

**CITY OF BUENA VISTA
PUBLIC SERVICE AUTHORITY MEETING,
REGULAR COUNCIL MEETING, PUBLIC HEARING, & EXECUTIVE SESSION
COUNCIL CHAMBERS
May 18, 2023, 6:00 P.M.**

The City of Buena Vista City Council met for a PSA Meeting, Regular Council Meeting, Public Hearings, and an Executive Session on Thursday, May 18, 2023, at 6:00 p.m.

Members Present:

Melvin Henson
Tyson Cooper
Steve Webb

Mayor Bill Fitzgerald
Vice-Mayor Cheryl Hickman
Stanley Coffey
Danny Staton

Members Absent: None.

ADG #1: PLEDGE OF ALLEGIANCE AND PRAYER

Councilman Cooper delivered the opening prayer.

City Attorney Brian Kearney advised that before the Regular Meeting got started, there needed to be a Public Service Authority meeting. He further noted that prior to approval, the agenda be modified to exclude the words "Public Hearing(s)".

ADG #2: APPROVAL OF THE AGENDA – as modified

Councilman Cooper moved to approve the agenda as modified removing the words "Public Hearing". Vice-Mayor Hickman seconded the motion, which was carried by council.

ADG #3: ELECTION OF OFFICERS FOR THE BVPSA:

- **Chairman**
- **Vice-Chairman**
- **Secretary**

Mayor Fitzgerald recalled that he is currently the Chairman, Vice-Mayor Hickman is Vice-Chair, and Dawn Wheeler was Secretary.

Mr. Tyree said that he would be happy to be appointed as Secretary. Mayor Fitzgerald then asked Mr. Tyree if he would like to do it or appoint the incoming Clerk of Council to the Secretary position. Mr. Tyree said that since Sarah Burch would be coming on the following Monday that they would go ahead and appoint her as Secretary in the event that there is another PSA meeting during this calendar year.

Mayor Fitzgerald asked for a motion approving the appointment of himself for Chairman, the Vice- Mayor as Vice-Chair and Sarah Burch as Secretary.

Councilman Coffey made the motion to approve, seconded by Councilman Webb, and carried by Council.

ADG #4: RESOLUTION APPROVING WATER AND SEWER RATES FOR FISCAL YEAR 2023-2024

Councilman Cooper read the following Resolution:

**RESOLUTION OF THE BUENA VISTA PUBLIC SERVICE AUTHORITY
WATER AND SEWER RATES FOR FISCAL YEAR 2023-2024**

The Buena Vista Public Service Authority (the Authority) hereby adopts the following resolution:

BE IT RESOLVED that in accordance with the Virginia Water and Waste Authorities Act Chapter 51 of Title 15.2 of the Code of Virginia of 1950, as amended, the Authority hereby proposes the preliminary schedule of water and sewage rates for fiscal year 2023 and 2024.

Water Rate - \$8.58 per 1000 gallons

Sewer Rate - \$8.54 per 1000 gallons

BE IT FURTHER RESOLVED that the formal adoption of the rates outlined in this resolution is not subject to a public hearing.

AND BE IT FURTHER RESOLVED that the formal adoption of this takes place at a public meeting dated May 18, 2023, and there are no changes in the rates from the previous year.

Mr. Cooper moved to approve the Resolution. The motion was seconded by Ms. Hickman and was carried by Council.

ADJOURNMENT

There being no further business, the PSA meeting was adjourned.

ADG #5: BUENA VISTA CITY COUNCIL PUBLIC HEARINGS

PUBLIC HEARING #1

Well and Water Line License Agreement Between the City and the Ranch Golf Club, LLC

City Attorney Kearney opened by stating that because this is dealing with real estate, even though no real estate interests are involved, in an abundance of caution, we would have a Public Hearing in case anyone has any questions or comments.

Mr. Kearney explained that right now the license arrangement is for a well being used to put water into the pond at the old golf course. It comes from the park, goes up across the cemetery and into the pond. He further stated that this is non-drinkable, non-potable water that is being used only to water the golf course. The new buyer of the golf course has asked if he could continue to use that. We did not want to convey any ownership to him, so this would be a licensed arrangement. It will be a 20-year license with a 5-year renewal if he continues to maintain it. Mr. Kearney explained that the buyer will be responsible for maintaining all aspects of the line, including pipes, pumps, etc. If he damages any City property during maintenance or repairs, he will be further responsible for repairs to said property.

Mayor Fitzgerald opened the floor up to the public; no one spoke.

PUBLIC HEARING #2

Community Development Block Grant (CDBG) Application on Behalf of Mountain Gateway Community College

Tom Roberts noted that per the CDBG guidelines, we must have two public hearings. He stated that they discussed the project at the last Public Hearing. He then recapped that discussion, stating that the City is applying on behalf of MGCC for \$1.7M to help fund the construction of the Wilson Workforce Center. The City will be entering into a Memorandum of Understanding with the MGCC Real Estate Foundation and potentially other entities as needed in order for them to take responsibility for implementation of the Grant. We have been in discussion with the Central Shenandoah Planning District Commission for them to do the grant management due to them doing the grant management for the Downtown CDBG. He stated that President Rainone was in attendance.

Mr. Rainone greeted Council and expressed his thanks for their support. He stated there have been a lot of hurdles with federal grants. They have gotten some federal grants and lots of donations and this grant will help them get closer to their goal. They have recently received a separate small grant. He further stated that in addition to the dealership they have also acquired the McCormick Building and beginning in mid-July this year, they will begin holding classes in this building to help get the momentum going. They expect electrical, plumbing, and HVAC to start and are looking at other programs that they can fit in that space. They anticipate Phase 1 of the "big building" renovations to begin this summer as well. Mr. Rainone thanked the Council and City staff again for their help and support.

Mayor Fitzgerald closed out the Public Hearings and continued to the Regular Meeting.

ADG #6: MINUTES DELAYED

ADG #7: RECOGNITION/COMMUNICATION FROM VISITORS

Citizens who desire to speak to council will be recognized at this time. Please limit your statement to three (3) minutes.

No one spoke.

ADG #5: REPORTS

1. Mayor

None.

2. City Manager

Mr. Tyree let everyone know that Dr. Francis has invited City Council to the Parry McCluer graduation at Cameron Hall on Saturday, May 27, 2023, at 10:00 a.m. He then asked for everyone to let him know who will be attending so that he can let Dr. Francis know how many people will be in attendance.

He talked about Conner filling in to help complete the minutes for the prior meetings. He further stated that Sarah Burch will be starting on Monday, so she will be beginning to work on those.

3. City Attorney

None.

4. Council Committees/Representatives

Councilman Henson began his report by speaking about the Art Council's event on Saturday, 20, 2023, from 10-3. He also said that on Sunday, May 21, 2023, the Buena Vista Women's Club has their 100th anniversary and will be at the Paxton House from 11-4. He advised of Merchant Appreciation Day in Town Square on Monday, May 22, 2023. He also advised of the open house for the Rockbridge Health Services from 1-6 on Monday, May 22, 2023. We will have an outdoor decoration workshop at 1 p.m. on Tuesday, May 23, 2023. Memorial Day service will be at the Oyler Pavilion on Sunday, May 28, 2023, at 1:00 p.m. Beginning the 29th of May, the Buena Vista Fire Department carnival will be held at Camden Field. He stated that the next couple of weeks will be very busy. Fridays in the park will begin on May 26, 2023, and the pool will be opening on May 27, 2023.

Councilman Coffey stated that he goes to the park about every other day and the new playground is being well used. There is always a good crowd there and he hasn't seen anyone acting silly or tearing up anything. He recognized that the people that completed the new playground did a great job. Mr. Henson added that he has spoken with some of the parents and kids over there and they all seem to be enjoying it.

ADG #6: CONSIDER APPOINTMENTS TO BOARD, COMMISSIONS, AND COMMITTEES

None.

OLD BUSINESS

OB #1: SECOND READING OF AN ORDINANCE FOR THE PROPOSED 2023-2024 TAX RATES FOR THE CITY OF BUENA VISTA

Mr. Tyree stated that there were no changes, and the Ordinance could be read by title only.

Councilman Cooper moved to have the Ordinance read by title only. Vice-Mayor Hickman seconded the motion, and it was carried by Council.

Mr. Tyree read the Ordinance by title.

Vice-Mayor Hickman made a motion to adopt the Ordinance, seconded by Councilman Coffey.

Mr. Tyree completed a roll call vote of Council as follows:

Member	Present	Absent	Yes	No	Abstain
Councilman Henson	X		X		
Councilman Cooper	X		X		
Councilman Webb	X		X		
Councilman Staton	X		X		
Councilman Coffey	X		X		
Vice-Mayor Hickman	X		X		
Mayor Fitzgerald	X		X		

The adopted Ordinance is as follows:

**AN ORDINANCE ESTABLISHING THE TAX RATES FOR
THE CITY OF BUENA VISTA, VIRGINIA FOR THE FISCAL YEAR 2023-2024**

BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF BUENA VISTA, VIRGINIA, that in accordance with Section 26-1 of the Code of the City of Buena Vista, there is hereby levied upon taxable real estate an effective tax rate of One Dollar and Twenty-Seven Cents (\$1.27) per One Hundred Dollars (\$100.00) assessed valuation for the fiscal year 2024, said levy to be based upon the value of such property as of July 1, 2023.

BE IT FURTHER ORDAINED, that there is hereby levied upon Personal Property a tax rate of Five Dollars and Eighty-Five Cents (\$5.85) per One Hundred Dollars (\$100.00) assessed valuation for the calendar year 2023, said levy to be based upon the value of such property as of January 1, 2023.

BE IT STILL FURTHER ORDAINED, that all other tax rates not expressly defined above shall remain the same until further action by council.

William H. Fitzgerald, Mayor

Attest:

Jason L. Tyree, City Manager

Date

OB #2: SECOND READING OF THE PROPOSED 2023-2024 MUNICIPAL BUDGET FOR THE CITY OF BUENA VISTA

Mr. Tyree stated that there are currently no changes, however, the Budget and Finance Committee recommended two changes at their last meeting. He then stated that as of right now, the current proposed budget is the same. Mr. Tyree advised of the recommended changes to the budget:

The Budget and Finance Committee proposed adding \$1,200 to the Bridge to Hope Food Pantry and \$50,000 for salary adjustments for employee retention. The amount for salary adjustments would go under the City Manager's budget and the food pantry funds would be added to the non-profit line item. They further proposed \$50,000 of the ARPA funds to go to the Fire Department for a new air compressor, which would not affect this budget, but would need to be considered.

Mr. Kearney asked which line items would be adjusted.

Finance Director, Charles Clemmer added that the line-item changes would go to the non-profit and the City Manager line items.

Mr. Tyree distinguished the line-item changes as follows:

City Manager : \$285,486
 Non-profits : \$496,449
 Total General Fund Expenditure : \$15,482,748
 Total FY24 Budget : \$19,570,822

Councilman Cooper moved to read the proposed budget by title only with the changes that the City Manager outlined. Vice-Mayor Hickman seconded the motion, and it was carried by Council.

Mr. Tyree then read the Proposal by title only, including the above-mentioned changes.

Councilman Coffey made a motion to approve the proposed budget which was seconded by Councilman Webb.

Mayor Fitzgerald asked if anyone wanted to discuss it.

Councilman Henson stated that he was having a little anxiety about some of the amounts considering what could potentially happen two to three years down the road.

Mr. Tyree completed a roll call vote of Council as follows

Member	Present	Absent	Yes	No	Abstain
Councilman Henson	X			X	
Councilman Cooper	X			X	
Councilman Webb	X		X		
Councilman Staton	X		X		
Councilman Coffey	X		X		
Vice-Mayor Hickman	X		X		
Mayor Fitzgerald	X		X		

The motion was approved by a vote of five to two.

The approved 2023-2024 Municipal Budget for the City of Buena Vista is as follows:

GENERAL FUND REVENUE
PROPOSED

<u>ITEM</u>	<u>2023-2024</u>
General Property Taxes	\$6,986,089
Other Local Taxes	\$2,222,716
Permits, Privilege Fees	\$25,775
Fines and Forfeitures	\$76,420
Earnings from Investments	\$3,000
Charge for Services	\$799,783
Miscellaneous Revenue	\$256,520
Non-Categorical Aid from Virginia	\$682,220

Shared Expenses	\$1,048,201
Categorical Aid from Virginia	\$3,329,261
Categorical Aid Federal	<u>\$245,453</u>
TOTAL GENERAL FUND	\$15,675,438

GENERAL FUND EXPENDITURES

City Council	\$39,548
City Manager	\$285,486
City Attorney	\$70,000
Information Technology	\$148,000
Finance Director	\$362,583
Independent Auditor	\$81,428
Commissioner of the Revenue	\$248,158
Reassessment	\$33,000
Board of Equalization	\$3,000
City Treasurer	\$281,913
Insurance	\$70,700
Electoral Board	\$209,794
Circuit Court	\$6,234
General District Court	\$7,220
Juvenile & Domestic Relations Court	\$33,810
Clerk of the Circuit Court	\$269,720
City Sheriff	\$542,396
Commonwealth's Attorney	\$276,397
Criminal Justice Services	\$84,458
Police Department	\$2,022,399
Fire Department	\$163,500
Rescue Squad	\$160,903
Probation Officer	\$3,000
Magistrate	\$335
Medical Examiner	\$150
Economic Development	\$148,988
Planning	\$239,893
Administration & Engineering	\$296,092
Street Maintenance	\$1,101,123
Streetlights	\$73,000
Refuse Collection Department	\$445,971
Refuse Disposal	\$300,000
Maintenance of Buildings & Grounds	\$504,622
Maintenance of Greenhill Cemetery	\$45,618
General Tax Relief	\$80,000
Retiree Medical Plan	\$35,000

Central Dispatch	\$417,692
School Fund	\$2,293,803
Regional Jail	\$690,657
Transfers to Other funds	\$377,838
Debt Service	\$231,870
Social Services	\$2,300,000
Non-Profit Agencies	\$496,449
TOTAL GENERAL FUND EXPENDITURES	\$15,482,748

WATER REVENUE
PROPOSED

<u>Item</u>	<u>2023-2024</u>
Charge for Services	\$1,358,223
TOTAL WATER FUND REVENUE	\$1,358,233

WATER EXPENDITURES

Water Administration	\$49,066
Water Maintenance	\$407,723
Water Production	\$297,345
Debt Service	<u>\$604,089</u>
TOTAL WATER FUND EXPENDITURES	\$1,358,223

SEWER REVENUE
PROPOSED

<u>Item</u>	<u>2023-2024</u>
Charge for Services	\$1,201,302
TOTAL SEWER FUND REVENUE	\$1,201,302

SEWER EXPENDITURES

Sewer Administration	\$48,066
Sewer Maintenance	\$365,366
Wastewater Treatment Plant	<u>\$787,870</u>
TOTAL SEWER FUND EXPENDITURES	\$1,201,302

PARKS AND RECREATION REVENUE
PROPOSED

<u>Item</u>	<u>2023-2024</u>
Charge for Services & Misc. Revenue	\$342,575
Transfer from General Fund	<u>\$354,657</u>
TOTAL PARK FUND REVENUE	\$697,232

PARKS AND RECREATION EXPENDITURES

Administration	\$232,352
Recreation Department	\$162,190
Activities Department	\$16,300
Maintenance of Parks & Campgrounds	\$228,715
Swimming Pool	<u>\$57,675</u>
TOTAL PARK FUND EXPENDITURES	\$697,232

SCHOOL CONSTRUCTION REVENUE
PROPOSED

<u>Item</u>	<u>2023-2024</u>
City Funds	\$23,181
Interest Recovery	<u>\$19,583</u>
TOTAL SCHOOL CONSTRUCTION REVENUE	\$42,764

SCHOOL CONSTRUCTION EXPENDITURES

Middle School Loan	\$42,764
TOTAL SCHOOL CONSTRUCTION EXPENDITURES	\$42,764

SENIOR CENTER FUND REVENUE
PROPOSED

<u>Item</u>	<u>2023-2024</u>
BV/Lex/Rockbridge County	\$8,500
TOTAL SENIOR CENTER REVENUE	\$8,500

SENIOR CENTER FUND EXPENDITURES

Utilities and Operations Cost	\$8,500
TOTAL SENIOR CENTER EXPENDITURES	\$8,500

SCHOOL NUTRITION FUND REVENUE
PROPOSED

<u>Item</u>	<u>2023-2024</u>
Nutrition Revenues	\$780,053
TOTAL SCHOOL NUTRITION FUND REVENUE	\$780,053

SCHOOL NUTRITION FUND EXPENDITURES

Nutrition Expenses	\$780,053
TOTAL SCHOOL NUTRITION FUND EXPENDITURES	\$780,053

This Ordinance will be effective thirty (30) days following adoption.

William H. Fitzgerald, Mayor

Attest:

Jason L. Tyree, City Manager

Date

OB #3: SECOND READING OF AN ORDINANCE APPROPRIATING FUNDS FOR THE OPERATION OF THE CITY OF BUENA VISTA FOR THE FISCAL YEAR 2024

Mr. Tyree read the Ordinance, with changes, as follows:

AN ORDINANCE APPROPRIATING FUNDS FOR THE OPERATION OF THE CITY OF BUENA VISTA FOR THE FISCAL YEAR 2024

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that in accordance with Section 4-1, Budgets and Appropriations, of the Charter of Buena Vista, funds to support the operations of the City for the Fiscal Year 2024 is hereby appropriated effective July 1, 2023, in the amount of \$19,570,822 and in accordance with the following provisions:

General Fund	\$15,482,748
Water Fund	\$1,358,223
Sewer Fund	\$1,201,302
Parks & Recreation Fund	\$697,232
School Construction Fund	\$42,764
Senior Center Fund	\$8,500
School Nutrition Fund	\$780,053
TOTAL FY 2024 BUDGET	\$19,570,822

William H. Fitzgerald, Mayor

Attest:

Jason L. Tyree, City Manager

Date

Councilman Henson moved to approve the Ordinance as read, seconded by Vice-Mayor Hickman.

Mr. Tyree complete a roll call vote of Council as follows:

Member	Present	Absent	Yes	No	Abstain
Councilman Henson	X		X		
Councilman Cooper	X			X	
Councilman Webb	X		X		
Councilman Staton	X		X		
Councilman Coffey	X		X		
Vice-Mayor Hickman	X		X		
Mayor Fitzgerald	X		X		

With a vote of six to one, the Ordinance was approved as read above.

OB #4: SECOND READING OF A RESOLUTION AUTHORIZING APPLICATION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS ON BEHALF OF MOUNTAIN GATEWAY COMMUNITY COLLEGE

Tom Roberts read the following Resolution:

**CITY OF BUENA VISTA
COMMUNITY DEVELOPMENT BLOCK GRANT
COMMUNITY ECONOMIC DEVELOPMENT GRANT RESOLUTION**

WHEREAS Mountain Gateway Community College provides workforce development services to the City of Buena Vista, the Rockbridge region, and the Alleghany Highlands; and

WHEREAS Mountain Gateway Community College has acquired two properties in downtown Buena Vista and has obtained partial funding to renovate them into a modern workforce training center; and

WHEREAS the City of Buena vista seeks to support said renovation project.

THEREFORE, BE IT RESOLVED that, pursuant to two public hearings, the City of Buena Vista wishes to apply for \$1,070,000 of Virginia Community Development Block Grant funds for the Buena Vista MGCC Com Econ Dev CDBG 2022 Project.

BE IT FURTHER RESOLVED that City Manager Jason Tyree is hereby authorized to sign and submit appropriate documents for the submittal of the Virginia Community Development Block Grant proposal.

BE IT FURTHER RESOLVED that City Manager Jason Tyree shall enter into a Memorandum of Understanding with Mountain Gateway Community College Real Estate Foundation and/or other entities necessary to allocate responsibility for implementation of this grant to said entity or entities.

William H. Fitzgerald, Mayor

Attest:

Jason L. Tyree, City Manager

Date

Councilman Cooper asked for clarification of the changes to this Resolution.

Mr. Roberts explained that the last paragraph of the Resolution previously stated that Jason Tyree would enter into a MOU with Mountain Gateway Community College, not the Real Estate Foundation.

Councilman Cooper moved to approve the Resolution, seconded by Councilman Webb. The motion was carried by Council, with the exception of Vice-Mayor Hickman who abstained from the vote as she is a member of the Board.

NEW BUSINESS

NB #1: PROCLAMATION IN RECOGNITION OF BUSINESS APPRECIATION MONTH

Councilman Cooper read the Proclamation as follows:

PROCLAMATION Recognition of Business Appreciation Month May 2023

WHEREAS Buena Vista businesses have shaped and embodied the entrepreneurial spirit that has driven revitalization and ensured economic growth and diversity in the City; and,

WHEREAS Buena Vista's economic well-being and growth stem from the hard work and dedication of its business owners; and,

WHEREAS Buena Vista businesses provide jobs, products, and services to our residents, residents in our surrounding communities, and consumers far and wide; and,

WHEREAS Buena Vista is currently home to 270 business license holders; and,

WHEREAS many Buena Vista business license holders are small businesses operated by dedicated, local entrepreneurs; and,

WHEREAS Buena Vista values its existing and growing business community and commits continued support to its growth; and,

WHEREAS Buena Vista extends its gratitude and appreciation for its local businesses' dedication and perseverance.

NOW, THEREFORE, We, The City Council of the City of Buena Vista, will continue to hereby recognize May as Business Appreciation Month, and we call this observance to the attention of all our citizens and ask that you thank your local business owners and patronize their business establishments.

William H. Fitzgerald, Mayor

A motion to approve was made by Councilman Henson, seconded by Councilman Staton, and carried by Council.

NB #2: PROCLAMATION IN RECOGNITION OF 60TH ANNIVERSARY OF MODINE MANUFACTURING COMPANY IN BUENA VISTA

Councilman Cooper read the following Proclamation:

PROCLAMATION

**Recognition of the 60th Anniversary of Modine Manufacturing Company in Buena Vista
May 18, 2023**

WHEREAS The City of Buena Vista is proud to celebrate Modine Manufacturing Company on the occasion of its sixtieth anniversary in Buena Vista; and,

WHEREAS Modine was incorporated in 1916 by its founder Arthur Modine, who led the company to become a worldwide leader in thermal management; and,

WHEREAS Modine expanded its operations into Buena Vista in 1963, building its reputation through its commitment to innovation, sustainability, and community involvement; and,

WHEREAS Modine has survived challenges brought on by environmental disasters, economic downturns, increasing regulations, and a continually changing business environment while providing services and leadership to its customers; and,

WHEREAS Modine has undertaken three expansion projects, producing over 2.6 million gas fired units over the last sixty years and gaining 46% market share in the United States; and,

WHEREAS Modine serves as the leading employer in Buena Vista, currently employing 315; and

WHEREAS Modine could not have accomplished this without world-class employees and their shared dedication to excellence; and

WHEREAS Modine's continued success is a testament to their hard work and dedication; and,

WHEREAS Modine will continue to serve as a leading corporate citizen in our community as an exemplary employer and corporate leader for generations to come.

NOW, THEREFORE, We, The City Council of the City of Buena Vista, hereby recognizes and celebrates the sixtieth anniversary of Modine Manufacturing Company and extend our gratitude for their contributions to our city and its residents.

William H. Fitzgerald, Mayor

Mayor Fitzgerald added that Modine, in its 60 years, has been a good partner to the City of Buena Vista. He mentioned that they assisted in getting the Library going, which is named after Modine. He further noted that the football field at Camden field is owned by Modine, and they have allowed the City to utilize it since 1964.

Vice-Mayor Hickman made a motion to adopt the Proclamation with the changes. The motion was seconded by Councilman Cooper and was carried by Council.

NB #3: WELL AND WATER LINE LICENSE AGREEMENT BETWEEN THE CITY AND THE RANCH GOLF CLUB, LLC

City Attorney Kearney summarized the Agreement by stating that this only deals with the well on 10th Street that was put in to supply water to the Golf Course pond and was never used by the City for any other purpose. He stated that this Agreement continues to allow the new owner to continue to use it. Mr. Kearney reiterated that this is an initial 20-year term and as long as it is not cancelled by the City during that time, they have the right to renew the Agreement for an additional five years. He also stated that if there is a default in the Agreement by the new owners, the City has the right to cancel. The new owner does not have an ownership interest, giving them the right to use it subject to this Agreement. The Agreement further states that they will pay all utilities, maintain the pipes, pumps, etc. If they damage City property in any way during maintenance, they must repair said damages. If they do not repair any damages, the Agreement can be cancelled by the City. Mr. Kearney also mentioned that the well is not something the City is using and was never built for any other purpose than to supply water to the pond. This Agreement only gives them the right to this one specific water line.

Councilman Cooper moved to approve the Agreement, seconded by Councilman Webb, and carried by Council.

NB #4: MEMORANDUM OF UNDERSTANDING FOR THE DEPARTMENT OF SOCIAL SERVICES

Mr. Kearney opened the discussion by stating that the land was acquired on May 11, 2023. The land is in Lexington's name and roughly six acres is now owned by the government. He further stated that this lays out the construction for the new building and the lease for the existing property in Lexington expires in July 2025. This means that construction needs to get going on

the new building. He stated that the initial building will be built as a Social Services building and the hope is to get more buildings on the land, the Health Department for example, possibly being designed at the same time or could be further down the road.

Mr. Kearney explained that the first part of the MOU is that the construction is to be paid for based solely upon population. The construction and the capital cost will be based upon population as follows:

Buena Vista-	Population: 6,628	Cost Share: 18.1%
Lexington-	Population: 7,397	Cost Share: 20.2%
Rockbridge County-	Population: 22,596	Cost Share: 61.7%

This will include all construction costs to build it as well as capital costs in the future. He also mentioned that Lexington will be getting an administrative fee for monitoring and paying the bills, but no payments or fees based on capital expenditure. Their fee will be acquired based on operating expenditures only. Mr. Kearney further noted that the operating expense allocation is a blended rate based upon population and usage. He stated that the citizens of Buena Vista use Social Services more than 18%. The allocation of operating expenses is as follows:

Buena Vista-	Population: 18.1%	Caseload: 23.13%
Lexington-	Population: 20.2%	Caseload: 11.94%
Rockbridge County-	Population: 61.7%	Caseload: 64.93%

Total Allocation:

Buena Vista – 20.62%

Lexington – 16.07%

Rockbridge County – 63.32%

Mr. Kearney further mentioned that this allocation will be reviewed annually. He also noted that right now, the biggest thing is to get an architect or engineer involved to get the construction underway. Mr. Kearney summarized by stating that the land has been purchased and this Agreement lays out what each locality will pay based upon the above-mentioned parameters. He then stated that Rockbridge County wants this Agreement adopted by Ordinance and this is why we have the Ordinance to go along with the MOU instead of just a standard Memorandum.

Vice-Mayor Hickman asked for confirmation that the cost would change each year. Mr. Kearney clarified that it will be reviewed annually based on the parameters of population and caseload from the prior year. He further noted that they have also built in a reserve for capital improvements and once the reserve hits a certain level, they will stop putting money aside for that.

Mr. Tyree read the Agreement as follows:

THE ROCKBRIDGE REGIONAL HUMAN SERVICES CENTER AGREEMENT

WHEREAS the Cities of Buena Vista and Lexington and County of Rockbridge have agreed to jointly construct a government complex on two parcels of real estate located in the City of Buena Vista; and,

WHEREAS in order to clearly outline the obligations of each locality as to the construction of the center and the operation of the Rockbridge Area Department of Social Services to be located in the complex the attached Exhibit "A" has been prepared and is being presented to each localities governing body for approval.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUENA VISTA, VIRGINIA, that the attached Rockbridge Regional Human services Center Agreement is approved, subject to the same being approved by the City of Lexington and the County of Rockbridge.

This Ordinance shall take effect thirty (30) days from the date hereon.

William H. Fitzgerald, Mayor

Attest:

Jason L. Tyree, City Manager

Date

ADJOURNMENT

There being no further business, the meeting was adjourned.

Jason L. Tyree, City Manager

William H. Fitzgerald, Mayor