

Regular Meeting, Wednesday, August 22, 2018, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald W. Garber, Chairman
Carolyn S. Bragg-Vice Chairman
Michael L. Shull
Terry L. Kelley, Jr.
Marshall W. Pattie
Wendell L. Coleman
Pam L. Carter
Timothy K. Fitzgerald, County Administrator
John Wilkinson, Director of Community Development
James R. Benkahla, County Attorney
Angie Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, August 22, 2018, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 243rd year of the Commonwealth....

* * * * *

Chairman Garber welcomed the citizens present.

* * * * *

The following student led the Board of Supervisors in the Pledge of Allegiance:

Paige Crawford is a student at Fort Defiance High School. She is involved in the SCA and is the Executive Vice President. Ms. Crawford plays varsity soccer. This past summer she attended an FBI National Academy Associates Youth Leadership Program.

* * * * *

Pam Carter, Supervisor for the Pastures District, delivered the invocation.

* * * * *

AUGUSTA COUNTY CODE CHAPTER 19 -- AMENDMENT

This being the day and time advertised to consider an ordinance to amend Section 19-3. Matters before the Board of Supervisors, and to amend Section 19-4, Rezoning.

John Wilkinson, Director of Community Development, stated that this is concerning fees. A few months back a fee was added to the Public Use Overlay, and since then the solar ordinance has been adopted. This amendment will move the fee to the Special Use category for solar facilities. It will also establish one for Special Use Permits for small solar facilities for the Board of Zoning Appeals portion.

The Chairman declared the public hearing to be open.

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

Mr. Kelley moved, seconded by Mr. Shull, that the Board approve the ordinance amendment as presented.

August 22, 2018, at 7:00 p.m.

AUGUSTA COUNTY CODE CHAPTER 19 -- AMENDMENT (CONT'D)

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

Motion carried.

* * * * *

AUGUSTA COUNTY CODE SECTION 25-77.4 -- AMENDMENT

This being the day and time advertised to consider an ordinance to amend Section 25-77.4 of the Augusta County Code. This amendment creates a one-time "existing dwelling division lot" exception for the creation of a lot without road frontage for the sole purpose of separating an existing dwelling, built on or before the year 2000. The Planning Commission recommends approval with a change in wording.

John Wilkinson stated that the Planning Commission approves the ordinance with the added condition that the lot be owned no less than five years.

The Chairman declared the public hearing to be open.

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

Mr. Shull moved, seconded by Mr. Kelley, that the Board adopt the ordinance with the approval of the Planning Commission and the recommendation with the five years added.

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

Motion carried.

* * * * *

AUGUSTA COUNTY CODE SECTION 25-387 -- AMENDMENT

This being the day and time advertised to consider an ordinance to amend Section 25-387 of the Augusta County Code. Buffer Yards. D. Permitted structures in buffer area. This amendment corrects a typo concerning privacy fence height in buffer yards in General Industrial districts. The amendment clarifies that the minimum height of an opaque privacy fence shall be 6' and if a combination of berm and fence is used, then the combination of both together shall be a minimum of 6'. The Planning Commission recommends approval of the amendment.

John Wilkinson stated this would correct a typo. It has been discovered that the section dealing with minimum fence height and buffer yards states that the fence will be a minimum of six feet high. It does allow for a combination of a berm with a fence or wall on top of it. Currently the ordinance states a minimum of three feet, but that is a typographical error and should state a minimum of six feet.

August 22, 2018, at 7:00 p.m.

* * * * *

MILL PLACE WALKING TRAIL

The Board considered Infrastructure allocation for the Mill Place Walking Trail project.

Funding Source: Beverley Manor Infrastructure 80000-8011-91 \$12,400.00

Timothy Fitzgerald, County Administrator, stated that the project is near the end. There are a few items such as benches, picnic table, etc. that are needed to complete the project.

Mr. Kelley moved, seconded by Mr. Coleman that the Board approve the Infrastructure allocation for the Mill Place Walking Trail to complete the project.

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

Motion carried.

* * * * *

SIX-YEAR PLAN

The Board considered the advertised FY18-24 Secondary System Six-Year Plan and Fiscal Year 2018-19 Construction Budget.

Mr. Fitzgerald stated that the public hearing on the VDOT Six Year Plan was previously held. The Plan has not changed since the public hearing.

Mr. Shull moved, seconded by Mr. Kelley that the Board accept the VDOT Six-Year Plan.

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

Motion carried.

* * * * *

MS4 PROGRAM UPDATES

The Board considered the following:

1) Stormwater pond upgrade for Emerald Hills.
Funding Source: 80000-8164 \$29,260.00

2) Funding for review of MS4 Program 5 year plan general permit.
Funding Source: 80000-8164 \$9,867.00

Doug Wolfe, Engineer, stated that the Census 2010 was the trigger that caused Augusta County to become an MS4 (Municipal Separate Storm Sewer System). The same census also led to Augusta County becoming an MPO. The County was notified in April 2013 that it was required to obtain a permit for coverage as an MS4 in accordance with the Virginia Stormwater Management Act and permit regulations. Mr. Wolfe showed a map on the screen of the urbanized area. A condition of the MS4 program is the County has to do a TMDL Implementation Plan for the Chesapeake Bay. The urbanized area is approximately 8000 acres. There is a procedure to help reduce the area that is required to use in the Phosphorous loading calculations per DEQ guidance. With the help of a local engineering firm, the area has been reduced to

August 22, 2018, at 7:00 p.m.

MS4 PROGRAM UPDATES (CONT'D)

2,478 acres of regulated area. The area will be confirmed with the Gap Analysis. The required nutrient reductions are then based on the reduced regulated area. Nitrogen, Suspended Solids and Phosphorous are pollutants that will need to be reduced. Phosphorous is the key pollutant. By the year 2023 a 40% reduction is required. This is equivalent to 99 pounds of Phosphorous per year, 892 pounds of Nitrogen per year and 84,931 pounds of Suspended Solids per year. By the year 2028, 100% of required reduction must be completed. The total reduction is 256 pounds of Phosphorous, 2,224 pounds of Nitrogen and 212,330 pounds of Suspended Solids. All of the above numbers will be confirmed by the Gap Analysis. The Gap Analysis is with Timmons Group which is the County's prime consultant, through our engineering term services contract and also the firm that completed the initial analysis. The cost for the Gap Analysis is \$9,867.00 and this includes a 10% contingency. This amount would come from the Capital Account for stormwater management. The Gap analysis will also help refine the available strategies or BMP to help meet the requirements.

Ms. Bragg asked if the work from the Service Authority is separate from this.

Mr. Wolfe stated that the Service Authority has individual permits for their discharges. Each plant has a separate permit and are authorized to discharge a certain number of gallons per day at certain concentration rates. This MS4 permit is a general permit, not an individual permit. It's broader and less expensive for the operator.

The next item to discuss is the Stormwater Local Assistance Fund. The Stormwater Local Assistance Fund provides 50/50 funding for water quality related projects. The deadline for this year is October 12. In order to meet the deadline, the schedule on some of the planning needed to be accelerated. Staff is working on the grant applications and they will be brought to the Board of Supervisors at the September Staff Briefing. The minimum is \$50,000.00 per locality on a \$100,000.00 minimum total project cost. The grant will only fund projects that achieve cost efficiencies that are less than \$50,000.00 per pound of Phosphorous removed. The County's projects are a great deal less than that.

Emerald Hills Section 3 BMP Conversion is an existing pond that was designed to be a dry pond. It has been a wet and soggy area and it's overgrown with emergent wetland vegetation. A study has been done to convert the pond into a level 2 wet pond. It will include a forebay, 10% wetlands area and a permanent pool of water. Construction cost will be approximately \$250,000 to \$350,000. This project helps the County reach the required reduction amount of Phosphorous by 33.3% of reduction by 2023 and 12.9% reduction by 2028. The design process will help refine the cost estimate. The design fee will be \$29,260.00 and this includes a 10% contingency. The first phase is the geotechnical work and survey at \$6,900.00. The Board is requested to authorize the entire contract. Staff will work with the Emerald Hills HOA and EGS, our design consulting engineer, to conduct the project in phases, and will not advance if the project loses merit based on discoveries. The project scores 15 points higher in SLAF application if the County advances from current concept to having plans submitted to the locality. Also, credit purchase is an option for this year's applications. Typically credits are \$20,000.00-\$25,000.00 per pound of Phosphorous credit. More information will follow for September's Staff Briefing so an informed decision can be made by the Board on whether to apply for credit purchase, and how many pounds.

Dr. Pattie asked if the application is submitted for the Emerald Hill grant and it is achieved, can the \$29,260.00 be used as part of the County's matching.

Mr. Wolfe will review the grant application further.

Ms. Carter would like more information so she can better understand the MS4 Program.

August 22, 2018, at 7:00 p.m.

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

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

Motion carried.

Mr. Garber reminded the Board of the Boards and Commissions Dinner on September 18 at 5:30 p.m. There is a Site Development Worksession on Wednesday, September 29 from 2:00-3:30p.m.

* * * * *

MATTERS TO BE PRESENTED BY STAFF

Timothy Fitzgerald, County Administrator discussed the following issue:

- 1) Anyone interested in attending the Solar Summit will need to register and pay the fee. Please let him know if you would like to go.
- 2) I-81 meeting will be Thursday evening at Blue Ridge Community College. The presentation has been printed and there are beneficial recommendations to be made. Some of the recommendations will be very pricey.
- 3) The Year End Fund Balance for the schools has been discussed. The amount shown for this year is \$631,692.00 and is needed to make the school's debt payment the new schools.

Jennifer Whetzel, Deputy County Administrator, stated that the debt payment maximum that the general fund will supply is \$7.2 million. This has been in place since the high school renovation is the early 2000's. If you take the beginning balance plus their fund balance the debt payment would be \$1.7 million. The \$631,692.00 would go toward the debt payment.

Mr. Coleman hopes that people understand the Year End Fund Balance. It is equivalent to approximately 1% of the total budget. The County needs to continue setting money aside for unforeseen things that may come up.

Ms. Bragg stated that it's disappointing that money has not been set aside appropriately with the closings of the various schools.

Dr. Pattie stated if you look at the 2017 birth rate and multiply that out for 18 years, the senior class will have 20% less students in Augusta County Schools. When you look at the variable payment the County receives from Richmond that is a significant cut. There needs to be a plan for this. Cuts are going to happen whether the Board controls them or the finances control them. The 20% loss assumes that 100% of these kids go to public schools.

Mr. Shull pointed out that with the economy growing, people moving in, real estate being built, the birth rate cannot be factored in.

Mr. Coleman is pleased with the relationship that the Board of Supervisors and the School Board have developed over the years.

Mr. Shull asked what the status was on GPS in regards to ambulances.

Mr. Fitzgerald stated that he did not have a report from Donna Good. He will follow up.

* * * * *

