

At a regular meeting of the Board of Supervisors, Alleghany County, Virginia held on Tuesday, October 3, 2017 at 7:00 p.m. in the Alleghany County Governmental Complex, Covington, Virginia, thereof:

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

and Jonathan A. Lanford, County Administrator  
Jim Guynn, County Attorney  
Ryan Muterspaugh, Director of Public Safety  
Melissa A. Munsey, Deputy Clerk to the Board

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 September 5, 2017.

PUBLIC HEARING - AMENDMENT TO THE COUNTY OPERATING BUDGET FOR FY 17-18 (CARRY FORWARDS, OUTSTANDING ENCUMBRANCES, AND CHEROKEE/MOUNTAIN VIEW SEWER REHABILITATION PROJECT):

Public Hearing was held to consider an amendment to the County Operating Budget for Fiscal Year 2017-18. The amendment is needed due to carry forwards in the amount of \$3,136,525, outstanding encumbrances in the amount of \$708,837.90 from the Fiscal Year 2016-17 budget, and a supplemental appropriation for the Cherokee/Mountain View Sewer Rehabilitation Project in the amount of \$250,559. The total budget amendment is \$4,095,921.90.

The Chairman announced that this public hearing was advertised in the Virginian Review on Tuesday, September 26, 2017 in accordance with the Code of Virginia. He then called the public hearing to order.

Mr. Lanford stated that this is standard procedure that is done every year to amend the budget. He commented that the carry forwards and outstanding encumbrances decreased \$3.8 million from FY16 to FY17 and have decreased an additional \$800,000 from FY17 to FY18. He commented that the outstanding encumbrances include contracts designated for specific purposes which have been encumbered and carried into the next fiscal year. These items were obligated in the previous year, but not completed during that time. The carry forwards are primarily to build funds for large purchases or capital projects. He mentioned that there is an itemized list of carry forwards and outstanding encumbrances in the agenda packet. He stated that the supplemental appropriation of \$250,559 is for Phase II of the Mountain View, Cherokee Sewer Rehabilitation Project which he has previously discussed with the Board and is cash funded from the water and sewer fund balance.

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

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 mowing on primary and secondary routes. Interstate mowing is underway now.
- Continuing to patch with plant mix and skin patching throughout the County.
- Replaced two large pipes - one on Route 600 (Indian Draft) and one on Route 616 (Rich Patch).
- Repaired four slopes - three on Route 651 (Ogle Creek) and one on Route 600 (Castile).
- Responded to customer concerns.

- Bridge painting underway on Route 687 and Winterberry Avenue.
- Three types of test screening material have been installed between I-64 westbound and Winterberry Avenue.
- Readying snow equipment.

Construction

- Exit 21 project on schedule.

Other

- October 10<sup>th</sup> beginning at 4 p.m. a Public Transportation Meeting will be held at Blue Ridge Community College. The first portion will be an open house followed by a Town Hall style meeting.

Mr. Griffith asked if there was any information on the two places settling on Boys' Home hill. Ms. Hammond replied that she spoke to the superintendent and there is a cross pipe that needs attention.

Mr. Garten commented regarding slate and shale gathering and trees hanging on the highwall on Rt. 220 near Honda Nissan.

Mr. Nicely stated that at the intersection of Rt. 42 and 60 (Triangle) there is a pothole that has turned into a crater at the edge of the road. Mr. Hammond commented that she will check on this.

Mr. Bennett mentioned that the local contractor that did the paving in Clifton Forge did a great job.

APPROVE AMENDMENT TO THE COUNTY OPERATING BUDGET FOR FY 17-18 (CARRY FORWARDS, OUTSTANDING ENCUMBRANCES, AND CHEROKEE/MOUNTAIN VIEW SEWER REHABILITATION PROJECT):

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

BE IT RESOLVED that the Alleghany County Board of Supervisors, after holding a public hearing on October 3, 2017 to amend the FY 17-18 budget, hereby approve the carry forward and appropriation of the following amendments from Fiscal Year 2016-17 to the Fiscal Year 2017-18 budget:

General Operating	\$1,279,409
CDBG	25,651
Special Law - Paytel	11,611
Courthouse Security	2,236
Asset Forfeiture-CA	2,155
IPR Construction	46,274
CIP	1,187,427
Water/Sanitary Capital Outlay	316,833
Water/Sanitary Operating	264,929
<b>TOTAL CARRY FORWARDS</b>	<b>\$3,136,525</b>

BE IT FURTHER RESOLVED by the Board that the following funds be budgeted and appropriated in the FY 2017-2018 budget to cover outstanding encumbrances at the end of FY 2016-2017:

General Operating	\$290,514.63
CIP	353,857.87
Water/Sanitary Capital Outlay	64,465.40
<b>TOTAL OUTSTANDING ENCUMBRANCES</b>	<b>\$708,837.90</b>

BE IT FINALLY RESOLVED that the Board budget and approve the following supplemental appropriation in FY17-18 for the Cherokee Trail and Mountain View Drive Sewer Rehabilitation Project:

<u>Fund Balance</u>	
Fund 330 - Retained Earnings (330-33001)	(\$250,559)
<u>Expenditure Accounts</u>	
Fund 330 - Indian Valley/Cherokee Sewer Replace/Upgrade Collection System (7820-57255)	\$199,538
Fund 330 - Mountain View Drive Sewer Replace/Upgrade Collection System (7850-57255)	\$ 51,021

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 "RESOLUTION APPROVING THE LEASE FINANCING OF PUBLIC SAFETY RADIO COMMUNICATION FACILITIES AND AUTHORIZING THE EXECUTION, DELIVERY AND PERFORMANCE OF A MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH BANK OF AMERICA, N.A., AS LESSOR, AND SEPARATE SCHEDULES TO IT, AND RELATED DOCUMENTS AND ACTIONS":

Mr. Muterspaugh stated that a contract with Harris Corporation has not been finalized at this time. He commented that at this time the Board is considering lease financing with Bank of America due to the low interest rate so that financing will be in place. He mentioned that if the negotiations with Harris Corporation fall through there is an out for the financing. He stated that it is anticipated that an agreement with Harris Corporation will be finalized for approval for the November Board meeting and still be within the PPEA guidelines. He mentioned that a final number has been reached with the County's portion being \$7 million and negotiations continue regarding the on-going maintenance of the system. He commented that Mr. Webster Day of Spillman Thomas & Battle, PLLC is present if the Board has questions regarding the financing.

Ms. Adcock stated that the reduction of the amount to \$7 million puts the County in a better position.

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

**RESOLUTION APPROVING THE LEASE FINANCING OF PUBLIC SAFETY RADIO COMMUNICATION FACILITIES AND AUTHORIZING THE EXECUTION, DELIVERY AND PERFORMANCE OF A MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH BANK OF AMERICA, N.A., AS LESSOR, AND SEPARATE SCHEDULES TO IT, AND RELATED DOCUMENTS AND ACTIONS**

The Board of Supervisors of Alleghany County, Virginia (the "**Board of Supervisors**") has determined it is in the best interest of Alleghany County, Virginia (the "**County**") to undertake the acquisition, development, construction, installation and equipping of public safety radio communication facilities to serve the County and its residents (the "**Project**").

Bank of America, N.A. (the "**Provider**") has indicated its willingness to provide financing for the Project and related costs in an amount not to exceed \$8,500,000.

The financing of the Project will be accomplished in accordance with the documents (the "**Financing Documents**") described below:

- (a) Master Equipment Lease/Purchase Agreement (the "**Lease/Purchase Agreement**"), whereby the Provider and the County agree to conditions and provisions related to the acquisition and leasing of tangible and intangible personal property by the Provider to the County, and the use and maintenance of the personal property by the County;
- (b) Schedule of Property No. 1, between the Provider and the County, which with the Lease/Purchase Agreement creates the lease relative to the Project (the "**Lease**");
- (c) Escrow and Account Control Agreement among the Provider, the County and Bank of America, N.A., as escrow agent, whereby the proceeds provided by the Provider are deposited into an escrow fund and made available to the County for the Project; and
- (d) Non-Arbitrage Certificate and Tax Compliance Agreement (the "**Tax Agreement**"), whereby the County states its reasonable expectations as to the use and investment of the proceeds provided by the Provider for the Project and agrees to certain restrictions and covenants in order to have the interest components of the rental under the Financing Lease excluded from gross income for federal income taxation purposes;

drafts of which documents have been presented to the Board of Supervisors at this meeting and filed with its records.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ALLEGHANY COUNTY, VIRGINIA:

1. Incorporation of Recitals. The recitals above are found and determined to be a part of this resolution.
2. Approval of Lease Financing Arrangement. The lease financing arrangement with Provider to accomplish the Project is approved.
3. Authorization of the Financing Documents. Drafts of the Financing Documents have been presented to the Board of Supervisors at this meeting and are approved. Any of the Chairman or Vice Chairman of the Board of Supervisors, the County Administrator or Director of Public Safety of the County (each, an "**Authorized Officer**") is authorized to execute and deliver on behalf of the County the Financing Documents to which the County is party, in substantially the forms presented at this meeting, with such changes, insertions or omissions as may be approved by the Authorized Officer executing them, whose approval shall be evidenced conclusively by the execution and delivery of such Financing Documents, subject to the following:
  - (a) The rental payments under the Lease will be composed of principal and interest components and will result in a Contract Rate of interest under the Lease not greater than 2.4095% per annum and a Taxable Rate of interest under the Lease not greater than 3.6253% per annum, with a final maturity of rental payments of not later than December 31, 2032; and
  - (b) The principal components of the rental payments under the Lease will reflect an original principal amount not to exceed \$8,500,000.

The actions of any Authorized Officer in approving the final terms of the Financing Documents in accordance with this resolution shall be conclusive, and no further action shall be necessary on the part of the Board of Supervisors.

4. Rental Payments Subject to Appropriation; Annual Budget. The County's obligation to make the rental payments and all other payments pursuant to the Lease is specifically stated to be subject to annual appropriation therefor by the Board of Supervisors, and nothing in this resolution or the Financing Documents shall constitute a pledge of the full faith and credit or taxing power of the County or compel the Board of Supervisors to make any such appropriation.

Although recognizing that it is not empowered to make any binding commitment to make rental payments and any other payments required under the Lease beyond the current fiscal year, the Board of Supervisors states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and recommends that future Boards of Supervisors do likewise during the term of the Lease. The Board of Supervisors directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Lease an amount sufficient to pay the rental payments and all other payments coming due under the Lease during such fiscal year.

5. Designation as Qualified Tax-Exempt Obligation. The Board of Supervisors designates the Lease as a Qualified Tax-Exempt Obligation, as defined in Section 265(b)(3) of the Internal Revenue Code of 1986, amended (the "Code"). The Board of Supervisors represents and covenants as follows:

- (i) The Board of Supervisors will in no event designate more than \$10,000,000 of obligations as qualified tax-exempt obligations in the current calendar year, for the purpose of Section 265(b)(3) of the Code;

- (ii) The County, all its "subordinate entities," within the meaning of Section 265(b)(3) of the Code, and all entities which issue tax-exempt bonds on behalf of the County and such subordinate entities have together not authorized to be issued more than \$10,000,000 of tax-exempt obligations in the current calendar year (not including "private activity bonds," as defined in Section 141 of the Code, other than "qualified 501(c)(3) bonds," as defined in Section 145 of the Code), including the Lease;

- (iii) Barring circumstances unforeseen as of the date of delivery of the Lease, the County will not issue tax-exempt obligations itself or approve the issuance of tax-exempt obligations of any of such other entities if the issuance of such tax-exempt obligations would, when aggregated with all other tax-exempt obligations theretofore issued by the County and such other entities in the current calendar year, result in the County and such other entities having issued a total of more than \$10,000,000 of tax-exempt obligations in such year (not including private activity bonds, other than qualified 501(c)(3) bonds), including the Lease; and

- (iv) The Board of Supervisors has no reason to believe that the County and such other entities will issue in the current calendar year tax-exempt obligations in an aggregate amount that will exceed such \$10,000,000 limit;

provided however, that if the County receives an opinion of nationally recognized bond counsel that compliance with any covenant set forth in (i) or (iii) above is not required for the Lease to be a qualified tax-exempt obligation, the County need not comply with such restriction.

6. Authorization of Other Matters. The Authorized Officers and any other officer of the County are each authorized to execute and deliver on behalf of the County such other instruments, documents or certificates, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized by this resolution or contemplated by the Financing Documents, and all of the foregoing, previously done or performed by such officers of the County, are in all respects approved, ratified and confirmed.

7. Authority of Officers and Agents. The officers and agents of the County shall do all acts and things required of them by this resolution and the Financing Documents for the complete and punctual performance of all the terms, covenants and agreements contained in them.

8. Limitation of Liability of Officials of County. No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of a present or future member, officer, employee or agent of the County in his individual capacity, and neither the members of the County nor any officer thereof executing any Financing Document shall be liable personally on the Financing Document or be subject to any personal liability or accountability by reason of its execution. No member, officer, employee or agent of the County shall incur any personal liability with respect to any other action taken by him pursuant to this resolution or the Financing Documents, provided he acts in good faith.

9. Headings. Any headings in this resolution are solely for convenience of reference and shall not constitute a part of the resolution nor shall they affect its meaning, construction or effect.

10. Effective Date. This resolution shall take effect immediately.

Adopted by the following roll call vote:

Suzanne T. Adcock	Yes
Shannon P. Cox	Yes
James M. Griffith	Yes
Cletus W. Nicely	No
Richard Lee Shull	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

*NOTE: The documents mentioned in the resolution are a part of the records of this meeting.*

MS. MARLA AKRIDGE, AHEDC EXECUTIVE DIRECTOR - UPDATE ON ACTIVITIES:

Ms. Marla Akridge, AHEDC Executive Director, stated that there is information in the agenda packet which includes: Condensed Activity Log Sheet, Active Prospect Activity Report, and Condensed Metrics. She reviewed and elaborated on the Condensed Activity Log Sheet which is as follows:

*Activity Log Sheet  
Condensed Version  
Fiscal Year - 2016-2017*

*Strategy 1 - BRE (Business Retention/Expansion)*

- 164 visits - 32 follow up visits
- Committee work for Safety Council
- Enterprise Zone - 3 businesses - approx. 62 hours work for business refund \$63,327, \$39,559, \$14,630
- Credential meetings with Community College to present to existing businesses
- 4 webinars International Economic Development & VEDP
- 7 existing business expansion work - 3 more in exploration

*Strategy 2 - Small Business/Entrepreneurial Ecosystem*

- 21 - new business (average 6-9 meetings per business) meetings vary depending on life cycle of the business and needs. Development, meetings, and plan with the Advancement Foundation (in office Tuesday, Wednesday, and Thursday) - 11 meetings training, 2 courses
- Building Entrepreneurial Economies - Grant writing, meeting w/ DHCD - approx. 45 hours, 5 meetings
- Research, reports - approx. 3 hours per week (\$38,300 w/ in-kind match)
- USDA grant - Revolving Loan Fund - meetings with participants, USDA staff, court for delinquent businesses - approx. 3 hours per month (\$60,000)
- Education of community leaders of potential small business opportunities. Seminars, workshops, subgroups - 12 per year with partners
- Ideation meetings to identify potential businesses - 2 per year

*Strategy 3 - Recruit New Businesses to the Alleghany Highlands*

- 148 large- to medium-size leads for fiscal year. Sent information from the AHEDC - 38. 92 did not qualify with the request - infrastructure, location, workforce, etc.)
- Evaluate marketing strategies with specific clusters with VEDP, Regional Partnership, & Site consultant, Developers/Builders
- Research cluster industries, email, call potential prospect that align with goals - 2-3 hours per week
- Monthly emails to site consultants to send out potential locations and leads
- Workforce/Talent development with partners
- Newsletter sent to leads
- Market strategy evaluation from Regional Partnership and VEDP

*Strategy 4*

- Support community groups & attend meetings - Chamber of Commerce, Ribbon Cuttings & Open House, Olde Town Covington, Clifton Forge Main Street, Foundation meetings, Community Health Assessment, Dabney S. Lancaster, Regional Partnership, CEDS, Community Advisory Panel for WestRock, Civic Clubs, Ministerial Groups, Alleghany Highlands Broadband Initiative, Presentations at schools, Coffee Club presentations
- Artisan webstore - <http://alleghanyhighlandsartisansshops.com/>
- Facade improvement plan & meetings
- Assistance with Alleghany County Schools with Internship Program - selection of businesses & promotion/education

*Additional Information:*

- *AHEDC Board Development - training new board members, committee structure implementation*
- *Communication strategies with marketing the area thru social media, newspaper articles, magazine, website*
- *Building Collaborative Community Grant (BCC) funding for unbiased/third party group to determine prioritization of industrial sites (\$40,000)*
- *Appalachian Regional Commission Grant - Development of the "Alleghany Highlands Drone Zone" - work on the Business Plan, Facilities Plan, and Marketing Plan*
- *Cardinal Program - VEDA - assessment on vacant school buildings in the City, Town, and County*
- *Brownfields EPA Grant - working on the application with Draper & Aden. \$600,000 remediation grant for buildings and sites*
- *Kaufmann Foundation - white paper concept about the "Drone Zone"*
- *Lumina Foundation - Fellowship program - committee rural workforce needs*
- *Need Marketing Study for Hotels/BNB's in the Alleghany Highlands*
- *Member - Assoc. of Unmanned Vehicle Systems of Ridge & Valley (AUSVIRV)*
- *Go Virginia Board Member - Region 2 meetings monthly (subcommittee meetings monthly)*
- *Virginia Economic Development Partnership - Rural Development Committee*
- *International Economic Development Council - Rural Development Committee*
- *Rotary - Covington/Hot Springs - Club Member - President 2017-2018*

Mr. Nicely commented regarding studying everything to death, nothing coming out of it, and not having money to do what is needed. He criticized the Roanoke Regional Partnership for showing little interest in our area and sending us scraps and mentioned that the Alleghany Foundation does not want to assist with funding improvements to the Commerce Center. He stated there is a need to push for grants to have pad ready sites.

Ms. Adcock commented that everybody wants something different (pad ready site, existing building, etc.) and diversification is what the area has to offer. She mentioned that the study to be done through the Building Collaboration Grant will look at the whole area and there could be private property involved at no cost to the localities.

Mr. Griffith stated that we have to get lots cleared and pads put in. He commented that the Alleghany Foundation needs to step forward and we all need to sit down with them to come up with a plan. He mentioned that we have to leave this County better than we found it and we can not do it with one source of revenue.

APPROVE PERSONAL PROPERTY TAX RELIEF (PPTRA) RATE FOR TAX YEAR 2017:

Mr. Lanford reviewed a memo from Mrs. Valerie Bruffey, Commissioner of the Revenue, to the Board which is included in the agenda packet. The memo is as follows:

*As you may remember, the Personal Property Tax Relief percentage now changes from year to year. It is based on the total qualifying vehicles for the current year, and the set amount of money coming from the state, which does not change. We have completed the calculations for the personal property assessment book, and for 2017 the amount of relief granted will be 60%. As in the past, this applies to the first \$20,000 of value on cars, light trucks, and motorcycles. Also, vehicles valued at \$1,000 or less will receive 100% relief.*

*Melissa is preparing a resolution to this effect to be considered at your board meeting. I will be unable to attend the meeting, so please call or e-mail me at [vbruffey@co.alleghany.va.us](mailto:vbruffey@co.alleghany.va.us) if you have any questions.*

Mr. Lanford added that the above rate is the same as last year.

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

WHEREAS, the Personal Property Tax Relief Act of 1998, Virginia Code Sections 58.1-3523 *et seq* ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act); and

WHEREAS, this resolution is adopted pursuant to Ordinance O-05-13 which was enacted by the Alleghany County Board of Supervisors on December 20, 2005 ("Ordinance"); and

WHEREAS, the Board of Supervisors now desires to set the rate of tax relief for tax year 2017 for purposes of this Ordinance;

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

1. That tax relief shall be allocated so as to eliminate personal property taxation for qualifying personal use vehicles valued at \$1,000 or less.
2. That qualifying personal use vehicles valued at \$1,001 - \$20,000 will be eligible for 60% tax relief.
3. That qualifying personal use vehicles valued at \$20,001 or more shall only receive 60% tax relief on the first \$20,000 of value.
4. That all other vehicles which do not meet the definition of "qualifying" (for example, including but not limited to, business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.
5. That the percentages applied to the categories of qualifying personal use vehicles are estimated fully to use all available PPTRA funds allocated to Alleghany County by the Commonwealth of Virginia.
6. This resolution shall take effect immediately upon its adoption.

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 LOW MOOR NATURAL GAS FEASIBILITY STUDY:

Mr. Lanford commented that natural gas to Low Moor has been discussed since the 90's. He mentioned that an estimate in 2005 was \$6 million, today's estimate from Columbia Gas is \$26.5 million, and Heath and Associates estimate is \$15.6 million. He reviewed a memo from him to the Board which is included in the agenda packet. The memo is as follows:

*Attached please find a copy of Heath and Associates work with Alleghany County to determine feasibility of establishing Natural Gas Service to Low Moor.*

*The report is fairly self-explanatory. In short under current conditions, establishing Natural Gas to Low Moor results in a negative feasibility.*

*A piped solution would require an annual operating subsidy of \$975,403. If we were to successfully land square footage and operational loads equivalent to existing load at Balchem, WestRock, Bacova, and our facility, the annual subsidy would still be \$939,271.*

*We also evaluated establishment of a CNG/LNG system in Low Moor. Without including debt for distribution system development, the customer rate exceeds that of propane and fuel oil (see exhibit J).*

Mr. Nicely asked how much the County paid for the study. Mr. Lanford replied that the County was awarded \$20,000 from the Alleghany Foundation and only \$14,000 of those funds were spent on the study.

DISCUSS AND CONSIDER HOLDING A PUBLIC HEARING REGARDING A REQUEST FOR A 25' RIGHT-OF-WAY FROM MR. PHILLIP BOWEN:

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

*Please see the attached letter from Mr. Bowen dated 14 September 2017, copy of survey from Greg Vess dated 02 February 2017, copy of Alleghany Regional Commerce Center Master Plan, and photograph of area.*

*You will note from survey and photograph that centerline of existing access road to Mr. Bowen's property is also boundary line from L11 to L20 between Mr. Bowen and Alleghany County. Mr. Bowen is requesting from Alleghany County a 25 foot wide right-of-way from L20 to L16 along said boundary. In return, Mr. Bowen has agreed to grant a 25 foot wide right-of-way to Alleghany County from L20 to L16. As part of the agreement, both parties would obtain right to improve said road and right-of-way to VDOT standards and install any necessary utilities.*

*As you will see on enclosed Master Plan, this boundary line is same as northeast boundary of lot 12. At some point in time, development of lot 12 would be drastically improved by having this particular right-of-way.*

*Next step would be to hold a Public Hearing on Mr. Bowen's request. Staff recommends moving to Public Hearing and would like a consensus from the Board to schedule a Public Hearing on the matter. Mr. Bowen will be responsible for preparation of all legal documents necessary to hold both the Public Hearing and subsequent approval, should the Board grant Mr. Bowen's request.*

The Board agreed by consensus to proceed with a Public Hearing on Mr. Bowen's request.

RECOMMEND REAPPOINTMENT OF MS. ELIZABETH HIGGINS TO THE BOARD OF ZONING APPEALS:

Mr. Bennett stated that the term of Mr. Calvin Fridley (Boiling Springs District) and Ms. Elizabeth Higgins (Clifton Forge East District) on the Board of Zoning Appeals expires October 31, 2017. Terms are for five years and both are eligible to be recommended to the Circuit Court Judge for reappointment.

Ms. Adcock stated that Ms. Higgins would like to be reappointed.

Mrs. Cox commented that she has been unable to get ahold of Mr. Fridley at this time.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors endorses the reappointment of Mrs. Elizabeth A. Higgins (Clifton Forge East District), 2501 Benson Street, Clifton Forge, VA 24422 to the Alleghany County Board of Zoning Appeals for a term of five years beginning November 1, 2017 and ending October 31, 2022.

This resolution of endorsement is to be submitted to the Judge of the Circuit Court to make the appointments.

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

Mr. Bennett commented that the appointment from the Boiling Springs District 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:

Auditor of Public Accounts

In mid-September, I forwarded by email a 14 September 2017 letter from Martha Mavredes, Auditor of Public Accounts for the Commonwealth, regarding a prioritized early warning system to identify possible fiscal distress within localities across Virginia. The establishment of this warning system came from the 2017 General Assembly, directing the Auditor of Public Accounts to develop a system to avoid the fiscal crisis currently faced by the City of Petersburg. As you will note from the letter, Alleghany County's Financial Assessment Model (FAM) score did not meet the threshold for required follow-up and review by the Auditor of Public Accounts. FAM scores below 16 require additional follow-up and Alleghany County's 2016 FAM score of 43.5% places us well above. Should Board members like a more detailed review, I would suggest we meet individually to discuss. The formulas and data utilized by the Auditor of Public Accounts is fairly complex.

Joint Comprehensive Planning Process

Steering Committee Kick-off Meeting is scheduled for 12 October at 6 p.m. (Mr. Griffith serves on the committee.)

November Board Meeting

Regular November Board meeting will be held on Wednesday 08 November.

Release to Virginia Tourism for Trail Filming

At each seat is an email from the Virginia Tourism Council that includes a "Property Photo and Video Release and Consent Form". The email is a part of the records of this meeting. He commented that they are coming to the area on



Thursday to photograph sections of the County and are asking for a release and consent form to be signed in order to film the Jackson River Scenic Trail. He asked the Board to authorize him to sign the form.

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 authorize Mr. Jonathan A. Lanford, County Administrator, to sign the "Property Photo and Video Release and Consent Form" on behalf of the County to allow filming of the Jackson River Scenic Trail by Virginia Tourism.

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

BOARD MEMBER COMMENTS (INQUIRIES/REPORTS):

Miscellaneous

The Board thanked everyone for coming to the meeting.

Mr. Shull asked Mr. Garten if he owns the vacant property near the hospital or next to the Cat & Owl as a fast food restaurant or something else is needed there. Mr. Garten replied that Dr. Sankar owns the property near the hospital and he is not sure who owns the property next to the Cat & Owl.

Mr. Shull mentioned that he spoke with the developer of the Love's property regarding building anything else in the future and he said that he has plans for two more businesses nearby when that project is done.

Mrs. Cox thanked Mr. Griffith and Mr. Nicely for their candid comments regarding economic development and Commerce Center needs.

Ms. Adcock thanked Ms. Akridge as she does a whole lot with a small staff.

Mr. Garten wished everyone a safe October.

ADJOURNMENT:

On motion of Mr. Griffith, seconded by Mr. Garten, that the meeting be adjourned at 8:15 p.m. Motion carried.

---

Stephen A. Bennett  
Chairman