

Staff Briefing Meeting, Monday, June 26, 2017, 1:30 p.m., Government Center, Verona, VA.

PRESENT: Tracy C. Pyles, Jr., Chairman
Terry Lee Kelley, Jr.-Vice Chairman
Gerald W. Garber
Michael L. Shull
Wendell L. Coleman
Carolyn S. Bragg
Marshall W. Pattie
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
Leslie Tate, Planner
Misty Cook, Finance Director
James R. Benkahla, County Attorney

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Monday, June 26, 2017, at 1:30 p.m., at the Government Center, Verona, Virginia, and in the 241th year of the Commonwealth....

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VDOT ROADS

The Board discussed the VDOT status report of June 26, 2017.

The Board accepted the report as information.

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LEGISLATIVE UPDATE

Presentation by Eldon James, the Legislative Liaison on General Assembly action.

The Board accepted the report as information.

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ECONOMIC DEVELOPMENT

The Board discussed the Economic Development monthly report of May, 2017.

The Board accepted the monthly report as information.

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FIRE AND RESCUE

The Board discussed the Fire and Rescue monthly report of May, 2017.

The Board accepted the monthly report as information.

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LADD ELEMENTARY

The County Attorney, James Benkahla, discussed the need to speak to Mr. Fitzgerald concerning some questions with the Ladd Contract.

The Board authorized placing on the regular meeting agenda for June 28, 2017.

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June 26, 2017, at 1:30 p.m.

PLANNING COMMISSION/PUBLIC HEARINGS

- 1) The Board discussed an ordinance to amend Section 25-72.1 of the Augusta County Code to permit 6 agricultural dogs as an accessory use in general agriculture districts.
- 2) The Board discussed an ordinance to amend Section 25-72 of the Augusta County Code to clarify agriculture in addition to agriculture related uses is a permitted use in general agriculture districts.
- 3) The Board discussed an Ordinance to amend Section 25-73 of the Augusta County Code to permit the storage of commercial vehicles and/or trailers in general agriculture districts by administrative permit.
- 4) The Board discussed an ordinance to amend Section 25-4 of the Augusta County Code to revise the definition of Day Care home inspection.
- 5) The Board discussed an ordinance to amend Section 25-518 of the Augusta County Code to clarify that underground petroleum storage tanks over 660 gallons require a Special Administrative Permit in Source Water Protection Area 2 designations.
- 6) The Board discussed an ordinance to amend Chapter 5 of Augusta County Code to incorporate definitions related to animals from Virginia State Code, incorporate Virginia State Code requirements concerning cruelty to animals, incorporate Virginia State Code requirements concerning rabies inoculation of companion animals, correct when a dog license tax is payable, eliminate destructive dog provisions that are not established by Virginia State Code, eliminate dangerous and vicious dog provisions that are regulated through Virginia State Code, revise impoundment procedures, eliminate provisions for dogs killing other domestic animals other than livestock or poultry, incorporate Virginia State Code regulations on dogs killing, injuring or chasing livestock or poultry with an additional provision which permits an animal control officer with reason to believe that a dog is killing livestock or poultry to confine the animal until such time as evidence shall be heard and a verdict rendered, incorporate penalties as detailed by Virginia State Code for violation of County ordinance, and incorporate penalties for the giving of false reports and interfering with an animal control officer.
- 7) The Board discussed an ordinance to amend Section 9-11 of the Augusta County Code to correct a mistake in terminology where the word "quality" was used instead of "quantity" when referring to water quantity calculations submitted to demonstrate compliance with 9 VAC 25-870-66C (Flood Protection) and D (sheet flow).

The Board authorized placing on the regular meeting agenda for June 28, 2017.

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WAIVERS/ VARIANCES – NONE

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following:

Mr. Garber would like to get bids on the courthouse roof and bring them back to the Board.

Ms. Bragg:

- 1) About 1200 bikers with Biker Virginia will pass through Stuarts Draft tomorrow between 7am and 11am.
- 2) John Swett resolution to present at Wednesday meeting.
- 3) List of Boards and Commissions.

June 26, 2017, at 1:30 p.m.

MATTERS TO BE PRESENTED BY THE BOARD (CONT'D)

- 4) Issues with I-81 letter to be sent to the DC Transportation committees.
- 5) Discussion of use of the County Seal.
- 6) Discussion of the Maupin property.
- 7) John Swett naming of platform at Stuarts Draft Park.

Mr. Kelley would be happy to go with anyone that would like to meet with any of the Fire Department.

Mr. Pyles:

- 1) Ms. Bragg will take Mr. Kelley's position on the Economic Development Committee.
- 2) Cost of dealing with interstate accidents.
- 3) The family member exception.
- 4) Solar Farms have been questioned by several within the County.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

- 1) Land use handout.
- 2) Community Facilities Technical Assistance and Training Grant letter of intent for Stuarts Draft Library (PDC) or others.
- 3) Reassessment kick off meeting
- 4) Dominion Power Tower replacement project
- 5) Thank you for the VLGMA Conference.
- 6) 4th of July parade in Staunton.
- 7) July 12th meeting cancelled.
- 8) Keep Virginia Beautiful Grant. Recycling Committee-\$500 for cigarette receptacles for all of our parks. "Park Your Butts Here" campaign.

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CLOSED SESSION

On motion of Mr. Kelley, seconded by Mr. Shull, the Board went into closed session pursuant to:

- (1) **the personnel exemption under Virginia Code § 2.2-3711(A)(1)**
[discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:
 - a) Boards and Commissions
- (2) **the real property exemption under Virginia Code § 2.2-3711(A)(3)**
[discussion of the acquisition for a public purpose, or disposition, of real property]:
 - a) Mill Place Commerce Park
- (3) **the economic development exemption under Virginia Code § 2.2-3711(A)(5)**
[discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of its interest in locating or expanding its facilities in the county]:
 - a) Proposed Office space, flex space, storage facilities, manufacturing facilities, utility and mixed use development.

June 26, 2017, at 1:30 p.m.

CLOSED SESSION (CONT'D)

(4) **the legal counsel exemption under Virginia Code § 2.2-3711(A)(7)**
[consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, as permitted under subsection (A) (7)]:

a) McKee vs. County of Augusta

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On motion of Mr. Shull, seconded by Mr. Garber, the Board came out of Closed Session.

Vote was as follows: Yeas: Bragg, Kelley, Garber, Wendell, Shull, Pattie and Pyles

Nays: None

Motion carried.

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The Chairman advised that each member is required to certify that to the best their knowledge during the closed session only the following was discussed:

- 1. Public business matters lawfully exempted from statutory open meeting requirements, and
- 2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Roll Call Vote was as follows:

AYE: Bragg, Garber, Kelley, Coleman, Shull, Pattie and Pyles
NAY: None

The Chairman authorized the County Administrator/Clerk of the Board to record this certification in the minutes.

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