
Regular Meeting, Tuesday, November 25, 2008, at 7:00 p.m. Government Center, Verona, VA.

PRESENT: David R. Beyeler, Chairman
Tracy C. Pyles, Jr., Vice-Chairman
Wendell L. Coleman
Gerald W. Garber
Larry C. Howdyshell
Jeremy L. Shifflett
Nancy T. Sorrells
Patrick J. Morgan, County Attorney
Becky Earhart, Community Development
Dale L. Cobb, Director of Community Development
Jennifer M. Whetzel, Director of Finance
Patrick J. Coffield, County Administrator
Rita R. Austin, CMC, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Tuesday, November 25, 2008, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 233rd year of the Commonwealth....

* * * * *

Chairman Beyeler welcomed the citizens in the audience and asked that a form be completed by anyone who plans to speak. He advised that the citizens could speak under "Matters to be Presented by the Public", or wait and speak under a particular item on the agenda.

* * * * *

Emily Lovekamp, an eighth grader at Beverley Manor Middle School, led the Pledge of Allegiance. Emily will attend Riverheads High School and wants to play basketball and hopes to become a Math teacher.

* * * * *

Patrick J. Morgan, County Attorney, delivered the invocation.

* * * * *

CKK, INC. - REZONING

This being the day and time advertised to consider a request to rezone from General Agriculture to General Business with proffers approximately 3.2 acres owned by CKK, Inc. located on the south side of Jefferson Highway (Route 250) just east of the intersection with Payne Landing (Wayne District). The Planning Commission recommends approval with proffers contingent on the landscape proffer being amended to include the retention of the existing tree line along the southwestern property boundary with Parcel 67-76B. In addition, the Planning Commission recommends that the access to the property be moved off Payne Landing Lane, if that is allowable by VDOT, in order to eliminate any potential conflicts with the other users of Payne Landing Lane.

Becky Earhart, Senior Planner, displayed property outlined in purple; property in red is zoned Business; property in blue is zoned General Agriculture. The applicant submitted the following revised proffers:

1. Within 90 days of rezoning approval, parcel 67-75 will be combined with parcel 67-74B.
2. Access shall be limited to the existing entrances on to Route 250. Access to parcel 67-75B and 75A will be provided by way of the existing right of way. Access shall be provided to adjacent parcels 67-76 and 76G.

November 25, 2008, at 7:00 p.m.

CKK, INC. – REZONING (cont'd)

3. At the time the use of the property changes to a business use and a site plan or preliminary plat is required, the property owner at the time of development will prepare a Traffic Impact Analysis meeting the requirements of VDOT (if the use meets the minimum thresholds for the study) and will install any improvements recommended by the study and reviewed by VDOT in accordance with § 15.2-2222.1 of the Code of Virginia at the developer's expense at a time acceptable to the County.
4. The existing tree line along the southwestern boundary of the property adjacent to 67-76B shall be retained. In addition, the owner/developer will install a double row of arborvitae planted 10' on center and 5-6 feet in height at the time of installation along the southeastern property boundary of parcel 67-75 (if property is still zoned General Agriculture). The trees will be planted at the time of development of the site if the adjacent property is still zoned General Agriculture. The buffer will be maintained until such time as the use of zoning of the adjacent property is changed to business.

The property has been zoned General Agriculture since December 1995 when the County established two agricultural districts. It is in an Urban Service Area and slated for Mixed Use Development. Public water and public sewer are available. The Planning Commission recommends approval with proffers contingent on the landscape proffer being amended to include the retention of the existing tree line along the southwestern property boundary with Parcel 67-76B. In addition, the Planning Commission recommends that the access to the property be moved off Payne Landing Lane, if that is allowable by VDOT, in order to eliminate any potential conflicts with the other users of Payne Landing Lane. Ms. Earhart clarified that there is an exclusive right-of-way that is on a property that is not the subject of the rezoning tonight; therefore, it is not impacted by the rezoning decision. There is also a 12-foot easement that multiple property owners are using that is on the property; however, it is not subject to the rezoning because it is part of the property that is already zoned General Business. The proffers relative to this rezoning are the existing entrances that are utilized by the adjacent business lot will be the ones that will be retained. The property will be combined with the business property in the front on Route 250.

Tim Snyder, representative for purchaser and developer, stated that the purchaser requested the rezoning for future development if needed. At this time, he has no immediate plans.

Charles Vailes, purchaser, asked for clarification of relocating the entrance off of Payne Landing. He stated that he owned the business already zoned and in order to have access back to the property, there is an existing lane which they own and have granted an easement for the two homeowners. If they were to relocate the entrance off Payne Landing, he was unclear where it would go.

Ms. Earhart advised that the revised proffers indicate that the existing entrances are to be used; a new entrance on to Route 250 cannot be obtained. She noted the original proffers did address Payne Landing. The Planning Commission recommendation tried to move the entrance but it was decided that it could not be done. The revised proffers reflect that decision.

The Chairman declared the public hearing open.

Linda Sachs, an adjacent property owner, stated that the 20-foot exclusive easement did not belong to the business. She expressed concerns of losing that property.

November 25, 2008, at 7:00 p.m.

CKK, INC. – REZONING (cont'd)

Ms. Earhart reiterated that the 20-foot exclusive easement is on the property that is not subject to the rezoning tonight.

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

Mr. Coleman moved, seconded by Ms. Sorrells, that the Board adopt the following ordinance with revised proffers:

A request to rezone from General Agriculture to General Business with proffers approximately 3.2 acres owned by CKK, Inc. located on the south side of Jefferson Highway (Route 250) just east of the intersection with Payne Landing in the Wayne 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:

Parcel number 75 on tax map number 67 containing approximately 3.2 acres is changed from General Agriculture to General Business with the following proffers:

1. Within 90 days of rezoning approval, parcel 67-75 will be combined with parcel 67-74B.
2. Access shall be limited to the existing entrances on to Route 250. Access to parcel 67-75B and 75A will be provided by way of the existing right of way. Access shall be provided to adjacent parcels 67-76 and 76G.
3. At the time the use of the property changes to a business use and a site plan or preliminary plat is required, the property owner at the time of development will prepare a Traffic Impact Analysis meeting the requirements of VDOT (if the use meets the minimum thresholds for the study) and will install any improvements recommended by the study and reviewed by VDOT in accordance with § 15.2-2222.1 of the Code of Virginia at the developer's expense at a time acceptable to the County.
4. The existing tree line along the southwestern boundary of the property adjacent to 67-76B shall be retained. In addition, the owner/developer will install a

November 25, 2008, at 7:00 p.m.

CKK, INC. – REZONING (cont'd)

double row of arborvitae planted 10' on center and 5-6 feet in height at the time of installation along the southeastern property boundary of parcel 67-75. The trees will be planted at the time of development of the site if the adjacent property is still zoned General Agriculture. The buffer will be maintained until such time as the use of zoning of the adjacent property is changed to business.

Vote was as follows: Yeas: Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Absent: Howdyshell

Motion carried.

* * * * *
(END OF PUBLIC HEARINGS)
* * * * *

MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

* * * * *

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pyles: ASR donation of 250 turkeys to Craigsville Food Pantry – Community needs continue to grow. “We need to encourage Food Banks in helping. It is a growing concern.”

Ms. Sorrells:

1. Beverley Manor Middle School – Attended “Make a Difference Day” (honoring veterans and volunteers)
2. Attended Ribbon Cutting Ceremony – Ashton Bed and Breakfast and small Conference Center on Middlebrook Avenue.

* * *

AGRICULTURE INDUSTRY BOARD - APPOINTMENT

Ms. Sorrells, seconded by Mr. Shifflett, that the Board reappoint William Cole Heizer to serve a four-year term on the Agriculture Industry Board, effective January 1, 2009, to expire December 31, 2012.

Vote was as follows: Yeas: Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Absent: Howdyshell

Motion carried.

* * *

November 25, 2008, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD (cont'd)

Mr. Garber: "There is some optimism around the County – There seems to be a ribbon cutting all the time."

AUGUSTA COUNTY RECYCLING COMMITTEE - APPOINTMENT

Mr. Garber, seconded by Mr. Pyles, that the Board accept the resignation of Wesley Wampler and appoint Riley Allen, Murray, III to serve an unexpired four-year term on the Augusta County Recycling Committee, effective immediately, to expire September 24, 2011.

Vote was as follows: Yeas: Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Absent: Howdyshell

Motion carried.

* * *

AGRICULTURE INDUSTRY BOARD - APPOINTMENT

Ms. Sorrells, seconded by Mr. Garber, that the Board appoint Stanley W. Sheets to serve a four-year term on the Agriculture Industry Board, effective January 1, 2009, to expire December 31, 2012.

Vote was as follows: Yeas: Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Absent: Howdyshell

Motion carried.

* * *

Chm. Beyeler: Beverley Manor Middle School – "Great event!" Encouraged Board to attend.

* * * * *

NOTE: Larry Howdyshell arrived for the meeting.

* * * * *

ROBINSON, FARMER, COX ASSOCIATES – AUDIT

The Board received a presentation of the 2008 Augusta County Comprehensive Annual Financial Report.

Jennifer M. Whetzel, Director of Finance, reported that an audit report for FY2008 has been distributed to the Board. Also attached were three letters: 1) Standards required by the auditors; 2) Management comments regarding Augusta County from the auditors; 3) Memorandum in response to auditor's management comments.

November 25, 2008, at 7:00 p.m.

ROBINSON, FARMER, COX ASSOCIATES – AUDIT (cont'd)

Ms. Whetzel introduced James Kelly, Managing Director at Robinson, Farmer, Cox Associates.

James Kelly, of Robinson, Farmer, Cox Associates, gave a presentation of the 2008 Augusta County Comprehensive Annual Financial Report. He commended staff and complimented how well all departments worked together. He noted that an Audit Opinion is included in the audit, which is an unqualified opinion and the best audit opinion that can be given. It basically states that the financial statements are fairly stated and materially correct. Mr. Kelly highlighted key elements/findings of audit.

Chairman Beyeler reported that he and Mr. Pyles were on the Board’s Audit Committee and met with Mr. Kelly prior to tonight’s meeting. He asked that Mr. Pyles present some comments on that meeting.

Mr. Pyles appreciated Mr. Kelly’s comments on staff. “Every comment we get so far is an excellent job being done.” He said that the Committee was well satisfied with the meeting in terms of the audit, itself, the nuts and bolts of it and how things are done and how they are accounted for, but also stressed reality of the national, state and local economic conditions. Chairman Beyeler was interested in the Retirement Fund and knowing how it is funded knowing that an accrued liability exists. They asked about conditions of funds held by the Treasurer and were told that they were in good order. “In general, the audit was good, and we felt good about it.”

Mr. Pyles moved, seconded by Ms. Sorrells, that the Board approve the 2008 Augusta County Comprehensive Annual Financial Report.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Motion carried.

* * * * *

FISHERSVILLE SMALL AREA PLAN

The Board considered request to amend the Augusta County Comprehensive Plan 2007-2027 by adopting the Fishersville Small Area Plan. The Board of Supervisors, at its August 27th meeting, tabled this item pending receipt of the Planning Commission recommendations.

Ms. Earhart advised that this issue has been discussed for several months. It had been sent back to the Planning Commission to consider the Mixed Use land use designation and some of the recommendations for the Fishersville Small Area Plan and to study how those recommendations might be applied to the County as a whole. The Planning Commission has met and made the following recommendations:

- 1. Change the definition of Medium Density Residential in the Countywide Comprehensive Plan to read:

Medium Density Residential may include detached residential units at a density of between three and four dwelling units per acre.

- 2. Add three new land use categories to the Countywide Comprehensive Plan. These new categories would include:

November 25, 2008, at 7:00 p.m.

FISHERSVILLE SMALL AREA PLAN (cont'd)

Neighborhood Mixed Use may include a variety of residential uses at a density of four to eight dwelling units per acre and convenience retail and office uses on up to 20% of the total land area.

Community Mixed Use may include a variety of residential uses at a density of six to twelve dwelling units per acre and, on up to 40% of the total land area, retail and office uses and in some, but not all, cases industrial uses.

Planned Residential may include a variety of residential uses at a density of four to eight dwelling units per acre.

- 3. Readvertise the amendment of the County’s Comprehensive Plan to include the Fishersville Small Area Plan for public hearing by the Planning Commission and the Board of Supervisors. The amendment would also include adding the three new land use categories and definitions to the text and making changes to the land use designations of the parcels currently identified as Mixed Use on the countywide Future Land Use Map.

Mr. Coleman expressed his appreciation to Planning Commission, the Board of Supervisors, and to the County Planning staff for all the time and effort put into the Fishersville Small Area Plan and other recommendations to the County’s Comprehensive Plan.

Mr. Coleman moved, seconded by Mr. Pyles, that the Board approve the Planning Commission’s recommendations. The amendment would involve changing the land use designation on those parcels that are identified as Mixed Use on the County’s future land use map and further identified on the chart that the Board received in October with the Planning Commission’s recommendation with the addition of the Route 254 parcels to Neighborhood Mixed Use.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Motion carried.

* * * * *

BOUNDARY LINE ADJUSTMENT

The Board considered adoption of resolution to change the boundary line between the City of Staunton and the County of Augusta.

Patrick J. Coffield, County Administrator, advised that the Board received an update regarding the boundary line adjustment. The City of Staunton considered the request at its last meeting and approved the proposal as submitted. Timmy Fitzgerald, Acting Residency Engineer for VDOT, has met with staff and concurred that the applicant will need to conduct a Traffic Impact Analysis (TIA). From that report, any improvements to Old Greenville Road will have to be constructed by the applicant. As it relates to the road going into the subdivision (City of Staunton after boundary line adjustment), it would need to meet the state standards if state road maintenance funds are going to be received by the City. In discussions with the City, it was determined that its intention is to require the applicant to meet or exceed State standards.

November 25, 2008, at 7:00 p.m.

BOUNDARY LINE ADJUSTMENT (cont'd)

Mr. Shifflett said that concerns had been brought up regarding the boundary line adjustment and whether the City or County could ensure that the Developer constructs the needed road improvements. Mr. Morgan had stated that the original agreement addressed the concerns.

Mr. Shifflett moved, seconded by Mr. Coleman, that the Board adopt the following resolution:

**A RESOLUTION TO ADOPT THE PROPOSED AGREEMENT
BETWEEN THE CITY OF STAUNTON AND THE COUNTY OF AUGUSTA
TO CHANGE THE BOUNDARY LINE WITH RESPECT TO 2.252 ACRES
LOCATED NORTHWEST OF OLD GREENVILLE ROAD, STATE ROUTE 613**

WHEREAS, the City of Staunton and County of Augusta have a common boundary line;

WHEREAS, there has been proposed to the City of Staunton a subdivision development referred to as Byrd Hill that would consist of property located in the City of Staunton, with the exception of 2.252 acres located in the County of Augusta (such 2.252 acres is referred to herein as the Property);

WHEREAS, the developer of Byrd Hill has requested that the City of Staunton and the County of Augusta consider a boundary line change to include the Property and, therefore, the entire Byrd Hill development within the City of Staunton, to facilitate development;

WHEREAS, the City of Staunton and the County of Augusta desire to accommodate the request by entering into an agreement dated November 3, 2008 (Agreement), providing for the inclusion of the Property in the City of Staunton;

WHEREAS, the City of Staunton and the County of Augusta have advertised their intention to approve the Agreement and each conducted a public hearing in accordance with Virginia Code Section 15.2-3107 prior to adoption; and

WHEREAS, the County of Augusta wishes to change the boundary line with the City of Staunton with respect to the Property, finding it to be in the best interests of the County of Augusta;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Augusta County, Virginia hereby adopts the Agreement, a copy of which is attached hereto, and authorizes its Chairman to execute the Agreement on its behalf, with such minor modifications as deemed advisable by the Chairman in consultation with the County Attorney, and authorizes all appropriate officers and employees to take such other actions as may be necessary to implement this Resolution and the Agreement.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Motion carried.

* * * * *

November 25, 2008, at 7:00 p.m.

STREETLIGHT REPORT

The Board considered report for the installation of streetlights at the following location:

- 1. Route 250, Windsor Drive (Wayne District)

Dale L. Cobb, Director of Community Development, reported that Countryside Development had submitted a request for the County to take 9 streetlights into the County’s streetlight account. The Board first looked at this request in May 2008. At that time, there were three occupied homes along Windsor Drive. According to policy, the County was able to accept 1 of the 9 streetlights. Today, Mr. Flippen, Engineer, visited the site to look at how many occupied homes were currently located along Windsor Drive. During the visit, Lots 87, 88 and 99 appeared to be occupied. That would allow the streetlight located at the corner of Lot 100 to be accepted consistent with the streetlight policy (three occupied homes within 150 feet of streetlight). Staff recommends approval of one streetlight located off of Windsor Drive within Windward Pointe Subdivision.

Mr. Coleman moved, seconded by Mr. Shifflett, that the Board approve the Committee’s recommendations.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Motion carried.

* * * * *

GENERAL ENGINEERING SERVICES

The Board considered General Engineering Services proposals.

Mr. Cobb advised Doug Wolfe, County Engineer, had presented at Monday’s Staff Briefing a detailed explanation of the Engineering Services proposals. He noted that the current contracts expire on December 31, 2008. In order to ensure that there is no break in the on-call services for Board approved projects, staff has proceeded through the state’s procurement process since mid to late summer to evaluate and recommend firms for the Board’s approval. Interviews of the firms with the strongest proposals have been conducted and staff has made the following recommendations:

For the last three cycles (12 years), the Board has awarded term contracts in three categories, Category 1 (Small Projects), Category 2 (Large Scale Projects), and Category 3 (Economic Development Services). For this term, the RFP also provides for three categories; however, due to the significant shift of transportation-related decisions from the State to the local level, the focus of the first two categories has been adjusted in order to provide a transportation specific category. In doing so, Category 1 services have been expanded to include the non-transportation related tasks previously included in Category 2. The resulting categories for the 2008 contracts are Category 1 (Small Projects), Category 2 (Transportation and Related Studies and Services), and Category 3 (Economic Development Services).

The specific types of projects envisioned in each category are listed below:

November 25, 2008, at 7:00 p.m.

GENERAL ENGINEERING SERVICES (cont'd)

Category 1 (Small Projects)

1. Surveying, Plat Creation
2. Site Plan Development, Floodplain/Elevation Studies, Drainage Improvement Projects.
3. Structural Services

Category 2 (Transportation and Related Studies and Services)

1. Traffic Studies, Traffic Impact Analysis Preparation, Traffic Impact Analysis Review, Road Corridor Studies
2. General Road Design Services, Road Improvement Projects

Category 3 (Economic Development Services)

1. Grading Plans
2. Geotechnical Work
3. Environmental Permitting, Assessments, etc.
4. Site plan development, lot layout, utility supply

The County received fifteen proposals and interviewed four firms for Category 1, received seventeen proposals and interviewed five firms for Category 2, and received eighteen proposals and interviewed four firms for Category 3. Firms were ranked based on the following criteria:

1. Responsiveness to the provisions of the RFP (15%)
2. Personnel Qualifications – The qualifications of the proposed personnel assigned to perform the requirements of this Request for Proposal (25%)
3. Experience – Experience of the individuals who will perform and supervise the work (25%)
4. Proximity to Verona, VA (15%)
5. References – The quality of the offeror's performance on previous contracts for similar services (20%)

After review and analysis, the recommendation of the selection committee is to offer contracts to the following three firms in each category. They are, in order:

Category 1

1. Anderson & Associates
2. EGS & Associates
3. Racey Engineering

Category 2

1. Whitman, Requardt & Associates
2. McCormick Taylor
3. Timmons Group
4. Resource International
5. Anderson & Associates

Category 3

1. Timmons Group
2. Engineering Concepts
3. Draper Aden
4. Anderson & Associates

Mr. Coleman moved, seconded by Ms. Sorrells, that the Board approve the Selection Committee's recommendations.

November 25, 2008, at 7:00 p.m.

GENERAL ENGINEERING SERVICES (cont'd)

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Motion carried.

* * * * *

REGIONAL SHOOTING RANGE

The Board considered request to add Landfill Shooting Range location to the County's Pump and Haul permit granted by State Department of Health.

Mr. Cobb advised that the shooting range is located next to the Landfill on county-owned property. The request is for a Pump and Haul option as a last alternative. Service Authority is unable to provide sewer lines to extend to the site; Health Department has rejected the request for a non-conventional septic system as well as an engineered septic system due to insufficient flows necessary for the operation of such systems.

Ms. Sorrells moved, seconded by Mr. Shifflett, that the Board grant a Pump and Haul with flow volumes re-evaluated in five years. At that time, flows can be re-evaluated to determine if an alternative system can be installed.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Motion carried.

* * * * *

SUBDIVISION ORDINANCE VARIANCE

The Board considered requirement for variance § 21-16(C)-2 associated with a drainage easement for proposed Lynview Subdivision in Lyndhurst (South River District).

Mr. Cobb advised that the County Ordinance section indicates that a drainage easement could only be 20-foot wide. The ground is flat and in order to get the water to drain and not have a deep ditch, there is a recommendation provided that EGS that they be allowed to have a 40-foot drainage easement with a 22-foot channel. Staff recommends approval of this request.

Mr. Howdysshell moved, seconded by Mr. Pyles, that the Board approve the request.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Motion carried.

* * * * *

November 25, 2008, at 7:00 p.m.

REASSESSMENT CYCLE

The Board considered proposal to request General Assembly to allow Augusta County to assess every five or six years.

Mr. Coffield advised that this proposal had been discussed at the Staff Briefing on Monday. State law as it relates to the reassessment periods for real estate assessments had been provided to the Board. The Board had concurred to discuss tonight whether to authorize a formal request for the General Assembly to consider allowing Augusta County to assess every five or six years – six years being the maximum term.

Mr. Pyles questioned why the State dictated different time periods. He felt that the Board should have an option of the term. "The market can change rapidly and maybe we would even want to do a reassessment in two years if the housing prices continue to fall."

Mr. Pyles moved, seconded by Ms. Sorrells, that the Board authorize staff to submit letter of request to consider allowing Augusta County the option to reassess as it chooses but no longer than six years between reassessments.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler, Shifflett, Pyles and Coleman

Nays: None

Motion carried.

* * * * *

SHENANDOAH VALLEY REGIONAL AIRPORT

The Board considered support agreement for proposed capital projects.

Mr. Coffield stated that the Board received a proposal at the Staff Briefing on Monday to prepare pad sites for corporate hangars and a connecting taxiway. The Airport Commission is pursuing financing for the local 20% match for this project through the Virginia Resources Authority (VRA); however, VRA is asking for a moral obligation from Augusta County and Rockingham County as a condition to approve the financing.

Mr. Garber moved, seconded by Mr. Shifflett, that the Board approve the agreement and adopt the following resolution:

RESOLUTION

IN REGARD TO
SHENANDOAH VALLEY REGIONAL AIRPORT COMMISSION

WHEREAS, the Shenandoah Valley Regional Airport Commission (the "Commission") was duly established pursuant to the Code of Virginia, 1950, as amended, and by resolution and agreement of the several political subdivisions of the Commonwealth of Virginia comprising the Commission, namely the Counties of Augusta and Rockingham and the Cities of Harrisonburg, Staunton and Waynesboro (collectively, the "Member Localities"), to have and exercise, on behalf of such Member Localities, the power and authority to operate the Shenandoah Valley Regional Airport ("SVRA") located in Augusta County, Virginia (the "County").

WHEREAS, the Commission has determined that it is necessary and desirable to issue and sell its aggregate up to \$550,000 taxable airport revenue bond, in one or more series, including an interim financing therefore, if necessary (the "Local Obligation"), in order to finance any one or more of the following capital costs to: (i) acquire, construct and equip site improvements in connection with the development of open span aircraft storage hangars and facilities relating thereto at SVRA on a site consisting of approximately 12 Acres, including grading, drainage and building pad preparation improvements and various other preliminary costs in connection therewith, (ii) acquire, construct and equip all or any portion of such hangars and facilities, and (iii) pay issuance costs (collectively, the "Project").

November 25, 2008, at 7:00 p.m.

SHENANDOAH VALLEY REGIONAL AIRPORT (cont'd)

WHEREAS, the Commission shall issue the Local Obligation to finance the Project (including an interim financing therefore, if required), pursuant to the terms and conditions of the Financing Agreement and as otherwise may be necessary or convenient in connection with requirements by Virginia Resources Authority ("VRA") for long-term financing of the Project under the Virginia Airport Revolving Fund (or any other applicable financing program administered or otherwise offered from time to time by VRA).

WHEREAS, the Commission desires that the governing bodies of the Member Localities approve the incurrence of indebtedness by the Commission in connection with the Project, subject to the determination of the final terms and provisions therefore (all such undertakings by the Commission, including any interim financing therefore, if necessary, being collectively referenced herein as the "Loan").

WHEREAS, in addition, VRA has required the County to approve an agreement providing for a non-binding obligation to consider certain appropriations from time to time in support of the payment of the Local Obligation and other obligations by the Commission in connection with the Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Augusta County, Virginia (the "Board"), as follows:

1. The incurrence of the Loan by the Commission, from time to time, is hereby approved and authorized, to the fullest extent as may be required, if at all.

2. The Board hereby undertakes a non-binding obligation to appropriate such amounts as may be requested from time to time as particularly described and limited in the Support Agreement, a form of which is attached hereto as Exhibit A, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. To such end, the terms and conditions of the Support Agreement and the transactions contemplated thereby, and the due execution and delivery thereof by the County, all as required by VRA in connection with the Commission's issuance of the Local Obligation (including an appropriate correlating Support Agreement in connection with an interim financing by the Commission for the Project, if required), are hereby approved and confirmed in all respects. The form of the Support Agreement, including the County's Proportional Share as set forth therein, shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved in all respects.

3. It is to be understood that nothing contained in this Resolution or in the Support Agreement is or shall be deemed to be a debt of the County or a pledge of the faith and credit or the taxing power of the County, and nothing herein or therein shall legally bind or obligate the Board or any future Board of the County to appropriate funds for such purposes. The indebtedness of the Commission represented by the Local Obligation (or otherwise in connection with the Project) shall not be deemed to constitute a debt or pledge of the faith and credit of the taxing power of the County, and neither the faith and credit nor the taxing power of the County shall be pledged for the payment of the principal of, premium, if any or interest on the Local Obligation or any other obligation of the Commission in connection with the Project or any other costs incident thereto. The Board's non-binding obligation to make payments pursuant to the provisions of this Resolution and the terms described particularly in the Support Agreement, under all circumstances, shall be subject to and dependent upon appropriations being made, from time to time, by the Board for such purposes.

4. The Chairman and Vice Chairman of the Board, and the County Administrator, any one or more of whom may act, and such officers, employees, and agents of the County as any of them may designate, are each authorized and directed to take all such further actions and to execute and deliver any and all instruments, certificates and other documents (including but not limited to the Support Agreement) in order to carry out the purposes hereof and in furtherance, otherwise, of the financing by the Commission of the Project (including an interim financing therefore, if required).

5. This Resolution shall be effective immediately.

November 25, 2008, at 7:00 p.m.

SHENANDOAH VALLEY REGIONAL AIRPORT (cont'd)

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,
Shifflett, Pyles and Coleman
Nays: None

Motion carried.

* * * * *

CONSENT AGENDA

Mr. Pyles moved, seconded by Ms. Sorrells, that the Board approve the following consent agenda:

MINUTES

Approved the following minutes:

- Joint Meeting, Thursday, November 6, 2008
- Regular Meeting, Wednesday, November 12, 2008

RIVER HILLS SUBDIVISION – PRELIMINARY PLAT

Approved River Hills Subdivision, containing 42 lots zoned Single Family Residential located on Route 11 in Greenville adjacent to Riverheads Elementary (Riverheads District). The Planning Commission recommends approval.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,
Shifflett, Pyles and Coleman
Nays: None

Motion carried.

* * * * *

(END OF CONSENT AGENDA)

* * * * *

MATTERS TO BE PRESENTED BY STAFF – NONE

* * * * *

ADJOURNMENT

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

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,
Shifflett, Pyles and Coleman
Nays: None

Motion carried.

* * * * *

Chairman

County Administrator