
Regular Meeting, Wednesday, April 8, 2009, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Larry C. Howdysshell, Chairman
Gerald W. Garber, Vice-Chairman
David R. Beyeler
Wendell L. Coleman
Tracy C. Pyles, Jr.
Jeremy L. Shifflett
Nancy Taylor Sorrells
Patrick J. Morgan, County Attorney
Dale L. Cobb, Director of Community Development
Jennifer M. Whetzel, Director of Finance
John C. McGehee, Assistant County Administrator
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 Wednesday, April 8, 2009, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 233rd year of the Commonwealth....

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Chairman Howdysshell welcomed the citizens present and reminded them to remove their hats and turn off their cell phones.

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Hannah Riegel, a senior at Stuarts Draft High School, led the Pledge of Allegiance. Hannah is a member of the National Honor Society, President of SCA, and Captain of soccer team. Currently, she is trying to finish up her Girl Scouts goal project and is involved with Young Life. She hopes to go to Appalachian State University and major in Archeology.

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Tracy C. Pyles, Jr., Supervisor for the Pastures District, delivered invocation.

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GOVERNOR'S ENVIRONMENTAL EXCELLENCE AWARD

The Board received a presentation of Environmental Program "Government" Award.

Candy Hensley, Environmental Programs Manager, made the following announcement:

On April 1st Augusta County was recognized for its environmental program by the Governor and his staff. Secretary of Natural Resources, along with the Director of DEQ and DCR presented the Governor's Environmental Excellence awards at the Environment Virginia Conference in Lexington.

The awards were given to recognize the significant contributions of environmental and conservation leaders in three categories: environmental projects, environmental programs and land conservation. They are given to businesses and industrial facilities, not-for-profit organizations, government agencies and individuals.

Gold, silver and bronze awards were given to 23 winners. Award winners were chosen based on criteria including environmental benefit, stakeholder involvement, public outreach, transferability and innovativeness.

Augusta County's Environmental Management Program won the Bronze Award for its Regional Environmental Management System Program.

This award recognizes our accomplishment to create and maintain a regional partnership with the Schools and Service Authority. Our EMS currently has four separate environmental programs. Under these four programs there are 18 facilities certified at the State's E3 level. These facilities include the Government Center Complex, 5 high schools, 10 wastewater treatment plants, Bus Garage and the Service Authority Shop. Currently we are working on an environmental program at the Landfill.

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GOVERNOR'S ENVIRONMENTAL EXCELLENCE AWARD (cont'd)

The program has been managed in a way to minimize the paper work involved by combining like facilities together and providing documents online, thus having the four environmental programs to manage versus 18 separate programs.

This established EMS as a management tool used to provide environmentally related aspects objectives and targets to be met as well as standard operating procedures to prevent us from violating state and federal regulations.

I am happy to report that our program has gone beyond meeting regulations. We are now working to better manage our risks as well as create and better our recycling programs and energy use.

Ms. Hensley presented the award to Chairman Howdyshell and read a "2009 Governor's Environmental Excellence Award" resolution from Governor Kaine and Secretary Bryant.

Chairman Howdyshell attributed this award to Ms. Hensley's hard work "to make Augusta County more environmental friendly".

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REVENUE RECOVERY – ORDINANCE

This being the day and time advertised to consider an ordinance to exercise the powers enumerated in § 32.1-111.14, Code of Virginia (1950), as amended, to grant franchise permits for operation of Emergency Medical Services vehicles, to make reasonable charges for use of Emergency Medical Services vehicles, including charging insurers, and for other purposes.

John C. McGehee, Assistant County Administrator, advised that a draft ordinance that gives localities the authority to enter into a program to make reasonable charges for use of Emergency Medical Services vehicles is before the Board tonight for consideration. He mentioned that this was initiated when Churchville Fire and Rescue submitted a request to consider Revenue Recovery. Interim Fire Chief Holloway and Minday Craun were available to answer questions.

The Chairman declared the public hearing open.

George Maupin, Chief of the Waynesboro First Aid Crew, expressed concerns with the ordinance. He questioned what the impact would be with operating with all Emergency Services agencies in Augusta County. He understood that they could only charge patients in the first due area. He mentioned insurance issues based on the budget. He asked how the money was going to be divided back out to the volunteer agencies on a fair basis.

Bobby Snyder, Captain of the Stuarts Draft Rescue Squad, expressed similar concerns and felt that more information needed to be provided. He asked the following:

1. If the County started with soft billing, what would stop future Supervisors from switching to a hard billing situation to where this could affect credit rating or tax refunds?
2. Why is this ordinance being brought to the Supervisors when they do not know the particulars? (He met with Supervisor Beyeler, who could not answer specific questions of the ordinance.)
3. Will Staunton-Augusta or Waynesboro First Aid Crew still be able to bill outside of the City limits? Are they going to still receive funding to support their own agencies?

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REVENUE RECOVERY – ORDINANCE (cont'd)

4. For billing for fire agencies in the future, if community members are paying \$300-\$500 for an EMS transport, with one ambulance and two to three members on the truck, what kind of bill are they going to look at on their homeowner's insurance that is going to cost for a multiple fire apparatus and firefighters coming? Where is the community going with Revenue Recovery in the long run?
5. Will there be more career staff needed when you start losing volunteers?
6. In replacing equipment, what type of expenses were you looking at? It was mentioned that grants would be needed.

Alvin Yoder, 1st Lt. Stuarts Draft Rescue Squad, advised that he has been told that the main reason for going to Revenue Recovery is to "relieve the agencies of fund-raising efforts so that the volunteers could concentrate their time and efforts on training and running calls". He stated that at the last Officers' meeting, the question was asked if there would be enough money to meet the budget requests to the agencies, and learned that it would not be enough money. It was also stated that Revenue Recovery should not hinder the fund-raising efforts of the agencies. He felt that if money collected by the Stuarts Draft Rescue Squad stayed in Stuarts Draft, then Revenue Recovery would work. But if all income from Stuarts Draft Rescue Squad goes into the Augusta County Fire-Rescue funds and distributed among other agencies, he did not feel that Stuarts Draft Rescue Squad could survive under that particular plan. He felt that Revenue Recovery would affect their fund-raising efforts. If a citizen has already paid a transport fee, they would choose not to donate additional money.

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

Mr. Beyeler stated that he supports Revenue Recovery but wanted to be sure that whatever the Board decided that it was fair to all agencies. He told Mr. Maupin that Staunton-Augusta Rescue Squad and Waynesboro First Aid Crew would not be affected.

Mr. Beyeler moved, seconded by Ms. Sorrells, that this item be tabled until a committee consisting of Chairman Howdyshell, Vice-Chairman Garber, and John McGehee meet with these Rescue Squads to discuss and provide recommendations to the Board.

Mr. McGehee asked the Rescue Squads that were present tonight to submit a list of questions so that the committee could work on getting the answers prior to meeting with them. He noted that he would ask the other Rescue Squads to also provide a list of questions. He noted that the ordinance was straightforward and that policies would have to be adopted by the Board concerning Revenue Recovery. The policies would concern such things as charges for BLS and ALS calls, fund disbursement, etc. Patrick Morgan, County Attorney, felt that those certain issues should not be in the ordinance because of revisions having to be made on a yearly basis.

Ms. Sorrells suggested that fire departments should also be considered to meet with the committee. She asked if there was a way to cross-reference money that had already been donated so that a person would not be double paying.

Chairman Howdyshell added that this has been discussed for quite a while. "It's not going to be the silver bullet; it's going to be part of the whole pie. A lot of our budget money goes for our emergency services. We don't want that to go down to where when somebody calls 911, that somebody is not there to answer that call."

Mr. Beyeler agreed with Mr. McGehee and reiterated that a Memorandum of Agreement with each individual agency would be needed.

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REVENUE RECOVERY – ORDINANCE (cont'd)

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC

AUGUSTA COUNTY SCHOOL BUDGET

David Shiflett, Chairman, Augusta County School Board, introduced Dr. Gary McQuain, Superintendent; Mark Lotts, Chief Financial Officer; and School Board Members Dr. John Ocheltree, Vice-Chair; Roger Zirkle; and Nick Collins. Mr. Shiflett advised that the Board had been given the Augusta County School Board 2009-10 Budget and felt that this was the most difficult budget he had ever worked on. A little over \$7 million was removed from the budget. He stated that their goal, in working with the budget, was to preserve as many jobs as they could, protect their employees, and provide the best quality education that they could provide for their students. He stated that they were not happy with the budget, but that it was a reflection of the economic times. A short presentation was given high-lighting certain areas of the budget. He noted that there was a state decrease of \$3.8 million (6.2%); federal decrease of \$328,000 (6.7%); local funds increase of \$21,000 (2.2%); county appropriation decrease of \$1.7 million (5.1%); and county insurance trust fund decrease of \$34,000 (8.6%). In the operating budget, there was a total decrease of approximately \$6 million (5.8%). He noted that there were 34 personnel positions eliminated and that there would be no salary increases.

Mr. Shiflett mentioned that there was an anticipated 11% increase in health costs during the next school year (\$529,325) which would mean every school district employee would have to contribute just over \$43 a month in premium costs starting in December. He asked the Board if there was a way to avoid the cost increase for employees particularly since there were no raises for them in the 2009-10 budget.

Mr. Shiflett added that stimulus money was not included in the budget because they were not sure what it can be used for and do not want to create a reoccurring expense with income that is not reoccurring because it would jeopardize the budget in future years. They wanted to be very cautious in how the money was spent to make sure that it is spent according to the restrictions set forth.

Mr. Pyles asked when the School Board would know of the health increase. Mr. McGehee said that it would probably be in August. He asked when the \$43 would be taken out of the paychecks. Mr. Shiflett said it would start in December to December, but as far as the budget was concerned, it would be December to June 30th.

Mr. Beyeler asked if Mr. Shiflett knew how much stimulus money was expected. Mr. Shiflett reported that it would be \$3.7 million.

Mr. Coleman stated that the stimulus money was for two years. Ms. Sorrells added that it was with a potential of \$3.7 million for the first year but did not know what would happen the second year. Mr. Shiflett said that there was potential of help from the stimulus but needed to know the regulations before using it.

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

AUGUSTA COUNTY SCHOOL BUDGET (cont'd)

Mr. Pyles felt that the Board of Supervisors needed to help the school employees but expected help from the School Board. He suggested that money could be taken out of the Solid Waste Container sinking fund (\$500,000) or the County's Landfill sinking fund (\$688,000) and replaced later. He noted that cost of benefits needed to be looked at very carefully. Currently, it costs approximately \$5,000 per employee for health insurance. Mr. Pyles added that a potential savings could be used by "multi-tasking" bus drivers with janitors, aides and substitute teachers, and suggested that it become a pilot program for a year to determine the savings.

Mr. Beyeler stated that it was important "to find a way" not to pass on the health insurance increases to school employees.

Mr. Beyeler moved, seconded by Ms. Sorrells, that the Board authorize Chairman Howdyshell and Vice-Chairman Garber work with their School Board counterparts to provide a recommendation at the April 29th budget public hearing.

Chairman Howdyshell was agreeable to meeting but was concerned that the numbers would be unknown until fall.

Mr. Coleman supported the motion. Ms. Sorrells suggested that they be creative and provide various options and possibly work with the stimulus money.

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

Nays: None

Motion carried.

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

REASSESSMENT

Jerol Kinder expressed his disappointment in his reassessment and felt that he would not be able to afford the tax increase. He questioned the increase in his reassessment when there were no improvements to his property. Mr. Kinder also questioned why the Board was reimbursed for mileage where they attended functions that were not needed.

Chairman Howdyshell explained that the Board attended committee meetings that they were assigned to and other meetings that were related to County business.

Karen Olivaris, an Augusta County resident for five years, supported raising taxes. She felt that the taxes provided a better quality of life.

SCHOOL HEALTH INSURANCE INCREASE

Laura Jones and Mary Thomas, of the Augusta County School Education Association, fully supported the School Board's balanced budget and asked the Board of Supervisors to assist in closing the funding gap of the increasing health care costs.

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April 8, 2009, at 7:00 p.m.

VIRGINIA DISTRICT UNITED PENTECOSTAL CHURCH INTERNATIONAL – TAX EXEMPT

The Board considered authorization of County Attorney to draft an ordinance to exempt certain real and personal property owned by Virginia District United Pentecostal Church International from real and personal property taxation. **This item was tabled at the March 11, 2009 meeting for thirty days.**

Mr. Beyeler moved, seconded by Mr. Coleman, that the Board remove this item from the table.

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

 Nays: None

Motion carried.

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Patrick J. Coffield, County Administrator, advised that staff reviewed the Community Services Study to analyze costs directly associated with non-church activities. The current assessment is \$2,582,500 for one parcel and \$151,800 for the second parcel, totaling \$2,734,300. At a 48¢ tax rate (which is the proposed tax rate for the upcoming tax year), the tax would be \$13,124.64. Not included in the assessment is \$926,400 which represents a separate parcel (TM37-9EE) determined by the Commissioner of Revenue that the building, as a church, qualified for tax exemption. Mr. Coffield presented several options: 1) \$13,124.64; 2) discount to \$4,374 based on the Community Services Study for commercial entities, or; 3) reduce it to zero.

Mr. Beyeler asked what was included in discount services. Jennifer Whetzel, Director of Finance, reported Public Safety; General Administration; Building and Zoning (services that that organization would use such as needing a building permit; animal control; fire rescue; etc.).

Mr. Beyeler asked for another instance of this type of organization. Mr. Coffield stated that the Augusta Medical Center was one where all the agricultural land is taxed. He also mentioned a church on Route 11 which owns property across from the church property which is taxed.

Mr. Beyeler asked for clarification of what part of the facility did not fall under “church taxation”. Mr. Coffield stated that parcels 37-9E and 37-9E1 do not qualify for the church exemption, but they do qualify for tax exemption status if granted by the Board. Only the sanctuary is exempt.

Mr. Beyeler asked if the museum was tax exempted. Mr. Coffield said it was “non-profit” and eligible for the Board’s consideration.

Mr. Beyeler asked for clarification from Mr. Morgan. Mr. Morgan explained that the difference was that the church is a strictly religious-type organization and the other areas are not used strictly for worship or religious purposes; they are used for conferences and things that are not religious. Ms. Sorrells further clarified that it may be a non-profit organization but real estate taxes still need to be paid unless it is a church.

Mr. Coleman cautioned the Board in determining church versus other related things owned by the church for tax exemption.

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VIRGINIA DISTRICT UNITED PENTECOSTAL CHURCH INTERNATIONAL – TAX EXEMPT (cont'd)

Mr. Beyeler asked how Massanetta Springs was handled. Mr. Pyles expressed concerns in making decisions as to the type of usage.

Mr. Garber moved, seconded by Mr. Coleman, that the Board accept the Commissioner of Revenue’s recommendation, that parcel 37-9EE be exempt and parcels 37-93 and 37-9E1 be taxable.

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

Abstain: Beyeler

Motion carried.

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COMPOSITE INDEX

The Board considered Composite Index and impact of local true values on the formula. **This item was deferred at the March 25, 2009 meeting for two weeks.**

Mr. Pyles moved, seconded by Mr. Coleman, that the Board remove this item from the table.

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

Nays: None

Motion carried.

Mr. Coffield advised that summary notes had been included in the Board’s agenda package. Ms. Sorrells asked Mr. Coffield to read the following notes to the public:

**COMPOSITE INDEX
April 1, 2009, 2:00 p.m.**

Present :
Kent Dickey (via telephone conference call)
Larry Howdyshell
Tracy Pyles
Pat Coffield

Supervisor Pyles shared with Mr. Dickey his analysis regarding impact of “local values” on composite index. Mr. Dickey responded any estimate needed to be viewed cautiously and only as a rough estimate. This is because, as a relational formula, any such estimate would not include the movement in values for all of the other localities statewide that will impact the index for Augusta.

Supervisor Pyles inquired if the County’s values go up and other jurisdictions are seeing a decrease, would if the rate of growth for the County’s values exceed the statewide average rate of growth, but no one in the state level would make a forecast until all of the actual data for the new base-year is received.

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CONSENT AGENDA

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

April 8, 2009, at 7:00 p.m.

CONSENT AGENDA (cont'd)

MINUTES

Approved minutes of the following meetings:

- Budget Work Session Meeting, Monday, March 23, 2009
- Regular Meeting, Wednesday, March 25, 2009

CLAIMS

Approved claims paid since March 11, 2009.

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

Nays: None

Motion carried.

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(END OF CONSENT AGENDA)

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pyles:

- 1) Orvin Kiser – “Augusta County lost a great man and a great friend this past week. Orvin Kiser lost his battle with a hideous form of cancer. Mr. Kiser was a man’s man; a Christian’s Christian, a friend of mine and I will miss him.”
- 2) Higher taxes – stated that there is not a correlation between higher taxes and quality of life. “We find many people who come here from places with higher taxes.”
- 3) Churchville Volunteer Fire-Rescue – Installation of an emergency generator will be considered at the next meeting.

Mr. Garber: School system assistance – asked that suggestions to be emailed to Rita Austin, Executive Secretary.

Ms. Sorrells:

- 1) Marsha Miller – speaker at previous meeting of tax assessment concerns – Ms. Sorrells visited with Ms. Miller over the weekend and reiterated the assessment appeal process to her. Suggested having more people to help with the process. Also, research what other localities do.
- 2) Tax tickets – asked that an insert be enclosed providing information regarding the assessment appeal process (Board of Equalization and Circuit Court) as well as information relating to Tax Relief for Elderly and Disabled and Land Use eligibility when tax tickets are mailed (May 7th). Mr. Pyles suggested that the Commissioner of Revenue provide a spread sheet indicating what changes are made for every tax bill—who went down with the highest decreases and who had the most increases in actuality so that the Board can see how it was split. “Who got savings and who got stuck.”

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

It was the consensus of the Board that the Commissioner of Revenue provide an insert to be reviewed at the next Staff Briefing.

Mr. Beyeler:

1. Stuarts Draft Rescue Squad – “Thank you for what you do for Stuarts Draft.”
2. Bus drivers – recognized and expressed appreciation.

Mr. Shifflett: Verona Park – Asked that it be included in viewing at the next Staff Briefing.

Chairman Howdyshell:

- 1) Orvin Kiser – “Nice church service. We’ll miss him. There’s a lot of memories that you can’t take away!”
- 2) Emergency Services Grant Committee – met yesterday. Will be brought up later in meeting.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. Woodrow Wilson Rehabilitation Center – Grant reviewed; no local contribution necessary; partnering with local government as a grant consideration. Partnering response provided.
2. VHDA housing tax credits requests – to be considered at next meeting.
3. Upper Valley Regional Park Authority – Correspondence distributed to Board regarding Grottoes’ interest in Grand Cavern. Park Authority interested in County accepting Natural Chimneys.
4. Augusta Springs Park – update provided to Board. Augusta Springs Park under development – septic alternatives to be considered: Alternative system or portojohns. Pump and Haul program has limitations – existing businesses only; permanent solution identified; six-month local permit; monthly reports; backup provisions in place; and bonding if necessary. Design/construction phase was seen as a temporary station at Pilot. Shooting Range at the Landfill was granted a Pump and Haul permit in 2008 with a five-year review date but due to ongoing operating costs not being pursued. Asked Board if further exceptions should be considered.
5. Partnering Session – Friday, April 17th @ 8:30 – 12:00.

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6. FIRE AND RESCUE EQUIPMENT GRANT PROGRAM

The Board considered committee’s recommendations as it relates to equipment grant requests from the following agencies:

<u>Agency</u>	<u>Request</u>	<u>Recommendation</u>	<u>Funding Source</u>
Verona Volunteer Fire Co.	\$ 7,607.10	\$ 7,607.10	#80000-8152
Weyers Cave Vol. Fire Co.	\$22,420.20	\$ 5,895.00	#80000-8152
Wilson Volunteer Fire Co.	\$38,543.00	\$15,000.00	#80000-8152

Mr. McGehee added that, as part of the approvals for turnout gear, there was quite a difference in costs. Mr. Pyles felt that those prices need to be looked at carefully. Chairman Howdyshell added that a committee needs to develop a basic specification that will be used for any further turnout purchases. The committee feels that there is greater value in numbers, so the larger the purchase the better the price.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

FIRE AND RESCUE EQUIPMENT GRANT PROGRAM (cont'd)

Mr. Shifflett moved, seconded by Mr. Pyles, that the Board approve the committee's recommendations.

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

Nays: None

Motion carried.

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CLOSED SESSION

On motion of Mr. Garber, seconded by Mr. Beyeler, 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

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

Nays: None

Motion carried.

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CLOSED SESSION (cont'd)

On motion of Mr. Coleman, seconded by Mr. Garber, the Board came out of Closed Session.

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

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.

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CLOSED SESSION (cont'd)

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 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:

AYE: Shifflett, Coleman, Garber, Sorrells, Howdysshell, Pyles and Beyeler

NAY: None

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

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ADJOURNMENT

There being no other business to come before the Board, Mr. Beyeler moved, seconded by Mr. Garber, the Board adjourned subject to call of the Chairman.

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

Nays: None

Motion carried.

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Chairman

County Administrator