Regular Meeting, Wednesday, April 25, 2018, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald W. Garber, Chairman

Carolyn S. Bragg-Vice Chairman

Terry L. Kelley, Jr. Michael L. Shull Wendell L. Coleman Marshall W. Pattie Pam L. Carter

Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
Misty Cook, Director of Finance

James R. Benkahla, County Attorney Angie Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of

Supervisors held on Wednesday, April 25, 2018, at 7:00 p.m., at the Government Center, Verona, Virginia,

and in the 242nd year of the Commonwealth....

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Chairman Garber welcomed the citizens present.

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Mr. Shull led the Board of Supervisors in the Pledge of Allegiance.

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Michael Shull, Supervisor for the Riverheads District, delivered the invocation.

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CHILD ABUSE PREVENTION MONTH PROCLAMATION

Ms. Bragg moved, seconded by Dr. Pattie that the Board adopt the following proclamation:

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.

CHILD ABUSE PREVENTION MONTH PROCLAMATION (CONT'D)

Now therefore, the Board of Supervisors, does hereby recognize April 2018 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.

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

and Carter

Nays: None

Motion carried.

Ms. Carter stated that on behalf of the Executive Director of the Valley Children's Advocacy Center, who could not be present due to an emergency, she accepted the proclamation and thanked the Board for their support.

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<u>BLUE RIDGE MHC, LLC C/O WALTER STONE FOR THE CARLYLE GROUP, INC. – AMEND & RESTATE PROFFERS</u>

This being the day and time advertised to consider a request to amend and restate proffers on approximately 28 acres owned by Blue Ridge MHC, LLC. C/O Walter Stone for the Carlyle Group, Inc. located off East Side Highway in Crimora in the Middle River District. The Planning Commission recommends approval of proffer amendment and restatement.

ORDINANCE

A REQUEST TO AMEND AND RESTATE PROFFERS ON APPROXIMATELY 28 ACRES OWNED BY BLUE RIDGE MHC, LLC % WALTER STONE FOR THE CARLYLE GROUP, INC. LOCATED OFF EAST SIDE HIGHWAY IN CRIMORA IN THE MIDDLE RIVER DISTRICT.

AN ORDINANCE to amend Chapter 25 "Zoning" of the Code of Augusta County, Virginia.

WHEREAS, application has been made to the Board of Supervisors to amend the Augusta County Zoning Maps,

WHEREAS, the Augusta County Planning Commission, after a public hearing, has made their recommendation to the Board of Supervisors,

WHEREAS, the Board of Supervisors has conducted a public hearing,

WHEREAS, both the Commission and Board public hearings have been properly advertised and all public notice as required by the Zoning Ordinance and the Code of Virginia properly completed,

WHEREAS, the Board of Supervisors has considered the application, the Planning Commission recommendation and the comments presented at the public hearing;

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors that the Augusta County Zoning Maps be amended as follows:

The proffers on Parcel number 62 on tax map number 49 containing approximately 28 acres are amended as follows:

Limit the number of home spaces to seventy-four (74) spaces until Augusta County Service Authority sewer becomes available. At such time as public sewer is available, expansion would be

<u>BLUE RIDGE MHC, LLC C/O WALTER STONE FOR THE CARLYLE GROUP, INC. – AMEND & RESTATE PROFFERS</u> (CONT'D)

- 1. limited to one-hundred (100) spaces as per original permit. Limit of one-hundred (100) spaces to include portion of TMP 049-61 which was part of the original rezoning application.
- 2. A site plan of the entire park will be submitted to the Department of Community Development within sixty (60) days of rezoning approval.

John Wilkinson, Director of Community Development, showed an aerial of the property. The applicant is requesting approval to add 14 additional homes. The existing proffers are:

- 1. Limit the number of home spaces to the existing sixty spaces until the Augusta County Service Authority sewer becomes available. As public sewer s available, expansion would be limited to 100 spaces as per original permit.
- 2. A site plan of the entire park will be submitted to the Department of Community Development.
- 3. Implementation of the recommendations of the Director of Parks and Recreation as outline in his memorandum dated March 8, 1993, by October 1, 1993.

The proposed new proffers are:

- 1. Limit the number of home spaces to 74 spaces until Augusta County Service Authority sewer become available. At that time, expansion would be limited to 100 spaces as per original permit. Limit of 100 spaces to include portion of tax map 049-61 which was part of the original rezoning approval.
- 2. A site plan of the entire park will be submitted to the Department of Community Development within sixty days of rezoning approval.

Written approval has been received from the Department of Environmental Quality for the expansion.

The Chairman declared the public hearing open.

Dick Blackwell of Blackwell Engineering represents Carlyle Group. This is a fairly old mobile home park. When it was constructed the number of spaces was limited to 60 due to the treatment plant not knowing how it would operate. DEQ was involved in a study over the past year and it has been approved for 14 additional spaces. The additional spaces will be along the existing road and is fairly simple to construct.

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

Ms. Bragg moved, seconded by Mr. Shull that the Board accept the amendment and to restate proffers.

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

and Carter

Nays: None

Motion carried.

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V R ASSOCIATES, INC. - REZONING

This being the day and time advertised to consider a request to rezone from General Business and Multi-Family to Multi-Family (with elimination of existing in proffers) approximately 9.7 acres owned by V R Associates, Inc. located on the east side of Route 11, Lee Highway, approximately 0.2 miles north of the intersection of Route 11 and Weyers Cave Road (Route 256) Weyers Cave in the North River District. The Planning Commission recommends approval.

Mr. Wilkinson showed an aerial photo of the property showing the existing apartment development. The existing proffers would be eliminated under the new proffer regulations.

The Chairman declared the public hearing open.

Ray Burkholder of Balser and Associates stated that at the Planning Commission meeting there was discussion of what facilitated the need for the change. The geometry and typography of the site are the main reasons for the request. They are looking at a mix of different styles of apartments that may appeal to college students at Blue Ridge Community College.

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

Dr. Pattie moved, seconded by Mr. Coleman that the Board deny the rezoning based on the Staff Report and Comprehensive Plan indicating a need for business zoning as discussed during the Staff Briefing.

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

and Carter

Nays: None

Motion carried.

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THE FISHBURNE-HUDGINS EDUCATIONAL FOUNDATION - REZONING

This being the day and time advertised to consider a request to rezone from General Agriculture to Single Family Residential (portion east of East Side Highway) and Rural Residential (portion west of East Side Highway) with proffers approximately 46 acres owned by the Fishburne-Hudgins Educational Foundation located directly north of Patrick Mill lane and Turk Mountain Lane divided by East Side Highway in Waynesboro in the Middle River District. The Planning Commission recommends approval with proffers.

Mr. Wilkinson stated that amended proffers were received earlier in the day and a list was handed out to the Board for review.

The Chairman declared the public hearing open.

Jamie Craig, contract purchaser from the developer, stated that he wished to address the changes to the proffer since the Planning Commission meeting. There have been

THE FISHBURNE-HUDGINS EDUCATIONAL FOUNDATION – REZONING (CONT'D) some specific comments received from the Augusta County Service Authority. It was initially proposed tying the fire suppression tanks into their supply system and the Service Authority was in opposition to that due to flow issues. The system has been reengineered to be an independent system and it will serve exclusively the eastern portion. It will not cross under Route 340. There is fire service to that portion as well. This is a worst case scenario from a development perspective for the neighbors. The maximum development potential had to be considered. The plan shows 9,000 square foot lots which will also require curb and guttering. Generally in this neighborhood the lots are 12,000 square foot that are open with no curb and guttering. The real plan is for 48 lots, but the maximum has to be shown. The one issue that will need to be worked out with Fire and Rescue is will the tanks stay at the bottom of the hill or will they be moved to lot 1? There is an engineering prospective that needs to be worked out. This is in the Comprehensive Plan as something that should be residential zoning.

Ms. Bragg asked if approval has been given by the Health Department.

Mr. Craig has a meeting coming up with the Health Department to discuss the project.

Mr. Coleman asked if it was possible to consider approving subject to approval from the Health Department.

Mr. Craig stated if the Health Department turns it down then other options for the property will need to be looked at.

Mr. Wilkinson pointed out to the Board that comments were received from the Service Authority and provided to the Board. After speaking with the Service Authority, the lots across the street have to meet the 500 gallon per minute fire flow and the current capacity is only 249 gallons per minute.

Mr. Craig stated that he had not received that information. He asked Mr. Garber to continue with the public comment. After that, if the rezoning needs to be tabled it can be.

Ct. Mark Black, Fishburne Military School Superintendent, stated that his job is to resource the school and educate honorable young men of courage. He spent 30 years in the navy and he looks at what his mission is and what the parameters are to complete the mission. There are teachers and staff to work with the students, but they are not equipped to handle real estate. The revenue from this project is needed to cover operations of the school.

Donna Fix is the owner of the adjacent property and has concerns with the traffic impact that will occur. Traffic will be increased in a very small area with a speed limit of 55mph. Traffic is challenging now and will only get worse. She questions who will pay for the road expansions that will be necessary. She is also concerned about the schools. The elementary school is at 92% capacity and given the capacity of this project it will cause more of a problem with overcrowding the school.

Phil Martin, Director of Augusta County Service Authority, stated that there are questions he would like answered before he can fully support this project. He would like to have the approval from the Virginia Department of Health before the Service Authority can support it. Another issue is the private fire hydrants. In the ACSA policy it is specified that in any area of human habitation the ACSA maintains the fire hydrants. When it was mentioned to not have the fire system tied into the current water delivery system, it is unclear if they will supply the tank by wells or if it is intended to have it connected to supply from the ACSA existing water system. If so, there would need to be different things set up to maintain the cross connection controls so nothing can get back into the system. These questions need to be addressed before a decision is made.

THE FISHBURNE-HUDGINS EDUCATIONAL FOUNDATION – REZONING (CONT'D) Ken Slack of 63 Woodside Drive understands the rezoning is in the Comprehensive

Plan, but he has concerns about the proposed density. Stormwater runoff and drainage on the back side of his property has been adequate. Schools are also a concern of his. There are a lot of kids now and there will be a lot more with this development.

Christina Ferguson of Woodside Drive is concerned with drainage and stormwater runoff.

Mr. Craig suggests tabling the item for 30 days to allow issues to be resolved.

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

Ms. Bragg moved, seconded by Mr. Shull that the Board table the rezoning request and bring back to the Board when it's ready.

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

and Carter

Nays: None

Motion carried.

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GARLAND F. JR., OR MELONY EASTER AND GARLAND F. OR EVELYN B. EASTER – REZONING

This being the day and time advertised to consider a request to rezone from General Agriculture to Single Family Residential approximately 12.6 acres owned Garland f. Jr. or Melony Easter and Garland F. or Evelyn B. Easter located on the east side of Old Goose Creek Road (Route 640), approximately 1.04 miles west of the intersection of Old Goose Creek Road and Lifecore Drive (Route 636) in Fishersville in the Wayne District. The Planning Commission recommends denial.

The Chairman declared the public hearing open.

Garland Easter has had concerns addressed to him from neighbors. An engineer was hired for a concept drawing. He has discussed with VDOT and Community Development about removing Troxel Lane from the rezoning. Mr. Easter requests tabling the rezoning for 30 days so that he is better prepared.

Sarah Splawn lives on Troxel Lane and agrees with keeping it out of the rezoning. It is a one lane, narrow road and cannot support heavy equipment.

Ben Cash lives on Old Goose Creek Road and has concerns of future development plans. Mr. Cash showed pictures of damage to the roads due to increase of traffic. The road is barely wide enough for average sized vehicles to pass each other. With this development there is potential for three schools to be operating at full capacity. There are too many unanswered questions and asked the Board to reject the rezoning.

Mr. Coleman moved, seconded by Mr. Shull that the Board continue the Public Hearing for 30 days to give additional time to prepare and resume on May 23.

GARLAND F. JR., OR MELONY EASTER AND GARLAND F. OR EVELYN B.

EASTER - REZONING

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

and Carter

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Roger Willetts is concerned with the new Solar Ordinance which removes industrial zoned property. He owns forty acres of industrial zoned land and has paid taxes for 12-14 years. Many industries have in their mission statement to embrace alternative power sources. If solar is prohibited, a message will be sent that will harm Augusta County. The overall solar project will reap a net benefit for the County. The new proposed ordinance has a lot of negatives.

Jack Barber of Madison Rowe and Associates made the following points on the solar ordinance that would present large obstacles for utility scale development in Augusta County under the proposed ordinance:

- 1. The preamble change to add zoning districts is an issue. This places a hard burden on current and future generations of citizens to determine the use of their property.
- 2. Modification 25-70-4 uses permitted by special use permit by the Board of Supervisors that delete general industrial use. Restrict current owner's rights to develop their property according to the Comprehensive Plan already established by the Board of Supervisors. This conflicts with what is already established goals of the purpose of General Industrial zoning and its associated uses by right as well as special use.
- 3. The recommendation to change requirements by code for setbacks to extend to 200 feet from all property lines and 1000 feet from residentially zoned property. This makes no sense. This requirement, again, strips landowner rights or income producing rights. Under current zoning, any additional use can be added within 25 feet, but not a passive solar array.
- 4. Adding ground water monitoring requirements at a County level to a system that doesn't use water is equally unfair. The DEQ does not require solar farms to monitor water and therefore, not set up to receive their reports. A report like this costs a lot of money and achieves nothing for the community.
- 5. The subject of proof of connectivity under 20.70.5. The solar development industry is in its infancy stages in the State of Virginia. If we do not have proof of connectivity at some point it's not going to happen. It's a fluid situation. The solar developers that are wanting to build east of route 29 and coming into the Valley are wrestling with problems not anticipated. He appealed to Board for fairness and improving solar power and would ask the Board of Supervisors to consider these comments.

Rodney Martin of 563 Houff School Road, Waynesboro, is concerned about the new solar ordinance removing industrial land. He feels it infringes on the rights and desires of the land owners. There are various advantages from solar energy. It is clean energy and would enhance quality of life in the community.

James Kindig is a neighbor of Mr. Martin. He has been approached by a solar developer as well. Mr. Kindig is trying to determine the best utilization for his property. Solar will generate a revenue stream and he will not have to lose ownership of the property.

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

Max Quillen of Waynesboro Nursery is in favor of solar. He is concerned with how quickly the ordinance is changing. Mr. Quillen suggests reviewing the ordinance further and take the input from the landowners into consideration.

The Board agreed to listen to the community.

Mr. Fitzgerald stated that there will be conversations about different versions of the ordinance. Community Development needs direction to advertise for public hearing on an ordinance with changes or a different ordinance. It's important to advertise the correct version.

Ms. Bragg suggests sending the ordinance back to the Planning Commission for further review and provide comments.

Mr. Coleman agrees with sending it back to the Planning Commission. People are passionate about this and have a vested interest in the project. The Board needs the people in the community to know that what they are saying is being heard.

Mr. Garber asked Mr. Benkahla what needed to be done to refer this item back to the Planning Commission.

Mr. Benkahla stated that it could be referred back to the Planning Commission for consideration of the recommended changes.

Ms. Carter requests for Staff to create a cost benefit and analysis report.

Ms. Bragg moved, seconded by Mr. Coleman that the Board approve sending the Solar Ordinance back to the Planning Commission for further review.

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

and Carter

Nays: None

Motion carried.

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2018 TAX RATES

The Board considered adoption of the real and personal tax rates for 2018, as proposed at a public hearing held on April 18, 2018.

	Current:	Proposed:
Real Estate	\$0.58	\$0.63
Personal Property – auto & motorcycle campers,		
boats, boat trailers, horse		
trailers, airplanes, trailers	\$2.50	\$2.50
Personal Property – business, large trucks and		
trailers, machinery & tools	\$2.00	\$2.00

Mr. Shull moved, seconded by Mr. Coleman that the Board approve increasing the real estate tax rate \$0.05 to make the rate \$0.63.

Ms. Carter stated that during her campaign she was asked if she would raise taxes. She

2018 TAX RATES (CONT'D)

responded by saying she would look for ways to cut wasteful spending and enhance economic development. Ms. Carter has reviewed the budget thoroughly and has spent many hours pondering her decision and it has been based on citizen input. She thanked the citizens that attended the public hearing, the Town Hall Meetings, the comments on Facebook and especially the student at Buffalo Gap High School who sent an email in support of the tax increase. A slight increase can create problems for some citizens, but there are certain programs available that could assist where needed. Regrettably, Ms. Carter feels the County is in a position that a tax increase is needed. The citizens elected the Board to lead the County and that includes making tough decisions that are often unpopular. Increasing taxes is never popular and not an action to be taken lightly, but based on the feedback that has been heard, it appears that the citizens understand the situation the County is facing and expect and deserve quality services, especially from the schools and public safety.

Vote was as follows: Yeas: Garber, Shull, Coleman, and Carter

Nays: Kelley, Pattie and Bragg

Motion carried.

Mr. Kelley moved, seconded by Ms. Bragg that the Board approve keeping the personal property tax rate the same at \$2.50.

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

and Carter

Nays: None

Motion carried.

Mr. Kelley moved, seconded by Ms. Bragg that the Board approve keeping the other personal property tax rate the same at \$2.00.

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

and Carter

Nays: None

Motion carried.

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REVISED BUDGET FOR FY2017-2018

The Board considered the revised budget and appropriations for FY2017-2018, as presented at a public hearing held on April 18, 2018.

Misty Cook, Finance Director stated that the total appropriations are \$264,044,554.00. This includes a \$61.7 million of transfers between the funds.

APPROPRIATIONS

BE IT RESOLVED by the Board of Supervisors of the County of Augusta, Virginia, that the following appropriation be made for the fiscal year 2017-2018 from the funds and for the functions or purposes indicated:

BE IT FURTHER RESOLVED that the Treasurer be, and is hereby authorized to transfer to other funds from the GENERAL OPERATING FUND from time to time as money

REVISED BUDGET FOR FY2017-2018 (CONT'D)

becomes available, sums equal to, but not in excess of the appropriations made to these funds from GENERAL OPERATING FUND for the period covered by the appropriation.

BE IT STILL RESOLVED that the County Administrator is authorized, pursuant to a resolution adopted by this Board of Supervisors on November, 11, 1959, to pay all normal and routine claims, when presented for which appropriations are hereinafter made, with his own warrant.

GENERAL OPERATING FUND

11010 BOARD OF SUPERVISORS 166,324 12010 COUNTY ADMINISTRATOR 735,309 12030 HUMAN RESOURCES 269,516 12040 LEGAL SERVICES 554,490 12090 COMMISSIONER OF REVENUE 881,837 12100 REASSESSMENT 426,000 12130 TREASURER 530,560 12150 CENTRAL ACCOUNTING 402,697 12200 MANAGEMENT INFORMATION SYSTEMS 753,924 3010 BOARD OF ELECTIONS 318,471 21010 CIRCUIT COURT 180,095 21020 GENERAL DISTRICT COURT 10,300 21030 MAGISTRATE 5,330 21060 CLERK OF THE CIRCUIT COURT 874,264 22010 COMMONWEALTH ATTORNEY 1,084,803 31020 SHERIFF 6,596,072 31040 EMERGENCY SERVICES OPERATIONS 1,787,260 32010 FIRE DEPARTMENT 6,432,641 32020 EMERGENCY SERVICES - VOLUNTEERS 2,073,762 32030 FIRE & EMS TRAINING 363,916 32040 SAFER 1,006,225 33050 JUVENILE & PROBATION 2,126,130 34010 BUILDING INSPECTIONS 390,513 33050 JUVENILE & PROBATION 2,126,130 34010 HIGHWAYS & ROADS		
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35010 ANIMAL CONTROL 445,613 41020 HIGHWAYS & ROADS 16,000 41040 STREET LIGHTS 118,000 42010 SANITATION & WASTE 2,116,473 42020 RECYCLING 150,500 43010 BUILDING & GROUNDS 1,428,479 51010 HEALTH DEPARTMENT 535,372 51020 TAX RELIEF FOR THE ELDERLY 322,000 71010 PARKS & REC 1,422,921 71020 NATURAL CHIMNEYS 215,675 73010 LIBRARY-FISHERSVILLE 1,230,531 73020 LIBRARY-CHURCHVILLE 112,830 81010 COMMUNITY DEVELOPMENT 956,550 81020 TOURISM 273,563 81050 ECONOMIC DEVELOPMENT 307,030 83010 EXTENSION OFFICE 121,950 83050 COUNTY FARM 9,760 92020 OTHER OPERATIONAL FUNCTIONS 960,723	33050 JUVENILE & PROBATION	2,126,130
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42010 SANITATION & WASTE 2,116,473 42020 RECYCLING 150,500 43010 BUILDING & GROUNDS 1,428,479 51010 HEALTH DEPARTMENT 535,372 51020 TAX RELIEF FOR THE ELDERLY 322,000 71010 PARKS & REC 1,422,921 71020 NATURAL CHIMNEYS 215,675 73010 LIBRARY-FISHERSVILLE 1,230,531 73020 LIBRARY-CHURCHVILLE 112,830 81010 COMMUNITY DEVELOPMENT 956,550 81020 TOURISM 273,563 81050 ECONOMIC DEVELOPMENT 307,030 83010 EXTENSION OFFICE 121,950 83050 COUNTY FARM 9,760 92020 OTHER OPERATIONAL FUNCTIONS 960,723	41020 HIGHWAYS & ROADS	16,000
42020 RECYCLING150,50043010 BUILDING & GROUNDS1,428,47951010 HEALTH DEPARTMENT535,37251020 TAX RELIEF FOR THE ELDERLY322,00071010 PARKS & REC1,422,92171020 NATURAL CHIMNEYS215,67573010 LIBRARY-FISHERSVILLE1,230,53173020 LIBRARY-CHURCHVILLE112,83081010 COMMUNITY DEVELOPMENT956,55081020 TOURISM273,56381050 ECONOMIC DEVELOPMENT307,03083010 EXTENSION OFFICE121,95083050 COUNTY FARM9,76092020 OTHER OPERATIONAL FUNCTIONS960,723	41040 STREET LIGHTS	118,000
43010 BUILDING & GROUNDS1,428,47951010 HEALTH DEPARTMENT535,37251020 TAX RELIEF FOR THE ELDERLY322,00071010 PARKS & REC1,422,92171020 NATURAL CHIMNEYS215,67573010 LIBRARY-FISHERSVILLE1,230,53173020 LIBRARY-CHURCHVILLE112,83081010 COMMUNITY DEVELOPMENT956,55081020 TOURISM273,56381050 ECONOMIC DEVELOPMENT307,03083010 EXTENSION OFFICE121,95083050 COUNTY FARM9,76092020 OTHER OPERATIONAL FUNCTIONS960,723	42010 SANITATION & WASTE	2,116,473
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51020 TAX RELIEF FOR THE ELDERLY 322,000 71010 PARKS & REC 1,422,921 71020 NATURAL CHIMNEYS 215,675 73010 LIBRARY-FISHERSVILLE 1,230,531 73020 LIBRARY-CHURCHVILLE 112,830 81010 COMMUNITY DEVELOPMENT 956,550 81020 TOURISM 273,563 81050 ECONOMIC DEVELOPMENT 307,030 83010 EXTENSION OFFICE 121,950 83050 COUNTY FARM 9,760 92020 OTHER OPERATIONAL FUNCTIONS 960,723	43010 BUILDING & GROUNDS	1,428,479
71010 PARKS & REC 1,422,921 71020 NATURAL CHIMNEYS 215,675 73010 LIBRARY-FISHERSVILLE 1,230,531 73020 LIBRARY-CHURCHVILLE 112,830 81010 COMMUNITY DEVELOPMENT 956,550 81020 TOURISM 273,563 81050 ECONOMIC DEVELOPMENT 307,030 83010 EXTENSION OFFICE 121,950 83050 COUNTY FARM 9,760 92020 OTHER OPERATIONAL FUNCTIONS 960,723	51010 HEALTH DEPARTMENT	535,372
71020 NATURAL CHIMNEYS 215,675 73010 LIBRARY-FISHERSVILLE 1,230,531 73020 LIBRARY-CHURCHVILLE 112,830 81010 COMMUNITY DEVELOPMENT 956,550 81020 TOURISM 273,563 81050 ECONOMIC DEVELOPMENT 307,030 83010 EXTENSION OFFICE 121,950 83050 COUNTY FARM 9,760 92020 OTHER OPERATIONAL FUNCTIONS 960,723	51020 TAX RELIEF FOR THE ELDERLY	322,000
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83010 EXTENSION OFFICE 121,950 83050 COUNTY FARM 9,760 92020 OTHER OPERATIONAL FUNCTIONS 960,723	81020 TOURISM	273,563
83050 COUNTY FARM 9,760 92020 OTHER OPERATIONAL FUNCTIONS 960,723	81050 ECONOMIC DEVELOPMENT	307,030
92020 OTHER OPERATIONAL FUNCTIONS 960,723	83010 EXTENSION OFFICE	121,950
•	83050 COUNTY FARM	9,760
92030 CONTRIBUTIONS 430.826	92020 OTHER OPERATIONAL FUNCTIONS	960,723
	92030 CONTRIBUTIONS	430,826

REVISED BUDGET FOR FY2017-2018 (CONT'D)

92040 CONTINGENCIES 50,000 94000 TRANSFERS TO OTHER FUNDS 57,997,403

GRAND TOTAL - GENERAL OPERATING FUND (11) 97,222,024

FROM: Fire Revolving Loan Fund (12)

TO: Fire Revolving Loan Fund (12)

50000 Disbursement of Loans & Gear Purchases 605,000

Grand Total - Fire Revolving Loan Fund (12) 605.000

FROM: Asset Forfeiture Fund (13)

TO: Asset Forfeiture Fund (13)

31030 - Operations 50,500

Grand Total - Asset Forfeiture Fund (13) 50,500

FROM: Economic Development Fund (14)

TO: Economic Development Fund (14)

53000 - Payments to E.D.A. 178,000

Grand Total - Economic Development Fund (14) 178,000

FROM: Revenue Recovery Fund (15)

TO: Revenue Recovery Fund (15)

32020 - Payments to Agencies 625,700 94000 - Transfers to Other Funds 925,000

Grand Total - Revenue Recovery Fund (15) 1,550,700

FROM: Virginia Public Assistance Fund (23)

TO: Virginia Public Assistance Fund (23)

For the operation of the Augusta County Department of Public Welfare, Virginia Public Assistance Fund and to be expended only on order of the Board of Welfare for the functions and objects as outlined in the budget requests as presented to the Board of Supervisors for informative and fiscal purposes only:

53010 - Administration	9,531,047
53020 - Public Assistance	3,213,000

Grand Total - Virginia Public Assistance Fund (23) 12,744,047

FROM: Children's Services Act Fund (24)

TO: Children's Services Act Fund (24)

53060 - Children's Services Act 5,197,500

Grand Total - Children's Services Act Fund (24) 5,197,500

REVISED BUDGET FOR FY2017-2018 (CONT'D)

FROM: School Operating Fund (41)

TO: School Operating Fund (41)

For the operation of the Public Schools of the School Operating Fund (41) and to be expended only on order of the Augusta County School Board of Augusta County, Virginia, for the functions and objects a contained in their budget requests as presented to the Board of Supervisors for financial and fiscal purposes:

11000 - Instruction	85,286,183
20000 - Admin/Attend/Health	3,904,808
30000 - Pupil Transportation	6,219,321
40000 - Operation/Maintenance	9,274,880

Grand Total - School Operating Fund (41) 104,685,192

FROM: School Cafeteria Fund (43)

TO: School Cafeteria Fund (43)

To be expended on order of the Augusta County School Board for the operation

of the School Cafeteria Fund:

50000 - School Food Services 4,272,828

Grand Total - School Cafeteria Fund (43) 4,272,828

FROM: School Capital Improvement Fund (44)

TO: School Capital Improvement Fund (44)

34000 - Transportation	253,523
42000 - Building/Facility Services	210,400
62470 - Cassell Elementary School	4,696,804
62580 - Riverheads Elementary School	3,363,232
62500-Special Capital Projects	222,000
Grand Total - School Capital Improvement Fund (44)	8,745,959

FROM: School Debt Fund (45)

TO: School Debt Fund (45)

92040 - Debt Service - County	732,023
92050 - Debt Service - School	8,860,262

Grand Total - School Debt Service (45) 9,592,285

FROM: Head Start Fund (47)

TO: Head Start Fund (47)

10000 - Instruction	2,515,918
20000 - Admin/Attend/Health	491,503

REVISED BUDGET FOR FY2017-2018 (CONT'D) 30000 - Pupil Transportation	75,211
	. •,=
40000 - Maintenance Services	32,767
Grand Total - Head Start Fund (47)	3,115,399
FROM: Governor's School Fund (48) TO: Governor's School Fund (48)	
11000 - Instruction 40000 - Operations/Maintenance 66000 - Building Improvement	1,533,012 61,200 50,006
Grand Total - Governor's School Fund (48)	1,644,218
FROM: County Capital Improvement Fund (70) TO: County Capital Improvement Fund (70)	
8005 - Landfill 8011 - Infrastructure - Beverley Manor 50,000 8012 - Infrastructure - Middle River	200,000
50,000 8013 - Infrastructure - North River 8014 - Infrastructure - Pastures 8015 - Infrastructure - Riverheads 8016 - Infrastructure - South River 8017 - Infrastructure - Wayne (includes VDOT project) 8021 - Matching Grants - Beverley Manor 8022 - Matching Grants - Middle River 8023 - Matching Grants - North River 8024 - Matching Grants - Pastures 8025 - Matching Grants - Pastures 8026 - Matching Grants - Wayne 8030 - Solid Waste Centers 8049 - Electoral Board - Voting Machines 8051 - Library Phase II 8052 - Library - Children's Wing 8053 - Library - Automation 8057 - Fire Apparatus & Equipment 8058 - Emergency Communications 8059 - Fire Training Center 8060 - Sheriff/K-9 8070 - Scholastic Way 8134 - County School 8135 - Regional Correction Center 8142 - Recreational Community Center 8144 - Information Technology 8145 - Economic Development 8146 - Firing Range 8147 - Government Center Expansion 8148 - County Courthouse 8151 - Flood Control Dams	50,000 50,000 50,000 950,000 15,000 15,000 15,000 15,000 15,000 0 75,000 0 75,000 0 17,000 883,004 670,500 14,214 150,000 50,000 363,977 564,124 10,000 504,000 820,562 1,455,730 52,000 148,000 250,000 876,280

REVISED BUDGET FOR FY2017-2018 (CONT'D)

8152 - Fire & Rescue Equipment	200,000
8153 - Haz Mat Grant	39,200
8161 - Blue Ridge Community College	137,585
8162 - Secondary Roads - Revenue Sharing	1,526,000
8164 - Storm Water Management	94,656
8166 - Vehicle Sinking Fund	590,500
8198 - Building Sinking Fund	593,288
94000 - Transfers To Other Funds	2,800,282
Grand Total - Capital Improvement Fund (70)	14,440,902
	8153 - Haz Mat Grant 8161 - Blue Ridge Community College 8162 - Secondary Roads - Revenue Sharing 8164 - Storm Water Management 8166 - Vehicle Sinking Fund 8198 - Building Sinking Fund 94000 - Transfers To Other Funds

GRAND TOTAL - APPROPRIATIONS (All Funds) 264,044,554

Mr. Shull moved, seconded by Mr. Coleman, that the Board approve the revised FY2017-2018 budget as presented.

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

and Carter

Nays: None

Motion carried.

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PROPOSED BUDGET FOR FY2018-2019

The Board considered the proposed budget and appropriations for FY2018-2019, as presented at a public hearing held on April 18, 2018.

Ms. Cook stated that the total appropriations are \$247,544,720.00. This includes \$59.7 million in transfers between funds. The proposed budget includes the increased real estate tax rate of \$0.05 and revisions from the Board of Supervisors Worksessions on March 19 and March 26. The worksession revisions included five positions for the Sheriff's Department, smartphone upgrades for the Sheriff's Department, funding for additional hours at the Churchville and Stuarts Draft Libraries, a 2% merit increase for County employees, restoration for funding of County capital projects and a salary supplement of .5% for the School Board.

APPROPRIATIONS

BE IT RESOLVED by the Board of Supervisors of the County of Augusta, Virginia, that the following appropriation be made for the fiscal year 2018-2019 from the funds and for the functions or purposes indicated:

BE IT FURTHER RESOLVED that the Treasurer be, and is hereby authorized to transfer to other funds from the GENERAL OPERATING FUND from time to time as money becomes available, sums equal to, but not in excess of the appropriations made to these funds from GENERALOPERATING FUND for the period covered by the appropriation.

BE IT STILL RESOLVED that the County Administrator is authorized, pursuant to a resolution adopted by this Board of Supervisors on November, 11, 1959, to pay all normal and routine claims, when presented for which appropriations are hereinafter made, with his own warrant.

PROPOSED BUDGET FOR FY2018-2019 (CONT'D) GENERAL OPERATING FUND

11010	BOARD OF SUPERVISORS	151 615
	COUNTY ADMINISTRATOR	154,615
	HUMAN RESOURCES	743,074 275,124
	LEGAL SERVICES	345,105
	COMMISSIONER OF REVENUE	896,910
	REASSESSMENT	249,400
	BOARD OF EQUALIZATION	4,800
	TREASURER	545,860
	CENTRAL ACCOUNTING	470,020
	MANAGEMENT INFORMATION SYSTEMS	748,924
	BOARD OF ELECTIONS	321,673
	CIRCUIT COURT	189,065
	GENERAL DISTRICT COURT	7,300
	MAGISTRATE	3,936
	CLERK OF THE CIRCUIT COURT	960,390
	COMMONWEALTH ATTORNEY	1,109,810
	SHERIFF	6,856,303
	EMERGENCY SERVICES OPERATIONS	1,807,731
	FIRE DEPARTMENT	7,565,118
	EMERGENCY SERVICES - VOLUNTEERS	2,078,274
	FIRE & EMS TRAINING	346,405
	J&D COURT	18,100
	COURT SERVICES	3,125
	JUVENILE & PROBATION	1,788,550
	BUILDING INSPECTIONS	395,140
	ANIMAL CONTROL	437,045
	HIGHWAYS & ROADS	16,000
	STREET LIGHTS	118,000
	SANITATION & WASTE	2,114,877
	RECYCLING	150,500
	FACILITIES MANAGEMENT	1,978,450
51010	HEALTH DEPARTMENT	544,568
51020	TAX RELIEF FOR THE ELDERLY	322,000
71010	PARKS & REC INCL. NATURAL CHIMNEYS	1,214,654
73010	LIBRARY-FISHERSVILLE & CHURCHVILLE	1,381,390
81010	COMMUNITY DEVELOPMENT	964,191
81020	TOURISM	273,570
81050	ECONOMIC DEVELOPMENT	307,529
83010	EXTENSION OFFICE	114,812
83050	COUNTY FARM	8,260
92020	OTHER OPERATIONAL FUNCTIONS	1,186,462
92030	CONTRIBUTIONS	436,556
	CONTINGENCIES	105,000
	TRANSFERS TO OTHER FUNDS	56,300,579
GRAN	D TOTAL - GENERAL OPERATING FUND (11)	95,859,195
	Fire Developed Loop Fund (42)	
FROM TO:	: Fire Revolving Loan Fund (12) Fire Revolving Loan Fund (12)	
10.	50000 Disbursement of Loans & Gear Purchases	605,000
		605,000
FROM	Grand Total - Fire Revolving Loan Fund (12) : Asset Forfeiture Fund (13)	000,000
TO:	Asset Forfeiture Fund (13)	
١٠.	31030 - Operations	48,000
	Grand Total - Asset Forfeiture Fund (13)	48,000
	Claria Total 7,000t Follollato Falla (10)	0,000

PROPOSED BUDGET FOR FY2018-2019 (CONT'D)

FROM: Economic Development Fund (14)

TO: Economic Development Fund (14)

53000 - Payments to E.D.A. 178,000 Grand Total - Economic Development Fund (14) 178,000

FROM:

Revenue Recovery Fund (15)

TO: Revenue Recovery Fund (15)

32020 - Payments to Agencies557,64094000 - Transfers to Other Funds955,660Grand Total - Revenue Recovery Fund (15)1,513,300

FROM: Virginia Public Assistance Fund (23)

TO: Virginia Public Assistance Fund (23)

For the operation of the Augusta County Department of Public Welfare, Virginia Public Assistance Fund and to be expended only on order of the Board of Welfare for the functions and objects as outlined in the budget requests as presented to the Board of Supervisors for informative and fiscal purposes only:

53010 - Administration	9,522,168
53020 - Public Assistance	3,417,000
Grand Total - Virginia Public Assistance Fund (23)	12,939,168

FROM: Children's Services Act Fund (24)

TO: Children's Services Act Fund (24)

53060 - Children's Services Act 5,197,500 Grand Total - Children's Services Act Fund (24) 5,197,500

FROM: School Operating Fund (41)
TO: School Operating Fund (41)

For the operation of the Public Schools of the School Operating Fund (41) and to be expended only on order of the Augusta County School Board of Augusta County, Virginia, for the functions and objects a contained in their budget requests as presented to the Board of Supervisors for financial and fiscal purposes:

11000 - Instruction	86,839,235
20000 - Admin/Attend/Health	3,983,502
30000 - Pupil Transportation	6,285,695
40000 - Operation/Maintenance	8,881,146
Grand Total - School Operating Fund (41)	105,989,578

FROM:

School Cafeteria Fund (43)

TO: School Cafeteria Fund (43)

To be expended on order of the Augusta County School Board for the operation of the School Cafeteria Fund:

50000 - School Food Services	4,341,380
Grand Total - School Cafeteria Fund (43)	4,341,380

PROPOSED BUDGET FOR FY2018-2019 (CONT'D) FROM: School Capital Improvement Fund (44) TO: School Capital Improvement Fund (44)	
34000 - Transportation 42000 - Building/Facility Services 62470 - Cassell Elementary School 62580 - Riverheads Elementary School 62500-Special Capital Projects Grand Total - School Capital Improvement Fund (44)	0 0 0 0 0
FROM: School Debt Fund (45) \ TO: School Debt Fund (45)	
92040 - Debt Service - County 92050 - Debt Service - School Grand Total - School Debt Service (45)	732,229 8,716,425 9,448,654
FROM: Head Start Fund (47) TO: Head Start Fund (47) 10000 - Instruction 20000 - Admin/Attend/Health 30000 - Pupil Transportation 40000 - Maintenance Services Grand Total - Head Start F und (47)	2,472,252 383,314 76,867 18,545 2,950,978
FROM: Governor's School Fund (48) TO: Governor's School Fund (48) 11000 - Instruction 40000 - Operations/Maintenance 66000 - Building Improvement Grand Total - Governor's School Fund (48)	1,520,994 61,200 50,000 1,632,194
FROM: County Capital Improvement Fund (70) TO: County Capital Improvement Fund (70) 8005 - Landfill 8011 - Infrastructure - Beverley Manor 8012 - Infrastructure - Middle River 8013 - Infrastructure - North River 8014 - Infrastructure - Pastures 8015 - Infrastructure - Riverheads 8016 - Infrastructure - South River 8017 - Infrastructure - Wayne (includes VDOT project) 8021 - Matching Grants - Beverley Manor 8022 - Matching Grants - North River 8023 - Matching Grants - North River 8024 - Matching Grants - Pastures 8025 - Matching Grants - Riverheads 8026 - Matching Grants - South River 8027 - Matching Grants - Wayne 8049 - Electoral Board - Voting Machines 8053 - Library - Automation 8057 - Fire Apparatus & Equipment 8058 - Emergency Communications 8060 - Sheriff/K-9 8070 - Scholastic Way 8135 - Regional Correction Center 8139 - Tourist Information Center	200,000 50,000 50,000 50,000 50,000 50,000 15,000

PROPOSED BUDGET FOR FY2018-2019 (CONT'D)	
8141 - Geographical Information System	20,000
8142 - Recreational Community Center	75,000
8144 - Information Technology	295,562
8145 - Economic Development	371,250
8146 - Firing Range	52,000
8147 - Government Center Expansion	100,000
8148 - County Courthouse	300,000
8149 - A.C.S.A. Contribution	100,000
8151 - Flood Control Dams	17,600
8152 - Fire & Rescue Equipment	200,000
8153 – Haz Mat Grant	10,000
8161 - Blue Ridge Community College	137,585
8164 - Storm Water Management	33,035
8165 - Government Center Security	20,000
8166 - Vehicle Sinking Fund	295,500
8198 - Building Sinking Fund	256,460
94000 - Transfers to Other Funds	2,277,907
Grand Total - Capital Improvement Fund (70)	6,665,773
GRAND TOTAL - APPROPRIATIONS (All Funds)	247,368,720

Mr. Shull moved, seconded by Mr. Coleman, that the Board approve the proposed budget with the following changes listed below:

- Increase in school funding by \$706,545.00 to allow for a 3% increase in teacher salaries.
- Increase the County employee's cost of living increase by \$96,000.00 to allow a 3% increase.
- Add an additional staff position to be determined by the Board either a Communications Director or Staff Attorney at \$80,000.00.
- These changes will allow for \$1,704,685.00 in funding to the Capital Improvement account.

The appropriations listed above include the new changes.

Ms. Bragg stated that she did not agree with the \$0.05 increase. The conversation was the additional deputies and the 2% cost of living increase. The biggest conversation was the need for the CIP funding. In the original proposed budget there is \$2.5 million going into the CIP fund and it was justified by the \$0.05 tax increase. This happens year after year. The Board says they will fund the CIP fund. The vote has been made for an increase which was initially to fund the CIP fund and now as before, over \$1 million has been taken away. This is a huge issue with the budget process and with the spending process. The \$0.05 increase was explained to the public as to what it would help fund. The increase has been voted on and now what it will fund is changing. This is cause for concern.

Mr. Kelley stated that a balanced budget is claimed, but funding is coming from the Capital account. Taking money from the CIP fund before it is actually there is not being a good steward with citizen's money.

PROPOSED BUDGET FOR FY2018-2019 (CONT'D)

Vote was as follows: Yeas: Garber, Shull, Coleman, and Carter

Nays: Kelley, Pattie and Bragg

Motion carried.

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LITTER CONTROL PROGRAM

The Board considered Wayne District funding for the litter Control Program.

Mr. Wilkinson stated that there is an estimated cost of \$4,289.00 for miscellaneous items that will be needed in order for the Litter Control Program to function properly. This amount does not include a vehicle. There was a vehicle offered from the School Board for free, however it will require CDL B operator license and this is not something the program is interested in at this time.

Mr. Coleman stated that the free vehicle was appreciated, however a CDL requirement was not feasible at this time. Dr. Pattie agrees to fund the miscellaneous items from the North River Infrastructure account and Mr. Coleman and Mr. Kelley will fund a vehicle, not to exceed \$15,000.00 from their infrastructure account.

Funding Source: North River Infrastructure \$4,289.00

Wayne Infrastructure \$7,500.00 Beverley Manor Infrastructure \$7,500.00

Mr. Coleman moved, seconded by Mr. Kelley, that the Board approve the funding for the Litter Control Program.

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

and Carter

Nays: None

Motion carried.

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WAIVERS-NONE

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CONSENT AGENDA

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

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

MINUTES

Approved minutes of the following meetings:

- Budget Work Session, Monday, March 19, 2018
- Staff Briefing, Monday, March 26, 2018

CONSENT AGENDA (CONT'D)

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

Carter, Pattie

Nays: None

Motion carried.

Ms. Whetzel updated the Board on the liability issue for the Litter Control Program. Blue Ridge Court Services provides a supplemental accident insurance on all offenders as standard part of their agreement with all the partnered community service organizations and Augusta County is covered under that policy. There is a partial statutory immunity in the state code which exempts the County from liability in the case of injured probationers working roadside litter removal. The Commonwealth Attorney's office also has a liability form that all participants must sign.

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MATTERS TO BE PRESENTED BY THE BOARD

Ms. Bragg reminded everyone of the Market Animal Show coming up. The Augusta Health Governance Reception is on Tuesday and Ms. Bragg and Mr. Coleman attended the Dominion Open House.

Mr. Shull stated that with the current tax increase, he is not in favor of raising taxes often. Mr. Shull is a farmer and an excavator. He is at the mercy of buyers that purchase his cattle and it's up and down. This type of work does not come with a set salary. The tax increase has an impact on everyone in Augusta County not just him. The Board supports the community. The community spoke and said to support the deputies and the schools. Taxes are contributed to take care of things in the community, whether its fire services, Sheriff's Department, and the schools. There are a lot of things in the budget that people in the community don't think about. Citizens do not understand the budget process. It's important to restore the money back into the Capital Account because there are things in the future that will need to be looked at such as the courthouse. The budget is not taken lightly. The tax rate isn't increased just to be increased. The County is behind since 2008. In 1982-1983 the rate was \$0.60. It was lowered to \$0.58 because of the assessments. The County has lived off of growth from the mid 1980's to the assessments in 2009. It was a sudden shock to everyone involved when the assessments increased drastically. This was not only happening in Augusta County, it was happening everywhere. At the time, the tax rate was lowered too much due to the higher assessments and it set the County back financially. The tax rate could stay at \$0.58, but if the County continues in the same direction, is that being good stewards to the budget?

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MATTERS TO BE PRESENTED BY STAFF

Timothy Fitzgerald, County Administrator discussed the following issues:

- 1) Tim Smith, Shenandoah Valley Juvenile Detention Center is retiring on October 1, 2018. The position is being advertised on the County website. Mr. Smith has done an outstanding job over the years and deserves a good retirement.
- 2) Dominion sent notification on the Mount Storm to Valley tower replacement project. Dominion is asking for comments as soon as possible. Mr. Fitzgerald suggests sending the same comments that was sent for the last section?

MATTERS TO BE PRESENTED BY STAFF (CONT'D)

3) Ms. Whetzel stated that Fire and Rescue received a smoke alarm fire prevention and safety grant through FEMA. There will be a public service announcement made on this grant. It offers free checks and installation of smoke alarms for citizens living in Augusta County.

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CLOSED SESSION

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

- (1) (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) Fire and Rescue
- (2) 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.
- (3) 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) Augusta County Courthouse
- (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) Augusta County Courthouse

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

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

Carter, Pattie

Nays: None

Motion carried.

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CLOSED SESSION (CONT'D)

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 Carter NAY: None

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

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ADJOURNMENT

There being no other business to come before the Board, Ms. Bragg moved, seconded by Ms. Carter, the Board adjourn subject to call of the Chairman.

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

Nays: None

Motion carried.

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Chairman County Administrator

h:04-25min.18