The end of life is 2020 and after that parts will not be available for the current system. There is currently about 60% coverage throughout the County and there are areas where there is no coverage. A new system will take two to three years to design, construct and implement and our radios will be at the end of life before that projected completions, putting our citizens and first responders in danger. The Page County Sheriff's Office secured a grant to address a needs assessment of the current radio communications system used by law enforcement and emergency responders in Page County. Mission Critical Partners completed a RFP for the construction of a trunked simulcast P25 system that will support first responders within Page County. The RFP has not been advertised. Without proposals for equipment, a timeline for completion and a true cost estimate, it is difficult to project debt service payment and financing. Advertising and accepting proposals, does not commit Page County to a contract. Staff recommends advertising the RFP to secure quotes and an accurate timeframe for completion of the trunked simulcast P25 system.

Motion: Supervisor Vaughan moved to advertise the RFP, drafted by Mission Critical Partners, for a trunked simulcast P25 radio system. Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy, Wiatrowski. Nay: None.

Board and Commission Appointments:

Mrs. Moler said appointments need to be made to the Economic Development Authority, Northern Shenandoah Valley Regional Commission, and Building Code Appeals board.

Economic Development Authority:

A vacancy exists on the EDA for the District 4 seat. An individual is needed to fill a term through January 31, 2021.

Motion: Supervisor Guzy moved to appoint Bart Price (District 4) to the Economic Development Authority through January 31, 2021. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Foltz, Vaughan, Phenix, Guzy, Wiatrowski, Stroupe. Nay: None.

Northern Shenandoah Valley Regional Commission:

Page County has two elected official seats on the Commission. An elected official or two needs to be appointed to fill the vacancies. The term would coincide with the Supervisor's term of office. The member appointed must be a Board member. The Board can then appoint a designee (i.e. County employee, EDA member) to attend the meetings.

Motion: Supervisor Vaughan moved to appoint Morgan Phenix as an Elected Official to the Northern Shenandoah Valley Regional Commission. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Vaughan, Phenix, Guzy, Wiatrowski, Stroupe, Foltz. Nay: None.

Building Code Appeals Board:

A vacancy exists on the Building code Appeals Board for the District 1 seat. Also, the District 4 seat is vacant due to Chester Knighting's resignation. Supervisor Foltz is recommending Keith Higgs to fill the vacancy.

No action was taken for the District 1 vacancy.

Motion: Supervisor Guzy moved to appoint Keith Higgs (District 4) to the Building Code Appeals Board for an unexpired term through December 31, 2019. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Foltz, Vaughan, Phenix, Guzy, Wiatrowski, Stroupe.

Consent Agenda:

Motion: Supervisor Vaughan moved to approve the Consent Agenda as follows:

- Financial reports for the period of February 1-28, 2018;
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$1,407,532.10 for the month of February 2018;
- Minutes of February 6, 2018 and February 20, 2018.

Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None.

Old Business:

Supervisor Guzy suggested that the funding allocated in the VDOT secondary six-year plan for the District 1 road project be reallocated to another project in District 1.

The Board directed Mrs. Moler to contact VDOT on this matter.

New Business:

Review of Festival License Fee:

Mrs. Moler explained in the planning stages of amending Chapter 55, Festivals, of the Page County Code, it was to include collection of transient occupancy tax on short term camping sites. After discussion with the Commissioner of the Revenue and Business License Specialist, it was recommended that we charge an annual fee for a festival license rather than the lengthy process of registering and collecting TOT, which requires monthly reporting. After surveying surrounding localities, the policy in Augusta County, charging the itinerant merchant fee, \$300, is recommended. Although we will not collect as much through this taxation amendment, it is an easier process for the festival promoter. This annual fee would be collected in lieu of transient occupancy tax. Staff recommends the amendment of Chapter 105 to include festivals in the annual fee for itinerant merchants.

After discussion, the Board was in consensus not to proceed with a festival license fee.

Open Public Comments:

Rose Ann Smythe spoke and informed the Board that Steve Synnott, President and CEO of Syntelligent Analytic Solutions, LLC, was named the 2017 Virginia Small Business Veteran of the Year, by the Virginia Small Business Development Center.

Administrator's Report:

Mrs. Moler reminded the Board of the upcoming budget sessions. She said the Courthouse repairs should be completed by the end of the week. She indicated that Sheriff Cabbage shared the news on Monday that the contract with Middle River Regional Jail will no longer be honored by the facility. Rockingham County is buying in with Middle River and renovating their jail so they have taken their inmates there. So we have been told they have no space for our inmates. We have brought back 9 inmates and all the women will be moved to RSW Regional Jail. Since RSW does not have a lot of space available, the Sheriff has reached out to Central Virginia Jail which is located in Orange County, and they just filled their new wing. Mrs. Moler said she is afraid with all of these jails filling up we may be out of luck.

Sheriff Cabbage explained that even after sentencing an inmate can wait up to 2 years before they are moved to an institution, and most of the ones in the Page County jail are waiting to be sentenced.

Supervisor Guzy said it would have been nice if we had two contracts for inmate housing, like he wanted to do when we entered into a contract with Middle River, then we would not be having this problem. He thinks this needs to be revisited and more than one

contract made. Sheriff Cabbage said the problem is we don't have that many institutions around here to have a contract with.

Mrs. Moler said all of the inmates will be moved to RSW and they are charging us \$3.00 less than our contract with Middle River. She continued to say that in order to build onto or renovate the jail a feasibility would have to be conducted, which will cost around \$100,000. This study would be necessary in order to qualify for grant money.

Chairman Phenix asked if anyone had talked to the Commonwealth Attorney about a half-way house, where inmates can be rehabilitated. Sheriff Cabbage said it not just an issue with the Commonwealth Attorney, it's the Judge who sentences an inmate, even if they are placed on work release.

Supervisor Guzy suggested to meet with the Judge and let him know how his strict rulings are impacting the County and its citizens. Chairman Phenix directed Mrs. Moler to see if she can schedule a meeting with the Judge and he wants to be involved in this process as it has touched his family as well.

Sheriff Cabbage said most of the inmates are repeat offenders, and most are drug arrests. The drug arrests are up 106% this year compared to last year.

Supervisor Vaughan asked how many are on home electronic monitoring. Sheriff Cabbage said that program was done away with and is not supported by the courts. He did say that inmates with big medical issues are on house arrest, which saves the County from paying their medical expenses while incarcerated.

Supervisor Stroupe asked if Sheriff Cabbage looked at the Heart Program. Sheriff Cabbage said he likes the program and it's a great one, however we only have limited space and we have a lot of movement with the inmates during court, we don't have a facility where we can hold our inmates for a long period of time, and this program is eight months long.

The Board decided to have Mrs. Moler arrange a meeting with the Sheriff, Commonwealth Attorney, and Board Members on the jail committee and extend an invitation to the Judge to discuss possible solutions.

Supervisors Time:

Supervisor Vaughan thanked all for coming out and thinks the refinancing is a good move, he would like to see more work on contracts for the landfill. He asked Sheriff Cabbage for an organizational chart and any department that is asking for additional funding. He also suggested the Board look at the real estate and personal property rates he feels there is an imbalance between the two.

Supervisors Stroupe and Foltz thanked everyone for coming out.

Supervisor Wiatrowski said he asked both the Commissioner of the Revenue and the Treasurer what a one cent increase in real estate taxes equals. Mrs. Moler said it is already part of the County's budget presentation. He also said we are one of the top 15 in the state in property taxes and are low on aircraft rates. He would also like to look into the possibilities of an incinerator at the Landfill.

Supervisor Guzy said we have a lot of difficult decisions ahead of us. We have an aging community and raising taxes will put a hardship on a lot of our citizens.

Chairman Phenix said touching on the demographics we have an aging and falling populations overall. He said the HUB Zone businesses struggle to find people who are able to work for many reasons. He said the Board's job is not just to campaign on savings but campaign on a vision.

Adjourn: 8:25 p.m.

With no further business, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator