

Regular Meeting, Wednesday, April 12, 2017, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Tracy C. Pyles, Jr., Chairman
Carolyn S. Bragg
Wendell L. Coleman
Marshall W. Pattie
Michael L. Shull
Gerald W. Garber
Timmy Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
James Benkahla, County Attorney
Angie Michael, Executive Assistant

ABSENT: Terry Lee Kelley, Jr., Vice-Chairman

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, April 12, 2017, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 241th year of the Commonwealth....

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Chairman Tracy Pyles welcomed the citizens present.

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The following students from Wilson Memorial High School Exceptional Learners class led us with the Pledge of Allegiance:

John Michael DeJong is in the 9th grade and likes cars.

Johnathan Dudley is in the 9th grade.

Darius Key is in the 9th grade and likes to draw.

Garrett McDaniel

Curtis Wimer is in the 10th grade and likes to play video games.

Sonny Salisbury

Rachel Dorton is in the 12th grade and likes boys.

McGregor Long

Rhiannon McDaniel is in the 12th grade and likes to act.

Tyler Smith is in the 12th grade and likes to help out.

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Wendell Coleman, Supervisor for the Wayne District, delivered invocation.

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April 12, 2017, at 7:00 p.m.

Timothy Fitzgerald, County Administrator introduced Misty Cook as the new Director of Finance. Ms. Cook comes from a medical practice in Rockingham County where she managed the practice and lives in Dayton, VA. Ms. Cook has an undergraduate degree Eastern Mennonite University, she was honorable discharged from the National Guard and she is currently completing her MBA from Liberty University. The search was long and hard to get the right person for the position. The County is pleased to have Ms. Cook join us on Monday, April 17.

Misty Cook stated that she is excited to take on this opportunity and looks forward to working with everyone.

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CHILD ABUSE PREVENTION MONTH RESOLUTION

Mr. Pyles stated that there was a resolution before the Board to present. The resolution is on an important subject.

Ms. Bragg moved, seconded by Mr. Shull, that the Board adopt the following resolution:

CHILD ABUSE PREVENTION MONTH

Whereas, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

Whereas, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

Whereas, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

Whereas, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

Whereas, effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

Now therefore, the Board of Supervisors, **does hereby recognize April 2017 as Child Abuse Prevention Month in Augusta County, Virginia** and we call this observance to the attention of all our citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

Mr. Pyles stated that Augusta County is not an oasis where no child is abused. We have to report it when we see it and do our best to prevent it.

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

April 12, 2017, at 7:00 p.m.

**PROPOSED TAX RATES and PROPOSED BUDGET
FOR 2017-2018 (CONT'D)**

| | |
|---------------------------------------|-------------------|
| Offset in reserves and Contingency | (\$63,121) |
| Net Change | \$ 0 |
| Total Advertised Budget | \$187,147,003 |

School Funding:

School Funding increase:

| | |
|---------------------------------------|----------------|
| Formula funding-FY17 | \$ 40,201,766 |
| Formula funding-growth | <u>731,075</u> |
| Total School funding | \$ 40,932,841 |
| (included in advertised budget total) | |

The advertised proposed tax rates for 2017 are:

Rate per \$100/assessed value as advertised:

| | |
|----------------------|-------------|
| | <u>2017</u> |
| Real Estate | \$0.58 |
| Personal Property: | |
| Vehicles | \$2.50 |
| Other ⁽¹⁾ | \$2.00 |
| Other ⁽²⁾ | \$2.50 |

(1) Business, large trucks and trailers, machinery & tools

(2) Campers, boats, boat trailers, horse trailers, airplanes and trailers.

Total revenue in the FY18 Budget: \$179,923,564

| | |
|----------------------|---------------|
| Property Taxes | \$ 57,412,000 |
| Local Revenue | \$ 37,760,240 |
| State Revenue | \$ 72,777,540 |
| Federal Rev. | \$ 11,127,598 |
| Other ⁽¹⁾ | \$ 846,186 |

⁽¹⁾Primarily bond proceeds

Other revenues is regarding non-revenue receipts so they are one time funds.

Expenditures for the FY18 Budget: \$187,147,003

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|------------------|---------------|
| General Govt | \$ 4,883,530 |
| Judicial | \$ 2,180,445 |
| Public Safety | \$ 22,074,327 |
| Public Works | \$ 3,795,448 |
| Health & Welfare | \$ 18,551,419 |
| Recreation | \$ 2,994,720 |
| Community Dev. | \$ 1,966,586 |
| Contributions | \$ 1,437,065 |

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PROPOSED TAX RATES and PROPOSED BUDGET FOR 2017-2018 (CONT'D)

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|------------------------|---------------|
| Education | \$112,316,530 |
| School Capital Improv. | \$ 4,152,918 |
| Debt Service | \$ 9,592,934 |
| Capital Improvements | \$ 3,201,081 |

The Chairman declared the public hearings on tax rates to be open.

There being no speakers, the Chairman declared the public hearing closed.

The Chairman declared the public hearing on the proposed budget to be open.

There being no other speakers, the Chairman declared the public hearing closed.

Mr. Fitzgerald explained to the Board that the Budget Adoption will be on the agenda for the Regular Meeting on Wednesday, April 26, 2017.

DOMINION POWER EASEMENT REQUEST

The Board considered a request for a 15 foot easement along Church Street of the Greenville Property owned by Augusta County (TM 82A-1-76).

Mr. Fitzgerald stated that several years ago Augusta County purchased a piece of property in Greenville that was needed for a drainage project. There is a new house being built on property across the street from the County property and it has been asked for service to be provided to the new house. Dominion Power determined that an upgrade to the power service was necessary. Dominion has requested an easement to install the new overhead line. Dominion will take care of any trees and cleanup required.

The Chairman declared the public hearing on the Dominion Power easement to be open.

There being no speakers, the Chairman declared the public hearing closed.

Mr. Coleman moved, seconded by Mr. Shull, that the Board approve the request.

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

RELOCATING POLLING PLACE FOR THE CEDAR GREEN PRECINCT

The Board considered amending Section 8-32 of the Augusta County Code to move the polling place for the Cedar Green Precinct from the Beverley Manor Elementary School to the Beverley Manor middle School, which is located at 58 Cedar Green Road, Staunton, VA in the Pastures District.

Tom Long of the Electoral Board stated that the Electoral Board has worked with the Augusta County Schools Superintendent and the Principle of the school to work out the details. They have visited the site with County staff to determine what temporary measures need to be taken for ADA accessibility. Those measures are in process and include a 6 foot ramp, a temporary marking of handicap parking spaces and filling sidewalk cracks.

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RELOCATING POLLING PLACE FOR THE CEDAR GREEN PRECINCT (CONT'D)

The Chairman declared the public hearing on relocating the polling place to be open.

There being no speakers, the Chairman declared the public hearing closed.

Mr. Shull moved, seconded by Ms. Bragg, that the Board authorize the request to move the polling place from Beverley Manor Elementary School to Beverley Manor Middle School.

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

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END OF PUBLIC HEARINGS
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MATTERS TO BE PRESENTED BY THE PUBLIC

Jenn Little comes before the Board regarding the Nexus proposal to purchase the property adjacent to their campus in Verona in Mill Place Commerce Park. She has been very active in local and state politics for many years. Ms. Little loves Augusta County, but what she hates is when local government does unprecedented things such as denying a business within the community to grow. Her professional background is Commercial Development Contracting and she knows about land development. What is happening to Nexus Services at the hands of the Augusta County Board of Supervisors, is a dereliction of your duties as elected officials and representatives of those served. It is unheard of to have a company denied the opportunity to expand when property is available. That's why we have economic development authorities. The property adjacent to Nexus Service's current office is a horrible, expensive piece of land. It isn't even that the land is expensive. The site work required to make the property suitable for construction will be outrageous. The County would be wise to sell this land to the first buyer it can get or at least talk to those interested in purchasing the land. Going solely on ideas from engineering groups as those quoted in the paper is absurd for this Board. We will go down a slippery slope of counting on a fact that there may be an interested manufacturing company who is seeking a site where site work cost would go through the roof to prep for construction. Where is the manufacturer? Are they bringing more jobs to Augusta County? When are they coming and are they good paying jobs with benefits. Finally, Ms. Little would like to address the zoning. The Board has been presented with an offer that is within the current use and zoning laws of that said piece of property. It would make sense for Nexus to purchase the property and expand. However, the adjacent property owners aren't going to come before the Board within their rights and say they have a problem with rezoning the property next to them when they haven't had the opportunity to talk to the Board. So the land just sits and there is a tax increase to cover what revenue that's not there. Basically that says that our rights as property owners don't matter because if some big engineering group comes in and says this would be a better idea, we all jump on the band wagon and forget those who have already invested within the community. Ms. Little hopes the Board will reconsider the current non communication and will sit down with Nexus and let them know the decision.

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

Tim Shipe made the following statement:

Good evening everyone, how are you? Mr. Pyles it's good to see you again. I have known you for many years. You probably don't remember me, but tonight let me introduce myself. My name is Tim Shipe and I'm a proud product of Augusta County. I was born and raised in this County and I have lived here my entire life. I'm blessed to come from Mr. Pyles district and I went to Buffalo Gap and was very successful there. It is because of the things that this Board has done for the County and the schools in this County that I was able to flourish through the FFA program and go on to college and serve as a state officer in the FFA organization. I'm also a proud product of Nexus Service. Every day I wake up as an Augusta County resident and I go to work for a company that impacts and changes lives. It's not the most popular company in this County, I understand that, but I think it's important for this Board to realize that this company is bringing good jobs to this County. Change is never easy, it never has been in the history of our country or in the world. We deal with some of the most hot button topic issues at Nexus every day and change is not easy, I get that. As an Augusta County resident, somebody that was born and raised here. My family owns three farms in this County. We've paid taxes for many years in this County. We've given our lives and our families to this County. My entire family lives in this County. This company is not moving out of Augusta County because I don't want to move my family out of Augusta County. I don't want to have to separate from my family and move to a different place and have to leave them behind because this Board will not reconsider a land proposal. It's crazy. It hurts. It's personal. This is not just a bunch of people that came from the outside and chose Augusta County to live here. This is a company that was built by the residents of Augusta County and yes people from all the world have come to work for this company and have helped grow this company, but this company is something that you should be proud of. Again, change is not easy. Change is hard and sometimes is easier not to talk about the hot button topics, I get that. Sometimes it's easy for me to sit in my office and not deal with some of the issues I have to deal with every day. I don't want to deal with talking about issues that have consequences on people's lives. It's tough, but I see every day this company step up to the plate. I've seen them step up to the plate for people that are immigrating here. I've seen them step up to the plate for residents of Augusta County. I know that this decision is tough and there's politics behind it, I guarantee it, I get that. I, as an Augusta County resident, I as somebody who was in Special Education in elementary school and middle school, went on to Buffalo Gap High School and became one of the top students in my class. I served in so many clubs and organizations. I was on the cheerleading squad. I was on the soccer team and I played soccer with your children Tracy. I went to your house for your kid's birthday parties, but this is personal to me. I don't want to leave Augusta County. I'm not going to take a company that has taken a small country boy like me that came up through the FFA program and was able to go on to a four year institution and then be able to make something of myself. I'm the highest paid employee in my family. Because of what you have given to the schools in this district, I was able to go to college and be the first person in my family ever to get a degree. All because of that degree and because of the experiences that you afforded me, I get to work for a company that changes lives. Yes, sometimes it's not the most popular thing to do, but every day I see people cry because of the work that we do. I, an ole guy from Augusta County that was in Special Education classes, am the Vice President of that company. A Vice President. I make a very good salary. I get benefits paid to me that I don't pay a dollar towards because of this company and they do that for every one of their employees. So it's not a company of people that just came here because they wanted a good place to work. It's your residents that built this company and that realize that change is not always easy and if we don't start somewhere, we can't get nowhere. So I'm coming before this Board tonight to ask you to reconsider the Nexus proposal. Give them the land. Let them build the jobs. Nexus can be a partner with you. I will be your voice. I will work with you every day and help mend the relationship that you have with Nexus. I know that times have been rocky. I know the relationship hasn't always been the best, but I can

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

guarantee you that if you give them the land and you allow them to continue to grow you're going to serve more and more people in Augusta County. We will fix the issues together and we will heal the wounds that have already been divided. I will help do that. Every employee that works under me will help do that. This County deserves that. Furthermore, Nexus is not going anywhere. You can deny the land sale if you want to, but we're not going anywhere. We are not going anywhere because we as a company believe in values and we are not going to uproot the lives of hundreds of Augusta County residents that work for us. When change is hard you have to keep fighting the change and that's what we are going to do. Whether you sell us the property in Mill Place or we have to buy it somewhere else in the County, that's what we are going to do. Some of you on this Board have made it very publicly clear that you want manufacturing in Mill Place. I get that and I get the reason behind it. As a resident of your County I understand it, but this you have a duty to uphold and you need to vote on a proposal because we need to move on. We are not moving out, we are going to move on. We've already made plans to do that. We've entered into a contract to buy the Sumitomo building. I have that contract with me tonight. This contract can go away and it will go away because I don't want to move to that building. I don't want Nexus to have to be split between two different parts in Mill Place. I want us all in one section in Mill Place, but we can buy Sumitomo and we can travel up and down that entire Mill Place Parkway everyday with our security guards, which I know you don't like, or you can sell us the land and we can build the buildings we need to accommodate the growth of our company and we can stay right where we are in Mill Place. That's the decision before you. I'm a resident of this County and my family has been here for years. I don't want to move and I'm not going to move. Nexus is not going to move. If we have to build somewhere else because you won't give us the land, then so be it. I think it's an obligation of each and every one of you as elected officials of our County to finally give this company the answer whether they like it or not. Either vote it up or down. Give them the land or don't give them the land so they can go on with the important work that they have to do.

Thank you so much.

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REFUND REQUEST

The Board considered a refund request by City National Bank in the amount of \$8,177.93, and City National Bank of WV in the amount of \$3,915.80.

James Benkahla, County Attorney, stated that this is a request from the Commissioner of Revenue's office. There are two refunds, one in the amount of \$8,177.93 to City National Bank and the City National Bank of WV is due a refund in the amount of \$3,915.80. The refund is required because the banks were paying both the Franchise fee and Personal Property tax. There was a takeover that took place from a company that was not a "bank" so they ended up paying both and they are only required to pay the bank tax.

Mr. Coleman moved, seconded by Mr. Shull, that the Board authorize the refund request.

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REFUND REQUEST (CONT'D)

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

BIDS ON ROUTE 608 AND ROUTE 636 CONSTRUCTION PROJECTS

The Board considered bids received on two construction projects, Route 608 and Route 636.

John Wilkinson, Director of Community Development, stated that on Tuesday, April 7 the sealed bids were received from two qualified firms to furnish labor and equipment necessary to complete the projects known as Route 608 and Route 636 enhancements. The projects have a mandatory contract completion of October 27, 2017. After careful review of the bids, Branch Civil, Inc. has been found to be the lowest responsive bidder and therefore recommended that the contract be awarded to Branch Civil, Inc.

Mr. Pyles asked if this was covered in the budget.

Mr. Fitzgerald responded that is was in the VDOT funds. The project came in under estimate, so it is covered by VDOT funds.

Mr. Garber moved, seconded by Mr. Shull that the Board approve the contract be awarded to Branch Civil, Inc.

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

PROPERTY ACCEPTANCE RESOLUTION

The considered approval of the Property Acceptance Resolution.

Mr. Fitzgerald stated that this a resolution in regards to property acceptance. This is something that has been standard for a long time on road projects where we acquire right-of-way and the County ends up with ownership of the right-of-way. The County Attorney pointed out that the Board's resolution was needed to give authorization for the County Administrator to accept the right-of-ways and easements on behalf of the Board of Supervisors.

Mr. Shull moved, seconded by Ms. Bragg, that the Board move to authorize the County Administrator to execute the documents.

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

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WAIVERS - NONE

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CONSENT AGENDA

Chairman Pyles asked if the public wished for any item to be removed from the Consent Agenda. No request was made.

Mr. Coleman moved, seconded by Ms. Bragg, that the Board approve the consent agenda as follows:

MINUTES

Approved minutes of the following meetings:

- Regular Meeting, Wednesday, March 22, 2017

CLAIMS

Approved claims paid since March 1, 2017.

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Shull pointed out that Linda Beathe in ECC was retiring after 37 years of service. He was upset that the Board of Supervisors did not get an invite to the celebration that was held for her. He would like someone to get a card for the Board to sign for her.

Ms. Bragg:

- 1) Annette Medlin is the new Chamber of Commerce President and CEO.
- 2) Ms. Bragg also brought to the Board's attention that the Regional ABC office was located in Staunton and they have now moved their offices to Verona.
- 3) The Small Area Development Plan for Stuarts Draft held its first meeting and it was well attended. This will be a dynamic group.
- 4) Reminder of the lunch with the HERD, which is 4-H support is coming up
- 5) The groundbreaking for the new ER department for the hospital is coming up.
- 6) The Idaho Potato truck is coming to Stuarts Draft May 24 from 11am-3pm.

Mr. Pyles spoke in regards to the budget and raising the taxes. Every jurisdiction around Augusta County is increasing their tax rate. To some, it is unusual to not increase the taxes. There are lots of reasons for not increasing taxes. The economic growth has not been dynamic. Augusta County's \$0.58 is a remarkable number. People do not understand what it takes to get that. This year Rockingham County is taking their tax rate up to \$0.74. Augusta County has a much better land use evaluation. The farmer in Rockingham will possibly pay twice as much as one in Augusta County for the same acreage and class of land. It doesn't come easy. It comes from a public that expects no less than the Board to do everything they can to keep their dollars down. It takes a workforce that is willing to work a fair day for a fair wage. The tax payer gets their value

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

from the schools, the Sheriff's Department and the people employed in the Government Center because they do their job. Then there is the library that has volunteers for the most part. Recreation is driven by volunteers, the businesses get involved and there are several matching grants that people do to make things better for everybody in Augusta County. Keeping the rate at \$0.58 is good, but one of the problems with a lower tax rate is everyone wants to spend money that sometimes is not there to spend. Mr. Pyles looks for problems to come in the future. There is an article that talks about town annexation and the growth and challenges of cities in the state. This article talks about the philosophy of why there are different types of taxation and that cities were thought to be places where they were heavy on services and not a lot of easily earned money. Manufacturing places supply more revenue than they take. Even with a reasonable tax rate for farming, the County still comes out ahead on cost for servicing farming. It was always thought that the cities needed extra taxation to make things work and make things fair. This is not 1960 anymore. As a County, we have to provide many of the services that are more costly. If everybody is concentrated, there isn't a need for as many fire stations, or schools. We have been asked to do more and more by the State. Augusta County is at the point where equal taxation with the cities is needed. The County is doing much of the same things that the City is doing. The County has many of the same problems that the City has. If we have other places to spread the burden, it's better than just on the property owner. Taxes are paid in a lot of other places. If lodging and meals tax was raised to 6% like both, Staunton and Waynesboro, and apply a tax to cigarettes similar to what Waynesboro has, the County could have 2 million dollars more money coming in. That percentage equals out to \$0.03 on the tax rate that could be avoided going up in the future. The State comes back to the County continuously and says they want the taxes cut on businesses. The Board appreciates businesses and wants to do that, but we can only fund a Mill Place if there is revenue coming back to make it possible to have different places for people to locate so we can have good jobs. Mr. Pyles spoke about the taxes and personal property as far as machinery and tools. After 22 years on the Board Mr. Pyles has missed what businesses have to do for tangible personal property tax. The high points are looked at, but the details are never brought up. The owner of a Daycare/Preschool in Churchville voiced her concern about what she had to do for the tangible personal property tax. It appears that the work of it would most likely exceed the value of the tax. The County could get further with the General Assembly if something was offered in return if they did something for the County. Some taxes may be able to be classified differently on services. Over the years, the Board has tried to eliminate work in the Government Center. The Treasurer doesn't have the general April lines to sell the County stickers. The Commissioner of Revenue has been able to get away from hard work in determining the value of a car. A VIN number is entered in the computer and a value is given. There are some things that are overly cumbersome in work for the County employees and the citizens for the return on investment. Mr. Pyles would like to have Jean Shrewsbury, Commissioner of Revenue, identify all of the taxes and what they mean. That would give the Board the opportunity to look at the classifications and see if something can be done differently. There were comments made during this meeting about raising the taxes. Augusta County's taxes have not been above \$0.58 since 1984. As far as creating jobs, that is what we help to do in Augusta County. The County is always lower than the area. Always lower than the State and the Nation. People can put signs up that say Augusta County is bad for business and no good for jobs, but the County is good for business and jobs. There is a sense of how things should be done in the County. At a recent Board of Zoning meeting someone proposed a business that will bring in jobs and tax revenue. A number of people attended the meeting and said they didn't want that type of business in their area. They like what they have and want to keep things a certain way. Mr. Pyles is pleased with the budget. The taxes will need to be looked at in the future and start analyzing them now so changes can be made for the next budget. Ms. Whetzel supplied to the Board a statement of how much money was spent annually on

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

vehicle maintenance which was over \$1 million which covers 667 vehicles. Mr. Pyles asked Mr. Fitzgerald to have a consultant group create what it would take and how the County would benefit from increasing the tax rate. The cost for this would come from the Pastures Infrastructure.

Mr. Shull offered for a portion of the expense to also come from the Riverheads Infrastructure. Mr. Shull also reminded everyone of spring cleanup coming up. It was talked about in the Service Authority meeting on combining the maintenance shops for the County. The building that is currently used for maintenance is not big enough for the fire trucks so the oil has to be changed outside. A creeper cannot be run over the floor because of its condition. Something that needs to be addressed is how much space is needed for a maintenance shop so the needs of the County can be handled. The Sheriff's Department now takes their vehicles to Central Tire for servicing. Is that costing more or less to do that? Several things need to be looked into in trying to save money. Rockingham County has an excellent facility for maintenance. Mr. Shull would look like to get pictures to get ideas on what Augusta County may benefit from. This may not be something that will be done right away. Consolidation may be a benefit for the future and save money. Mr. Shull would like to look at options for the future to help save money and be efficient with safety in mind when in the maintenance shop.

Dr. Pattie stated that the County has a multi-million dollar CATS bus station in Fishersville. This may be a cost sharing opportunity. It's a modern and new facility and may be an option for the future.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

- 1) VDOT 6 year plan meeting is April 27 at 5:30 p.m. at Blue Ridge Community College. The turn lanes at exit 235 in Weyers Cave, entrance improvements at Mill Place Commerce Park and increasing the size of the Park and Ride with an electric car charging station are some of the items in the plan.
- 2) The Chamber of Commerce dinner was recently held. Linda Hershey was bid farewell from the Chamber. There were a couple of awards given the night of the dinner. Shamrock Farms was the Agri Business of the Year and the Industry of the Year was Rexnord out of Stuarts Draft. The Tourism Business of the Year was the Augusta County Fair.
- 3) Reminder this week is ECC Communications Week and also Animal Control Officer Week. All of their hard work is appreciated.
- 4) Go Virginia update was given. A Board was set for the Region 8 Shenandoah Valley Go Virginia Group. Mr. Fitzgerald gave the Board a list of the members on that Board. The kickoff meeting was April 3 to get started on the required actions.
- 5) Spring Clean Up is next week.
- 6) Ms. Whetzel gave an update on Hearthstone Lake Dam construction. Currently A & E dollars are available from the Feds. 100% would be reimbursed and it would be paid this year. There is 2.5 to 3 million dollars set aside for construction next year. 95% of the design was reached and due to the height of the dam, it had to be sent to another federal review level and that level is requiring an additional design that will cost over \$4 million. Plans are to spend 100% of the A & E funds, do an RPF for the

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MATTERS TO BE PRESENTED BY STAFF (CONT'D)

design of the dam. There is a chance it will come back and the more significant part of the project will not be necessary. The surrounding

localities that may be effected by this, the state and the feds as to what the next step is if more money is required. This project may be delayed longer than expected, but the design will move forward and then come back to the Board with the outcome.

Mr. Shull would like details in what the difference is from this dam compared to the ones already completed.

Ms. Whetzel stated that Hearthstone Dam is higher and the soils that are involved are different. She will obtain more technical details and report back. Headwaters owns this dam and they have been asking a number of questions about this process. This is a team effort to figure out the best way to move forward.

Mr. Fitzgerald pointed out that there is General Assembly money set aside for this project. The money is safe and it will be held. It may be necessary to go back to the General Assembly to ask for further funding for the State match going forward. The design is fully funded by the Feds.

Mr. Garber asked if it is owned by Headwaters, whose liability is it?

Ms. Whetzel stated that is would most likely be Headwaters liability. We try to have a partnership with the Feds where the Feds pay 65% of the construction and the locals pay the 35%, which is usually 10% County and 25% State.

Mr. Shull stated that if the Feds are requiring more then they need to give more funding.

Mr. Fitzgerald mentioned that there was an opportunity to have lunch with the Rockingham County Administrator. Ms. Whetzel informed him that part of the dam is in Rockingham County so they may be asked for funding in the future.

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CLOSED SESSION

On motion of Ms. Bragg, 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) Ladd School
 - b) Buffalo Gap House
 - c) Mill Place Commerce Park
- (3) **the legal counsel exemption under Virginia Code § 2.2-3711(A)(7)**

April 12, 2017, at 7:00 p.m.

CLOSED SESSION (CONT'D)

[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) Attorney General's opinion in regards to the courthouse.
- b) Mill Place Commerce Park

* * * * *

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

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

* * * * *

The Chairman advised that each member is required to certify that to the best of 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: Pattie, Coleman, Garber, Kelley, Bragg, Shull 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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CSPDC APPOINTMENT

Dr. Pattie moved, seconded by Mr. Shull, that the Board appoint Leslie Tate and Veronica Moran as Augusta County's citizen representatives for a 3 year term to expire on April 12, 2020.

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

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April 12, 2017, at 7:00 p.m.

DRAFT LETTER

Ms. Bragg moved, seconded by Mr. Shull, that the Board move to authorize the County Administrator to execute a draft letter based on closed session discussion.

Vote was as follows: Yeas: Pattie, Shull, Coleman, Garber, Bragg and Pyles
 Nays: None
 Absent: Kelley

Motion carried.

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ADJOURNMENT

There being no other business to come before the Board, Mr. Shull moved, seconded by Mr. Coleman, the Board adjourned subject to call of the Chairman.

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

 Nays: None

Motion carried.

* * * * *

Chairman

County Administrator