

Regular Meeting, Wednesday, August 28, 2019, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald W. Garber, Chairman
Carolyn S. Bragg-Vice Chairman
G.L. "Butch" Wells
Michael L. Shull
Wendell L. Coleman
Pam L. Carter
Marshall W. Pattie
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
Leslie Tate, Planner
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 28, 2019, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 244th year of the Commonwealth....

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Chairman Garber welcomed the citizens present.

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Troop 52 Boy Scouts of Mount Sidney led the Board of Supervisors in the Pledge of Allegiance:

Thomas Vanpelt attends Stuarts Draft Middle School.

Ryan Loveless attends Fort Defiance High School.

Carter Housh attends Fort Defiance High School.

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

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MARTIN AND LINDA LIGHTSEY REZONING

This being the day and time advertised to consider a request to rezone from General Agriculture to Rural Residential approximately 21.23 acres (TMP 046-5B (portion) and 045-98A) owned by Martin F. or Linda C. Lightsey located on the west side of Spring Hill Road (Rt. 613), approximately 0.4 miles north of the intersection of Berry Farm Road (Rt. 626) and Spring Hill Road (Rt. 613) in Staunton in the Pastures District. The Planning Commission recommends denial.

Leslie Tate, Planner, stated that the proposed use of the property is residential with a two acre lot minimum. The use of the property stated in the Comprehensive Plan is low density residential which is about one half to one unit per

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MARTIN AND LINDA LIGHTSEY REZONING (CONT'D)

Ms. Carter moved, seconded by Mr. Coleman, that the Board deny the request as presented.

Mr. Coleman stated the General Assembly of Virginia changed the proffer legislation regarding residential construction. These changes mean that the only conversations allowed are between the applicant/developer and the Senior Planner or John Wilkinson. The Board of Supervisors have never approved a Fire Flow Waiver for residential construction. The Board has a responsibility for the people purchasing this property and to ensure fire protection. There is a lot at stake with this request.

Dr. Pattie pointed out that he agrees with the fact that fire flow should not be waived for residential.

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

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Jack Greenman of 610 Augusta Farms Road, Waynesboro, is concerned about the make-up of the Solar Committee. He is concerned with the Beverley Manor District not being represented on the committee.

Mr. Garber clarified that there have been no appointments to the committee at this time.

Rick Pfizenmayer lives in the Beverley Manor District and agrees with the previous statements from Mr. Greenman. There needs to be representation from each district.

Michael Moneymaker of 201 Alta Drive, Stuarts Draft, agrees there should be representation from each district.

Ed Long of 140 New Hope and Crimora Road stated that September 1, 2019 Dr. Lynn Moore will be closing his practice after 60 years of service. He asked the Board to consider a resolution of recognition for the doctor.

Dwight Wood of 709 North Mountain Road, Swoope, is concerned with an issue dealing with propane cannons in the Swoope area. A propane cannon is used in an extreme measure to scare away birds and wildlife. This has changed everyday living for residents. This issue has been addressed to the property owner by several residents and it has been followed up by a letter from the effected residents. It is not their intent to destroy the business. The residents are asking for an alternative option to the cannon. There are other options available and are being used by other vineyards in the area.

Steve Morris of 203 Hotchkiss Road, Churchville, stated that fire and ems issues are important. Augusta County needs more staff in all stations for better coverage of all areas. Mr. Morris indicated that Mr. Kelley's issue must have been swept under the rug as he has not heard anything about the case.

Barry Lotts is a surveyor in Stuarts Draft. He asked the Board to review the ordinance regarding manufactured home subdivisions to give the owners the opportunity to upgrade to a single family dwelling to be constructed on site.

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

Robin Hawks of 112 Winding Creek Lane, Mt. Sidney is concerned with tanker trucks in the Fort Defiance school area. School buses and tanker trucks cannot meet and pass on the road. For public safety reasons she requests that the County send a letter to Flow and Houff Trucking to ask them to restrict operations during 6:30-10:30 a.m. and 2:30-5:30 p.m. There are other options available that would allow Flow to meet their operational needs. She is also concerned about the new proposed library in Weyers Cave. She suggests looking into other options before making a final decision.

Tracy Pyles wants to save the County \$25 million. He has lost trust in the Board. The County website has a listing for courthouse information that is four years old. The people of Augusta County need to know what is going on with up to date information. He sees waste with the plans for the courthouse. Has there been time spent on what the Virginia Supreme Court says in guidelines for courthouses? Staunton is not a logical location for a courthouse. If the tax payer's money is going to be spent on a courthouse then it needs to be in Augusta County. It has been in the master plan for years to be in Verona. The plan along with a dollar figure for the courthouse needs to be on the website. People deserve to know what is being done with their money. Do an assessment of the value in Verona verses the value in Staunton. Go to Legislators and ask to get the referendum changed from ten years to five years. Mr. Pyles pointed out that he running for Clerk of Court and one of the responsibilities of the Clerk is to protect the courthouse.

Mr. Garber reminded Mr. Pyles that other than Dr. Pattie, everyone on the Board during the referendum agreed that it should be in Verona. It was stated at five high schools and during regular Board meetings that the cost would be \$45 million in Verona or \$60 million in Staunton.

Scott Cline of 238 Fort Defiance Road, Fort Defiance, is concerned with the Sheriff and use of official Government Facebook pages for personal gain. Public comments are being censored. He asked the Board to look into it and would like the County Attorney to enforce Code section 15.2-1512.4. The Board has a responsibility to the citizens to ensure the Constitutional Officers follow guidelines.

Shaun Mooney of Mt. Sidney, thanked the Board for moving public comments to the beginning of the meeting. He questioned the technical detail on posting zoning details every 14 days.

Mr. Fitzgerald stated that the plan is to put the details on the Community Development Zoning page. As the zoning determinations are completed, they will be scanned and placed in a folder on that page.

Mr. Mooney would like a response on the letter that was sent regarding filling the Director of Economic Development's position that is open.

Mr. Garber stated that he will receive a response, but he's not sure from whom.

Mr. Mooney is concerned about plans for the courthouse, the Weyers Cave Library and two new Administrative positions. County tax revenues has risen 40% in ten years. He has a concern the County will not make budget in the future.

Mr. Garber addressed two different points; regarding the cannon issue, there is a code section in the State that allows the Board to review the ordinance. Relating to the comment made about Terry Kelley and the status of his situation, there has been nothing swept under the rug. There is a trial coming up and the Board did their due diligence as soon as they became aware of the issue.

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The Board took a 10 minute break.

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BRIDGEWATER RETIREMENT NEEDS ASSESSMENT

The Board heard a presentation by Rodney Alderfer, President of Bridgewater Retirement Community.

Rodney Alderfer, President of Bridgewater Retirement Community, stated that they are increasing their outreach to figure out ways to improve the lives of seniors beyond the seventy acres currently on their campus. They are in the process of doing a community senior needs assessment through a survey process. The goal is to figure out the needs of senior citizens in the area.

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VACo ACHIEVEMENT AWARD

Chris McDonald, VACo Director of Government Relations, presented Augusta County with the 2019 VACo Achievement Award. There were 96 entries received and only 26 winners were picked representing 20 counties. The County has previously won an achievement award in 2003, 2004, 2005 and 2012. Augusta County is recognized for its work with the Trails at Mill Place which creatively united health, recreation, public safety and storm water management initiatives into one beautiful development that all County citizens can enjoy. The award was presented to Andy Wells, Director of Parks and Recreation and Nick Grow.

Andy Wells stated that this project took approximately 3½ years to complete. There was a need in the Verona area for a publicly accessible recreational space. Those needs were identified at the State level with the Outdoors Plan. The ideal location was at Mill Place Commerce Park. Nick Grow was the Project Manager for Parks & Rec and played a tremendous role in the completion of this project.

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VALLEY COMMUNITY SERVICES BOARD PERFORMANCE CONTRACT

The Board considered renewal of the Valley Community Services Board FY2019-20 Performance Agreement Contract.

David Deering, Director of Valley Community Services Board, showed a PowerPoint on VCSB's accomplishments and the needs of the community. The purpose of the Performance Contract is to ensure accountability for the quality of care of those receiving services, implement the mission of promising recovery and the accountability of how the State and local general funds are spent. The agreement consists of three parts; the contract itself, administrative requirements and the partnership agreement between the department, the State hospitals, training centers and the community services boards.

Dr. Pattie moved, seconded by Mr. Coleman, that the Board approve the contract renewal as presented.

Mr. Shull will abstain from voting for personal reasons.

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WAIVERS --NONE

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MATTERS TO BE PRESENTED BY THE BOARD

Mr. Shull recommends doing a resolution for Dr. Moore's retirement and service to the community.

Ms. Carter moved, seconded by Ms. Bragg, that the Board refer the canon fire situation to the Ordinance Committee for review and come back with a recommendation.

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

Motion carried.

Dr. Pattie stated that there is a road being constructed from Nash Road to North River School to assist with traffic before school and after school. He requests using up to \$22,000.00 from his North River Infrastructure account for this project.

Dr. Pattie moved, seconded by Ms. Bragg, that the Board approve up to \$22,000.00 from the North River Infrastructure account for the new road construction.

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

Motion carried.

Mr. Wells moved, seconded by Mr. Shull, that the Board approve sending the Manufactured Home Ordinance to the Ordinance Committee for review.

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

Motion carried.

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MATTERS TO BE PRESENTED BY STAFF

1) Leslie Tate, Planner, stated that she put a draft solar survey together and this is related to the potential Comprehensive Plan amendments for renewable energy. Ms. Tate reviewed some of the questions on the survey. The survey is scheduled to be released Thursday unless instructed otherwise.

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CLOSED SESSION

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

