

Regular Meeting, Wednesday, October 11, 2017, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Tracy C. Pyles, Jr., Chairman
Terry Lee Kelley, Jr., Vice-Chairman (Via Electronic)
Marshall W. Pattie
Michael L. Shull
Carolyn S. Bragg
Gerald W. Garber
Wendell L. Coleman
Timmy Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
James Benkahla, County Attorney

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, October 11, 2017, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 242nd year of the Commonwealth....

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Chairman Pyles welcomed the citizens present.

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The following senior class officers from Stuarts Draft High School led the Board of Supervisors in the Pledge of Allegiance:

Justus Butler is the SCA Treasurer. He is heavily involved with the band and plans to attend James Madison University and study music education.

Julianna Lincoln is the SCA Secretary. She is a member of the marching band and the academic team. She plans to major in biology.

Madison Hoad is the SCA Vice President. She attends the Shenandoah Valley Governor's School and plans to study Forensic Science at George Mason University.

Christian Turner is the SCA President. He attends the Shenandoah Valley Governor's School and hopes to attend James Madison University and major in English.

Megan Krogh is the SCA Treasurer. She attends the Shenandoah Valley Governor's School and would like to be a Forensic Scientist. Ms. Krogh plans to attend George Mason University and major in Biology.

Monique Ayres is the SCA Secretary. She attends the Shenandoah Valley Governor's School and plays basketball. Ms. Ayres hopes to attend George Mason University or University of Virginia to study Neuroscience and become a Neuro Phycologists.

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Tracy Pyles, Supervisor for the Pastures District, delivered the invocation.

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MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

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October 11, 2017, at 7:00 p.m.

BROADBAND GRANT (CONT'D)

the state level. The three things that were focused on was the project area has to have current speeds less or equal to 10.1, which is how fast data can be uploaded and downloaded. Projects not in the Connect America Fund areas, which Augusta County is not, and no other state and federal construction dollars can go towards that project. The deadline is October 31. It is anticipated for awards to be announced in January 2018 and the project would have to be completed by June 2018. One proposal was received from the RFI that was put out by the County. Applications are evaluated on five criteria. The need in the area must be demonstrated, benefit to the community must be demonstrated, note that the minimum speeds can be met after the projects are complete, it has to be proven that the County is prepared to complete the project in a timely manner and the construction costs are in line with a favorable local match. During the grant process for 2017, the FCC reports had to be reviewed from the area venders. Ms. Whetzel provided some of the criteria reviewed from the FCC reports. There were three projects proposed. The first being a tower near Parnassus with an estimated cost of \$291,300.00. Ms. Whetzel showed the area on a map. The second project is Route 252 Fiber with an estimated cost of \$444,840.00. A map of the area was shown on the screen. The third project is Route 254 Fiber with an estimated cost of \$281,460.00. A map of the area was shown on the screen. There was discussion among the Board of ways to get more participation for the internet survey. The FCC data and survey data acquired will go into the application. Ms. Whetzel will continue work on the application process and at the October 25 meeting have more data, more public comments and survey data so that a sufficient decision can be made regarding a project and the local match.

Mr. Pyles stated that there are areas with no service. Should the areas with nothing be looked at before areas with something?

Ms. Whetzel recommended going back to the studies done and look for those areas.

Ms. Whetzel has looked at other funding available and spoke with the PDC and Economic Development about the Go Virginia Region 8 funding that was available. It was focused on economic development and creating jobs and the areas needing to be served were not going to be competitive with the grant application. Another funding source was the USDA Rural Development Broadband Access Loan. This was to fund construction, improvement or acquisition of facilities and equipment needed to provide service at the broadband lending speed in rural areas. An issue with this is no part of the proposed funded service areas can have three or more incumbent service providers. The other types of funding will continue to be looked at and possibly do some sort of solicitation going forward.

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LEGISLATIVE CONTRACT

The Board considered the award for Legislative services.

Timothy Fitzgerald, County Administrator, stated that a bid was put out for the legislative contract. Two proposals were received and with help from the Board of Supervisors, a committee was developed to review the proposals. The committee consisted of Ms. Bragg, Mr. Kelley and Mr. Fitzgerald. Interviews took place on October 3 with the two proposals received. The committee recommends to award the contract to Eldon James & Associates, Inc. at a cost of \$27,600.00.

Mr. Kelley stated that both applicants were suitable, but with Jane Woods' knowledge it made sense to go with Eldon James & Associates.

October 11, 2017, at 7:00 p.m.

LEGISLATIVE CONTRACT (CONT'D)

Ms. Bragg moved, seconded by Mr. Shull, that the Board approve committee's recommendation to award the contract to Eldon James & Associates, Inc. for the amount of \$27,600.00.

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

Motion carried.

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CONSOLIDATED GARAGE STUDY

Candy Hensley, Assistant to County Administrator, gave a PowerPoint presentation on the Consolidated Maintenance Garage Feasibility Report that was completed. John Garber from Lineage Architects was available if any questions came up.

The Board of Supervisors advised Ms. Hensley to move forward with the next step in process such as location, construction plan, operating and the funding formula.

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WAIVERS

The Board considered the following waiver requests:

- 1) Subdivision ordinance waiver request from Excaliber Homes, II, LLC.

John Wilkinson, Director of Community Development, stated that this is a waiver request from section 21-9.1C, Streets and Street Connections which was adopted in 2010 and requires new lots in residentially zoned subdivisions to access a subdivision street or internal road instead of a public street designated by VDOT as an arterial or collector street. Mr. Wilkinson showed a map of the property on the screen. The 5.32 acres was purchased this year and the subdivision was created in 1974. When Mr. Beverage purchased the lot, a home could have been built with the drive way entrance onto Kindig Road by right. The new ordinance is for subdividing a property. The intent was to bring the entrances off of an interior street. The property was subdivided in April 2017. Lot A and Lot 19 have VDOT approved entrances. The house on Lot 19 was built first with an entrance off of Misty Lane. The second home to be built on Lot A was planned to enter off of Kindig Road and does not come off an interior street. Mr. Beverage has completed the survey work for an entrance onto Misty Lane for Lot A which would triple the length of the driveway and would need an easement across the other lot. Since there is a valid entrance permit Mr. Beverage would like to move forward with the project. Based on the particular area, Staff does not have issues with the request.

Mr. Coleman moved, seconded by Ms. Bragg, that the Board approve ordinance waiver request for Excaliber homes, II, LLC.

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

Motion carried.

October 11, 2017, at 7:00 p.m.

WAIVERS (CONT'D)

2) Fee Waiver for Special Use Permit.

Mr. Wilkinson stated that the applicant, Brent Warren, applied for a building permit to construct a garage on his property on Birchwood Road. The building permit was issued on August 8 and Mr. Warren proceeded with the construction. A call was received from a neighbor questioning the location. After being reviewed more closely, it was determined that in order to put a garage in the front yard a special use permit would need to be obtained. Mr. Warren requests the application fee for a special use permit be waived.

Mr. Coleman moved, seconded by Mr. Shull, that the Board approve the fee waiver request for a Special Use Permit.

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

Motion carried.

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CONSENT AGENDA

Mr. Shull moved, seconded by Mr. Garber, that the Board approve the consent agenda as follows:

MINUTES

- Consider minutes of the following meetings:
- Regular Meeting, Wednesday, September 13, 2017
 - Staff Briefing, Monday, September 25, 2017
 - Regular Meeting, Wednesday, September 27, 2017

CLAIMS

Consider claims paid since September 1, 2017

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

Motion carried.

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(END OF CONSENT AGENDA)

MATTERS TO BE PRESENTED BY THE BOARD

Mr. Garber stated that he does not want very much time spent on who shares what when it comes to the consolidated garage. He would like to see research for an annual cost be done. Mr. Garber also does not want the Board to get caught up in paying for the garage with savings.

Mr. Coleman stated that the newly renovated McDonald's in Fishersville is having a ribbon cutting on Saturday. Ms. Bragg will cover my absence since he will be out of town. Mr. Coleman attended the VSDB ribbon cutting for the newly renovated independent living apartments.

October 11, 2017, at 7:00 p.m.

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

Ms. Bragg reminded everyone of the Stuarts Draft Library sneak-a-peek event on October 17 at 2:00 p.m. and the grand opening is on October 28.

Mr. Kelley stated that he was glad the bid went out for the walking trail in Mill Place.

Mr. Pyles stated that the discussion on I81 at the VDOT meeting was much needed. The number of incidents that slow traffic down is getting unacceptable. All possibilities are still being looked at and nothing can be done without money. Something needs to be done now and pressure the delegates to help with the cost. VDOT has a service group called Safety Service Patrol to help move traffic along on the interstate from 7:00a.m. to 7:00 p.m. Monday through Friday. Do we need more state troopers, do we have sufficient tow trucks and are in the area. Mr. Pyles would like for Fire and Rescue and ECC to research on how things can be improved on the interstate and what it may cost. 20 million vehicles go through Augusta County every year on I81. 25% of these vehicles are tractor trailers. Mr. Pyles raises the question whether anything is planned to be done on I81 to the 32 miles within Augusta County.

Mr. Coleman pointed out that he attended the MPO meeting. At that meeting there was a presentation given by VDOT. There are things that need to be done, but we need to be mindful of what VDOT has completed. It will take significant dollars to make the investment for improvements on I81. It may be beneficial to have a presentation at a Staff Briefing to make everyone aware of what has been done and what needs to be done.

Mr. Shull agrees with the comments. Our Fire and Rescue personnel help with accidents and keeping things running smoothly and they do not get reimbursed for time spent on the interstate.

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MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following issues:

- 1) Attended the VDOT public meeting on I-81. The meeting was designed as a town hall type meeting to discuss various items with VDOT. The Shenandoah Valley Legislators were at the meeting to talk about I-81 due to the people in attendance, such as the Secretary of Transportation, Commonwealth Transportation Board member for our area, and the Commissioner. The Weyers Cave ramp has been approved and is counted as an interstate project. Exit 222 off ramp in Staunton will be extended to the on ramp at 262 and will help with the merging on and off I-81. Exit 213 at Greenville has ramp work taking place. All of this is ramp work or hot spot type work. There is no plan at this time for any major work on I-81. Legislation disagreed with the toll discussion, but have the understanding that something needs to be done. The Legislators would give spot tolls consideration. VDOT is in the process of looking at quick deployment for wreckers. Legislators pointed out that State Police officers are under staffed. In Rockingham County the State Police officers are at half-staff which is a major issue in getting accidents cleared and having patrol on I-81. The idea of a differentiating speed limit was discussed. There are different areas in the state that have this in place. VDOT is in the process of looking at where most accidents are occurring and the severity of the accidents. They are currently working on federal grant to get funding to be able to fix some of the hot spot areas for accidents. Our Legislators were clear at the meeting that this is a problem that needs to be taken seriously. The gas tax was changed to whole sale verses per gallon. The reality of that change was the cost of gas and fuel went down so the change did not help. To put one mile of rural section of interstate with a

October 11, 2017, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (CONT'D)

shoulder would cost between \$10 and \$15 million per mile. A standard interchange is \$30 million.

- 2) Mutual Aid Agreement for emergency services with Bath County. This is a standard Mutual Aid Agreement which has been done with all localities that adjoins Augusta County.

Dr. Pattie moved, seconded by Mr. Shull, that the Board approve Mutual Aid Agreement with Bath County.

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

Motion carried.

- 3) VACO voting credentials usually consists of the Chairman and an alternate. The Board agreed to Mr. Pyles and Ms. Bragg being on the voting credentials. The meeting is Tuesday, November 14 at 10:30 a.m. The VACO conference is November 12-14, 2017.
- 4) Buffalo Gap High School timber request. There are woods and timber on the property the School Board deeded to Augusta County. There has been an offer from a logger to select cut large timber from the property. Proceeds would be a fundraiser for the Athletic Department at Buffalo Gap High School. Mr. Fitzgerald spoke with Dr. Bond, School Superintendent, and he is in favor.

Mr. Pyles stated that there are trees that need to come out on the school's side. The intent is to extend ball fields. There will be approximately \$8,000.00 in revenue.

Dr. Pattie moved, seconded by Ms. Bragg, that the Board approve the request to remove timber from Buffalo Gap High School property owned by Augusta County.

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

Motion carried.

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CLOSED SESSION

On motion of Mr. Coleman, 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

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

October 11, 2017, at 7:00 p.m.

CLOSED SESSION (CONT'D)

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 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: 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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BOARDS AND COMMISSIONS

Dr. Pattie moved, seconded by Mr. Shull, that the Board appoint the following:

Larry Howdysshell Planning Commission Expires 6/30/2020

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

Motion carried.

Mr. Coleman moved, seconded by Mr. Shull, that the Board appoint the following:

Patricia Katz Building Board of Appeals Expires 10/31/2022

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

Motion carried.

October 11, 2017, at 7:00 p.m.

BOARDS AND COMMISSIONS (CONT'D)

Mr. Coleman moved, seconded by Mr. Shull, that the Board appoint the following:

Bobby Seaman Building Board of Appeals Expires 10/31/2020

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

Motion carried.

Mr. Coleman moved, seconded by Mr. Shull, that the Board appoint the following:

Affan Syed Youth Commission Expires 6/30/2018

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

Motion carried.

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VERONA ELEMENTARY SCHOOL

The Board discussed the request from the Verona Community Association to use the Verona gym. The Board requested staff to get a cost on a sub meter for the gym so that electric cost can be quantified. The VCA would be responsible for the utility cost of the gym. Mr. Kelley and Dr. Pattie indicated they would cover the cost for the sub meter.

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ADJOURNMENT

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

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

Motion carried.

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Chairman
h:10-11min.17

County Administrator