

Regular Meeting, Wednesday, December 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
Marshall W. Pattie
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
Leslie Tate, Senior Planner
James R. Benkahla, County Attorney
Angela Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, December 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 from Wilson Middle School led the Board of Supervisors in the Pledge of Allegiance:

Dillon Dudley is in 8th grade and he likes to hunt and fish.

Ben Tuley is in the 6th grade and plays basketball and baseball and enjoys camping.

Grace Durso is in 7th grade and plays soccer. She also enjoys singing and playing the flute.

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

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BERRY FARM-PROJECT GROWS LEASE

This being the day and time advertised to consider a lease agreement to Project Grows in the Beverley Manor District.

Jennifer Whetzel, Deputy County Administrator, stated that Project Grows is located on 10 acres on the Berry Farm. In August they presented an update to the Board and requested a longer term lease. They also expressed a need to add a building. Due to change in the term and a building being added to the lease agreement, a public hearing is necessary.

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BERRY FARM-PROJECT GROWS LEASE (CONT'D)

The Chairman declared the public hearing open.

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

Courtney Cranor, Interim Director of Project Grows, gave an update on the increase of children impacted, fresh meals served, and SNAO benefits offered.

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

Dr. Robin Hawks commented on the Special Meeting that held on December 4, 2019 regarding the 2nd Amendment. She felt the Board acted irresponsibly and made irresponsible comments. The Board needs to review the laws and uphold them. She asked if there is anything done by this Board that shows good judgement. The citizens need to be encouraged to be law abiding citizens. The Board needs to weigh words carefully and consider the special position power given as Supervisors.

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PB MARES-AUDIT

- 1) The Board heard a presentation of the 2019 Augusta County Comprehensive Annual Financial Report.

Misty Cook, Director of Finance, introduced Betsy Hedrick and Andrea Nichols from PB Mares to present the 2019 Financial Report.

PB Mares issued an unmodified opinion on the Augusta County's Comprehensive Annual Financial Report for fiscal year ending on June 30, 2019. An unmodified opinion is a clean opinion. The auditors met with the Audit Committee to discuss the results from the audit. They thanked everyone for their cooperation in completing the process.

Mr. Coleman commended Ms. Cook on her hard work on the audit.

Dr. Pattie echoed Mr. Coleman's comments and thanked PB Mares for their years of service.

- 2) The Board considered an audit contract extension for an additional one-year period.

Ms. Cook stated that approval is needed for a contract extension. This is a one year contract with the option to renew for two one year additional terms.

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PB MARES-AUDIT (CONT'D)

Dr. Pattie moved, seconded by Mr. Coleman, that the Board approve the contract extension

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

Motion carried.

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CRESCENT DEVELOPMENT GROUP LLC-REZONING
PREVIOUSLY TABLED ITEM FROM NOVEMBER 26, 2019

Consider request to rezone from Single Family Residential to General Business, with proffers, approximately 4.6 acres (TMP's 66C(1)2D, 66C(5)A, 66C(5)C, 66C(1)3) owned by Crescent Development Group LLC located in the southeast quadrant of the intersection of Jefferson Highway (Rt. 250) and Life Core Drive (Rt. 636) in Fishersville in the Wayne District. The general use of the property stated in the Comprehensive Plan is Community Mixed Use, which may include a variety of residential uses as a density of 6-12 units an acre, and on up to 40% of the total land area, retail and office uses, and in some but not all cases, industrial uses. The Planning Commission recommends approval with proffer.

Leslie Tate, Senior Planner stated that there was a public hearing on November 26, 2019. Ms. Tate reminded the Board that there was a proffer submitted prior to the Planning Commission's public hearing related to the partial access entrance on Route 250. Prior to the Board's public hearing, the applicant limited the business development from certain impactful uses to adjacent residential development.

Mr. Coleman moved, seconded by Ms. Carter, that the Board approve removing the item off the table.

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

Motion carried.

Scott Williams, Managing Member with Crescent Development Group, stated that since the process has began, comments have been received from staff and citizens. Due to those comments, changes have been made to the request. This has been done in an effort to mitigate any possible future impacts the development of this project may have on the neighbors. With the understanding that the public hearing has been closed and the proffers can no longer be amended, he makes a commitment to the Board that if the rezoning occurred, efforts would be undertaken to further limit the potential impact. If the property would possibly be developed as a gas station, convenience store or a fast food restaurant, Crescent Development would double the landscaping buffer that is required in the zoning ordinance, which is now twenty feet to forty feet. Business activity within Augusta County and projects before the Board will certainly continue for at least ten more years. The group has worked hard to establish a reputation, their commitment is firm, and the obligation to do a quality project has not changed.

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CRESCENT DEVELOPMENT GROUP LLC-REZONING
PREVIOUSLY TABLED ITEM FROM NOVEMBER 26, 2019 (CONT'D)

Mr. Shull asked if there would be a retaining wall built and will the drainage ditch be filled in?

Mr. Williams stated that there is a plan to build a retaining wall and the low area will be filled in to maintain the drainage through the site.

Mr. Coleman stated that he has spent 52 years of his life driving in and out of the Woodrow Wilson Complex. He has spent considerable time using the amenities along Lifecore. He is aware of traffic in the area.

Mr. Coleman moved, seconded by Ms. Carter, that the Board approve the rezoning with the amended proffers.

Mr. Wells agrees with the economic development, but he is concerned with the noise.

Mr. Shull agrees with Mr. Wells, however he questions whether it is a good fit for the area. People and houses were there first. Will VDOT be performing a traffic count on Lifecore? This is a busy intersection.

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

Motion carried.

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CHAPTER 25, SECTION 25-384-ORDINANCE AMENDMENT
PREVIOUSLY TABLED ITEM FROM NOVEMBER 26, 2019

Consider an ordinance to amend Chapter 25. Zoning. Division F. Industrial Districts. Article XXXVIII. General Industrial (GI) Districts. Section 25-384. Uses permitted by Special Use Permit. E. Batching plants for asphalt, cement, or concrete. The Planning Commission recommends approval.

Ms. Tate stated that this was also a tabled item from the meeting on November 26, 2019. The ordinance currently reads that there is a standard 100 foot setback from all adjacent property lines related to this Special Use Permit. The Planning Commission recommended approval of an ordinance amendment to allow the Board of Zoning Appeals the ability to lessen the 100 foot setback. Specifically items that could be considered when potentially lessening that setback would be adjacent industrial development and or adjacent railroad right-of-way.

Mr. Shull moved, seconded by Mr. Coleman, that the Board approve removing the item off the table.

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

Motion carried.

Mr. Shull stated that there was discussion during the Ordinance Committee meeting regarding this amendment. In light of the applicant removing the application, the engineer reviewed the project and has suggestions for this and other areas. It was recommended to take this back to the Ordinance Committee.

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CHAPTER 25, SECTION 25-384-ORDINANCE AMENDMENT
PREVIOUSLY TABLED ITEM FROM NOVEMBER 26, 2019 (CONT'D)

Mr. Shull moved, seconded by Ms. Bragg, that the Board approve sending the ordinance back to the Ordinance Committee for further review.

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

Motion carried.

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WESTGATE AGREEMENT

The Board considered an agreement to terminate prior Route 608 incentive agreements.

Jennifer Whetzel, Deputy County Administrator, stated that the County and Economic Development Authority entered into an agreement with Bill V. Neff, Sr. (developer) whereby the County would contribute funding towards the costs incurred by the developer in connection with the construction of road improvements on Route 608 in Fishersville. Reality X LLC currently owns the property. Road improvements have progressed due to the reconstruction of the interstate bridge at Exit 91. A sizable amount of funding was secured through VDOT for this project, allowing the road improvements to happen and therefore making the current agreements irrelevant. This agreement terminates all prior agreements and releases the balance of funding due to Reality X LLC for the cost assumed for the road improvements on Route 608. The funding has accumulated to \$349,894.03. The agreement was drafted by the County Attorney and has been reviewed by Reality X LLC.

Ms. Bragg moved, seconded by Mr. Shull, that the Board approve the agreement to terminate prior Route 608 incentive agreement.

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

Motion carried.

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LIBRARY STRATEGIC PLAN

The Board considered award of contract for the Library Strategic Plan.

Diantha McCauley, Library Director, stated that since opening the Stuarts Draft Library, the Library Board and Staff have discussed the need to create a need for a new long-range or strategic plan. With the extremely busy Stuarts Draft Library, and a staff busy with the day-to-day work, the Library Board decided to seek the services of a skilled consultant that knows about the provision of planning services. An RFP was written requesting a consultant facilitate the planning process. A committee was selected to evaluate the responding proposals, which consisted of Diantha McCauley, Debbie Sweeney, and Jennifer Whetzel. A contract is being negotiated with the top ranked firm. After interviewing four firms, the committee recommends awarding the contract to The Ivy Group, Ltd. with a contracted price of \$29,924.00.

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LIBRARY STRATEGIC PLAN (CONT'D)

Ms. Whetzel stated that there were seven proposals received. The funding would come from the Capital account.

Ms. Bragg moved, seconded by Ms. Carter, that the Board approve the awarding the contract to The Ivy Group, Ltd.

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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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:

CLAIMS

Approved claims paid since November 1, 2019:

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

Motion carried.

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MATTERS TO BE PRESENTED BY THE BOARD

Mr. Wells mentioned the winter edition of the Augusta Health magazine, which highlights Dr. Moore. He also stated that it was an honor and a privilege to work with Dr. Pattie, Ms. Bragg and Mr. Coleman.

Dr. Pattie stated that it has been a pleasure to serve on the Board for the past eight years. He pointed out some details featured in the audit report regarding declining enrollment in schools, historic tax rates and overall county debt.

Ms. Bragg stated that the Legislative breakfast was a success. She reminded everyone of the Stuarts Draft Christmas parade. Ms. Bragg stated her time on the Board was filled with mostly high peaks and only a few valleys and that this Board has been an extraordinary group of people to work with.

Ms. Carter thanked Dr. Pattie, Ms. Bragg and Mr. Coleman for their service and described how, despite differences, they worked well with each other.

December 11, 2019, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (CONT'D)

The committee is looking for guidance from the State, which may happen after the next session.

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ADJOURNMENT

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

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

Motion carried.

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Chairman

County Administrator