Regular Meeting, Wednesday, September 11, 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 (via electronic)

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, September 11, 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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The following student led the Board of Supervisors in the Pledge of Allegiance:

Luke Haynes is a senior at Riverheads High School. He is the Drum Major and plans to attend a four year college to get a Bachelor's degree in Music Performance on clarinet and organ. His goal would be to perform in the President's Own Marine Band and be able to perform organ in churches all around the world.

The Color Guard composed of Officers from the Augusta County Fire Department and Sheriff's Department presented the flags.

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Bob Johnson, Chaplin for Augusta County Fire and Rescue, shared some his experiences from 9/11 and delivered the invocation.

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Ms. Carter joined the meeting electronically with Board's approval.

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SHENANDOAH VALLEY WORKFORCE DEVELOPMENT

This being the day and time advertised to consider the Shenandoah Valley Workforce Development Board's Chief Elected Official's Consortium Agreement.

Sharon Johnson, President and CEO of the SVWDB, stated that the Chief Elected Consortium Agreement is a requirement of the Federal Workforce Innovation and Opportunity Act through the US Department of Labor. It's in place so that all Counties and Cities in the service region agree to work together in support of the Workforce Development Board. The agreement is the connection to local Economic Development in each county and city to make sure the workforce initiatives are aligned with the Economic Development vision and needs. The Consortium Agreement was first signed by Augusta County in 2000 when it was under the Workforce Investment Act. In 2012 when the Consortium met and revised the agreement. A group of volunteers drafted the new agreement and it was signed. Then in 2015 the agreement was revised again because the Workforce Investment Act was replaced by the Workforce Innovation and Opportunity Act. In 2018 the Virginia Administrator for the Workforce Innovation and Opportunity Act monitored the agreements. From that monitoring, they provided a list of changes that needed to be made to the agreement. Those changes are technical and procedural changes to clarify the duties of the Fiscal Agent to frame the signatory authorities and have those named to define the internal controls for Conflict of Interest and to add an expiration date. Also to make sure all language is appropriately changed in the agreement to align with the new act.

Ms. Bragg read the following resolution:

WHEREAS, the Workforce Innovation and Opportunity Act ("WIOA") is a federal law (29 U.S.C. §3100 *et seq.*) designed to reform and strengthen the workforce investment system of the United States and addressing unemployment by providing federal funding for job training, rehabilitation, and adult education;

WHEREAS, Virginia Code §2.2-2470 *et seq.* allows the formation of workforce development boards ("WBD"s), which boards may receive federal funds from the WIOA, set training programs, determine eligible providers, and make other relevant decisions;

WHEREAS, the WDB for the Shenandoah Valley region is the "Shenandoah Valley Workforce Development Board" (the "SVWDB"), a nonstock corporation organized and existing under Virginia Code §13.1-801 *et seq.*

WHEREAS, Virginia Code §15.2-1300 provides that local governments may enter into agreements for joint or cooperative exercise of any power, privilege, or authority which each is capable of exercising individually, and;

WHEREAS, the localities herein desire to enter an agreement to form an unincorporated association known as the "Shenandoah Valley Chief Elected Officials Consortium" (the "Consortium")

WHEREAS, the Consortium shall include the jurisdictions of Augusta County, Bath County, the City of Buena Vista, Clarke County, Frederick County, the City of Harrisonburg, Highland County, the City of Lexington, Page County, Rockbridge County, Rockingham County, Shenandoah County, the City of Staunton, Warren County, the City of Waynesboro, and the City of Winchester,

WHEREAS, the purpose of the Consortium will be to oversee the WBD according to the provisions of WIOA and the regulations promulgated therein;

NOW, THEREFORE, be it ordained by the Board of Supervisors of Augusta County, Virginia (the "Board"), that:

- 1. The Board of Supervisors of Augusta County hereby authorizes Augusta County to enter into the Agreement in substantially the form presented at this meeting, and which is annexed and incorporated by reference as a part of this Ordinance.
- 2. The County Administrator is authorized to execute, on behalf of the County, and to deliver the Consortium Agreement, in substantially the form presented to the Board, which such changes as may later be approved by the County Administrator and the County Attorney.
- 3. This Ordinance shall take effect immediately upon adoption by the Board of Supervisors of Augusta County.

The Chairman declared the public hearing open.

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

SHENANDOAH VALLEY WORKFORCE DEVELOPMENT (CONT'D)

Ms. Bragg moved, seconded by Mr. Shull, that the Board approve the Consortium Agreement as presented.

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

Robert Colgan has concerns with the current Noise Ordinance in Augusta County. He would like for the ordinance to be reviewed and modified.

Steve Morris of 203 Hotchkiss Road, Churchville, thanked Dr. Pattie for his years of service on the Board and also the vote to put paid staff at Churchville and Mount Solon Fire and Rescue. He is concerned with the money being spent on a Communications position and an additional Attorney for the County. The money could be used for public safety. Fire stations need more help to be able to properly respond.

Dr. Robin Hawks stated that it is hard to have unity when all information is not given. The website is lacking several minutes from the Board of Supervisors' meetings. The public needs information regarding the courthouse plans. Government is for the people and the people must be included in the discussion. This is only way to have unity. The website includes courthouse documents from 2015. The citizens deserve up-to-date information because their tax dollars will be paying for it. Dr. Hawks request that the agenda specifically state why the Board is going into Closed Session. Limit the private closed sessions because the public is kept out of the process.

Ray Burkholder with Balzer and Associates would like the Ordinance Committee to review the Industrial Zoning Ordinance. Specifically the part that gives exception in criteria for plants, asphalt and concrete. Section four of the ordinance requires setbacks from all property lines to be 100 feet. He would like that to be applicable to non-industrial zoning uses.

Mr. Wilkinson showed a map on the screen of the property Mr. Burkholder is referring to. There is an applicant interested in building a concrete batching plant. The current ordinance requires 100 foot setback from all property lines. This would include the interior property line adjacent to an existing industry and the railroad track. Mr. Burkholder is asking that the setbacks apply to non-industrial zoned properties.

Ms. Bragg moved, seconded by Mr. Shull, that the Board approve the Ordinance Committee to review the Industrial Zoning Ordinance.

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SHENANDOAH VALLEY REGIONAL AIRPORT CONCURRENCE RESOLUTION

The Board considered the Concurrence Resolution for the Shenandoah Valley Regional Airport Commission's financing related to the proposed construction of aircraft hangars and fuel storage facilities at SHD.

Greg Campbell, stated that this is a resolution of concurrence regarding a resolution passed by the airport commission. A resolution for long term and interim financing to support two capital projects at the airport. The first is construction of corporate hangar facilities. Currently there are four units that are 100% occupied with a growing waiting list. This will add approximately 15,000 square feet of additional capacity. The second project is replacement and upgrade of the bulk fuel storage facilities. The existing fuel tanks that store jet fuel and aviation gasoline are nearing the end of their useful life. They need to be upgraded from an environmental stand point and also as the fuel volumes continue to increase more capacity is needed. The Airport Commission has been very successful over the past years in securing Federal and State assistance through FAA and Virginia Department of Aviation for projects. These projects are revenue producing in nature and not eligible for much in the way of Federal and State funding. These projects produce revenue. The revenues will cover the debt service associated with them. This is a resolution of concurrence that go along with the other four member jurisdictions. The County is not responsible for the debt. The City of Waynesboro and the County of Rockingham have passed the resolution.

Ms. Bragg moved, seconded by Dr. Pattie, that the Board approve the concurrence resolution.

Vote was as follows: Yeas: Garber, Bragg, Coleman, Wells, Shull, Carter

and Pattie

Nays: None

Motion carried.

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ROBIN LANE (ROUTE 1802) DRAINAGE PROJECT

The Board considered a funding request for ½ match of VDOT's construction project for Robin Lane.

Funding Source: North River Infrastructure 80000-8013-61 \$18,700.00

Mr. Wilkinson stated that there have been complaints received with drainage issues on Robin Lane in Mount Sidney. VDOT checked the drainage pipes and found breaks underground. VDOT has gone through the engineering processes and have established a plan to correct the problem. VDOT is requesting that the County share in the cost of the project. The County's responsibility would be \$18,700.00.

Dr. Pattie moved, seconded by Mr. Coleman, that the Board approve the funding request from the North River Infrastructure account not to exceed \$18,700.00.

Vote was as follows: Yeas: Garber, Bragg, Coleman, Wells, Shull, Carter

and Pattie

Nays: None

Motion carried.

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CONSENT AGENDA

Chairman Garber asked if the public wished for any item to be removed from the Consent Agenda and considered separately. There was no request.

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

MINUTES

Approved minutes of the following meetings:

- Regular Meeting, Wednesday, June 12, 2019
- Staff Briefing, Monday, July 22, 2019

CLAIMS

Consider Claims paid since August 1, 2019.

Vote was as follows: Yeas: Garber, Bragg, Coleman, Wells, Shull, Carter

and Pattie

Nays: None

Motion carried.

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WAIVERS --NONE

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MATTERS TO BE PRESENTED BY THE BOARD

Dr. Pattie stated that an elderly resident wants to sell part of his property and has access to Route 11. Under the current ordinance it is not allowed. This situation may warrant a waiver although there are no waivers in the ordinance.

Dr. Pattie moved, seconded by Mr. Coleman that Board approve the Ordinance Committee to review that current ordinance and consider waivers for situations like this.

Vote was as follows: Yeas: Garber, Bragg, Coleman, Wells, Shull, Carter

and Pattie

Nays: None

Motion carried.

Dr. Pattie also stated that Dr. Hawks' comments were relevant and an easy fix.

Mr. Coleman stated that there is a Lifecore Stakeholders meeting at Valley Tech on Monday at 1:30p.m. The County has partnered with Augusta Health to evaluate interest on various businesses and developers along Lifecore.

Mr. Shull received an email from Chad Blosser asking why the County hired an ALS Trainer when the State provides a trainer. He requests that this be reviewed.

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MATTERS TO BE PRESENTED BY STAFF

- 1) Reminder of the Boards and Commissions dinner on September 17th at 5:30p.m.
- 2) Reminder of the VACo Region 9 meeting on September 19th at 5:30p.m.
- 3) Last year there was a letter sent to the Governor in support of a budget allocation for Stornwater Local Assistance funding. \$100 million was requested last year to be put into funding for agriculture Cost Share Program which helps the farmers. \$50 million was requested to go into the Stormwater Local Assistance Fund in support of the program. This year's letter requests \$100 million be put in the Agriculture Cost Share Program and \$80 million in the Stormwater Assistance Program as a recommendation from various localities across the state to support the funding going forward.

Ms. Bragg moved, seconded by Mr. Shull, that the Board authorize the Chairman to sign a new letter in support of the funding options.

Vote was as follows: Yeas: Garber, Bragg, Coleman, Wells, Shull, Carter

and Pattie

Nays: None

Motion carried.

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CLOSED SESSION

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

- (1) the personnel exemption under Virginia Code § 2.2-3711(A)(1)
 [discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:
- a) Boards and Commissions-DSS Advisory Board, Youth Commission, Ag Industry Board, Economic Development Authority, Blue Ridge Criminal Justice Board, CAP-SAW, Solar Committee

On motion of Dr. Pattie, seconded by Ms. Bragg, the Board came out of Closed Session.

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

and Carter 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

CLOSED SESSION (CONT'D)

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:

Yeas: Garber, Bragg, Wells, Shull, Coleman, Pattie,

and Carter

Nays: None

Motion carried.

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

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SOLAR COMMITTEE

Ms. Bragg moved, seconded by Mr. Shull, that the Board appoint Paula Figgatt to the Solar Committee to represent the South River District.

Vote was as follows: Yeas: Garber, Bragg, Shull, Coleman, Wells, Carter

and Pattie

Nays: None

Motion carried.

Dr. Pattie moved, seconded by Ms. Bragg, that the Board appoint Charlie Burton and Susan Byerly to the Solar Committee to represent the Middle River District.

Vote was as follows: Yeas: Garber, Bragg, Shull, Coleman, Wells, Carter

and Pattie

Nays: None

Motion carried.

Mr. Wells moved, seconded by Ms. Bragg, that the Board appoint Nancy Sorrells and Michael Moneymaker to the Solar Committee to represent the Beverley Manor District.

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

and Carter

Nays: None

Motion carried.

September	11.	2019.	at.	7:00	p.m.

ADJOURNMENT
There being no other business to come before the Board, Dr. Pattie moved, seconded by

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

and Carter

Nays: None

Motion carried.

Chairman County Administrator

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