

Regular Meeting, Wednesday, June 24, 2009, at 7:00 p.m. Government Center, Verona, VA.

PRESENT: Larry C. Howdyshell, Chairman  
Gerald W. Garber, Vice-Chairman  
David R. Beyeler  
Tracy C. Pyles, Jr.  
Wendell L. Coleman  
Jeremy L. Shiflett  
Nancy Taylor Sorrells  
Patrick J. Morgan, County Attorney  
Becky Earhart, Senior Planner  
Jennifer M. Whetzel, Director of Finance  
John C. McGehee, Assistant County Administrator  
Patrick J. Coffield, County Administrator  
Jessica Staples, Community Development Administrative Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, June 24, 2009, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 233<sup>rd</sup> year of the Commonwealth....

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

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Sue Stulbus led the Pledge of Allegiance.

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

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WILSON MEMORIAL HIGH SCHOOL GIRLS TENNIS TEAM – RESOLUTION

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

**RESOLUTION**

**WHEREAS**, on Saturday, June 6, 2009, the Wilson Memorial High School Girls Tennis Team won the Group A, State Championship; and

**WHEREAS**, on the same day, four seniors graduated from Wilson Memorial High School; and

**WHEREAS**, the Commencement Speaker was the Wilson Memorial High School Tennis Coach; and

**WHEREAS**, the commencement ceremonies were temporarily held up to allow for the team to travel from Radford University to James Madison University to participate in graduation; and

**WHEREAS**, the 2009 Wilson Memorial High School Tennis Team was undefeated in District, Regional and State competition; and

**WHEREAS**, 20 years from today, students, faculty, and parents that gaze into the Wilson Memorial High School trophy case will have admiration for the accomplishments of a group of student athletes and coaches that accomplished their goals in 2009.

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Augusta County Board of Supervisors, meeting in regular session on June 24, 2009, congratulate the Wilson Memorial High School Girls Tennis Team for their 2009 season and wish each member continued success in their future career endeavors.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the Augusta County Board of Supervisors and presented to the faculty coaches and team of the 2009 Wilson Memorial High School Girls Tennis Team, State Champions.

June 24,, 2009, at 7:00 p.m.

WILSON MEMORIAL HIGH SCHOOL GIRLS TENNIS TEAM – RESOLUTION (cont'd)

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

Nays: None

Motion carried.

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RIVERHEADS HIGH SCHOOL TRACK TEAM – RESOLUTIONS

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

**RESOLUTION**

**WHEREAS**, on Saturday, the 30<sup>th</sup> day of May, 2009, seven young men and a veteran coaching staff traveled to Radford University to participate in the Group A State Boys Track Meet; and

**WHEREAS**, their goal was to win the Boys Group A State Championship in Track; and

**WHEREAS**, the Riverheads Boys Track Team had already accomplished the District Season Championship and the Region B Championship earlier in the year; and

**WHEREAS**, these young men participated in the events that each qualified for during the day; and

**WHEREAS**, these seven young men were truly a team that day by placing in enough events that gave them the title at the end of the day; this being accomplished without one first-place finish among the seven.

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Augusta County Board of Supervisors, meeting in regular session on June 24, 2009, hereby commend and glorify the accomplishments of the 2009 Riverheads Track Team.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the Augusta County Board of Supervisors and presented to the coaches and students of the Riverheads 2009 Boys Track Team.

Ms. Sorrells stated she participated in Riverheads Track many years ago and track was a school sport with everyone involved. She further commented her husband was a member of the first State Championship Track Team at the beginning of these coaches career.

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

**RESOLUTION**

**WHEREAS**, Ron Wilkerson and Larry Hull have coached Boys Track at Riverheads High School since 1968; and

**WHEREAS**, during that 42-year period, Mr. Wilkerson's and Mr. Hull's teams won 28 District Championships, six Regional Championships, and two State Championships; and

**WHEREAS**, over this 42-year period, their winning percentage for dual and tri meets was 89%, 301-39, which include a streak of 83 consecutive wins and another streak of 72 consecutive wins; and

**WHEREAS**, more importantly than all the wins and championships, these two coaches were exceptional role models for countless student athletes at Riverheads High School.

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Augusta County Board of Supervisors, meeting in regular session on June 24, 2009, wish to commend, celebrate, and thank Ron Wilkerson and Larry Hull for 42 years and countless hours of dedication to the Riverheads High School Athletic Department.

June 24,, 2009, at 7:00 p.m.

RIVERHEADS HIGH SCHOOL TRACK TEAM – RESOLUTIONS (cont'd)

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the Augusta County Board of Supervisors and presented to Mr. Ron Wilkerson and Mr. Larry Hull.

Ms. Sorrells commented the coaches have helped many students in the classroom as well. She stated it was the classroom and the hills behind Riverheads High School that remain in everyone’s minds that attended the school. Ms. Sorrells presented the resolutions to Mr. Wilkerson and Mr. Hull.

Chairman Howdysshell commented on the amount of accomplishments and championships of the County high schools that the Board has recognized over the last few months.

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Georgia K. Aluis-Long, 140 New Hope and Crimora Road, Waynesboro, stated she is in support of Items “Middlebrook Fire Department” (#6-12) and “Swoope Fire Department” (#6-13) and against Items “Parks and Recreation Matching Grant – New Hope Ruritan Club” (#6-10) and “Riverheads High School Ballfield Improvements” (#6-11) as she feels during these economic times, money should be spent responsibly and in a matter that benefits everyone.

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PARKS AND RECREATION MATCHING GRANT – NEW HOPE RURITAN CLUB

The Board considered (A) recommendation of parks and Recreation Commission to award a grant in an amount not to exceed \$29,225 for improvements to ball field; and (B) approval of Grant Agreement.

Funding Source: Middle River Recreation Account #80000-8022-40

Patrick J. Coffield, County Administrator, stated Ron Sites, Director of Parks and Recreation presented this project to the Board during Monday’s Staff Briefing. Mr. Coffield explained the New Hope Ruritan Club is requesting the Board to match what amount the club has already raised through fundraising for improvements to their ball field. He stated this request came with the support from Mr. Garber,

Mr. Garber moved, seconded by Ms. Sorrells, that the Board approve the request.

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

Nays: None

Motion carried.

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RIVERHEADS HIGH SCHOOL BALLFIELD IMPROVEMENTS

The Board considered (A) proposal to construct restroom/concession project; and (B) approval of Grant Agreement.

Funding Source: Riverheads Recreation Account #80000-8025-32 \$97,675

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RIVERHEADS HIGH SCHOOL BALLFIELD IMPROVEMENTS (cont'd)

Ms. Sorrells stated this request has been a long time coming. She stated the restrooms were very much needed. She stated many local businesses will be participating in the construction of this project; therefore, putting the support back into the local community.

Ms. Sorrells moved, seconded by Mr. Beyeler, that the Board approve the request.

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

Nays: None

Motion carried.

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MIDDLEBROOK FIRE DEPARTMENT

The Board considered contribution to Fire Department to assist with purchase of "Life Pak" in an amount not to exceed \$6,788.15 (50%).

Funding Source: Riverheads Infrastructure Account #80000-8015-52

Ms. Sorrells stated these upgrades are vital and are required to meet State Regulations.

Ms. Sorrells moved, seconded by Mr. Coleman, that the Board approve the request.

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

Nays: None

Motion carried.

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SWOOPE FIRE DEPARTMENT

The Board considered request for funding to assist with equipping newly purchased fire apparatus in an amount not to exceed \$35,500.

Funding Source: Pastures Infrastructure Account #80000-8014-58

John C. McGehee, Assistant County Administrator, requested to defer the explanation to the leadership of the Swoope Fire Department.

Assistant Chief, Kevin Wilkes, Swoope Fire Department, presented a Power Point presentation on the request. The presentation included a breakdown of equipment that had recently been purchased as well as pictures of the new equipment. Those also in attendance were Chief Brian Butler and Lt. Daniel Bell.

Mr. Pyles commended the fire department on their services.

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

Chairman Howdyshell stated his appreciation for the emergency services in Augusta County,

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

Nays: None

Motion carried.

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URBAN SERVICE AREA/URBAN DEVELOPMENT AREA

Considered State Code provision regarding Comprehensive Plan designations.

Becky Earhart, Senior Planner, explained the purpose of the resolution was to let everyone know that the County’s Urban Service Areas and Urban Development Areas are one in the same, and the resolution certifies the County accommodates the County’s growth in a manner that is consistent with the State Code Provision.

Mr. Beyeler moved, seconded by Ms. Sorrells, that the Board adopt the following resolution:

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF AUGUSTA COUNTY, VIRGINIA DESIGNATING THE COUNTY’S  
URBAN SERVICE AREAS AS URBAN DEVELOPMENT AREAS**

WHEREAS, the Code of Virginia has been amended to require localities to designate Urban Development Areas pursuant to §15.2-2223.1 in their Comprehensive Plans; and

WHEREAS, Urban Development Areas have been defined by the State as areas appropriate for higher density development due to their proximity to transportation facilities, the availability of public water and sewer, and proximity to cities, towns, or other developed areas; and

WHEREAS, Augusta County has Urban Service Areas designated in its Comprehensive Plan which was adopted on April 25, 2007; and

WHEREAS, the County’s Urban Service Areas are expected to accommodate over 80% of the County’s future residential and commercial growth on public water and sewer and are expected to accommodate larger scale urban residential and business developments and larger scale mixed use developments, where different combinations of residential, business, and industrial uses will be built; and

WHEREAS, the development that is expected to take place in the Urban Service Areas is expected to be compact, interconnected, and pedestrian oriented while remaining sensitive to the context of the surrounding development as well as the surrounding natural features; and

WHEREAS, the County recognizes the compact, interconnected pattern of new development will allow the county to continue to provide high quality, efficient and cost-effective public services and facilities, mirroring the goal of the state legislation.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AUGUSTA COUNTY, VIRGINIA:

1. The Board of Supervisors does hereby officially certify that the Urban Service Areas designated in the County’s Comprehensive Plan accommodates growth in a manner consistent with §15.2-2223.1.
2. This resolution shall take effect immediately.

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

Nays: None

Motion carried.

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SHENANDOAH VALLEY BEEF COOPERATIVE

Considered Agriculture Industry Board endorsement for submission of a grant request to USDA to conduct a planning and feasibility study to better market Shenandoah Valley beef products.

Mr. Coffield stated this activity has taken a regional approach and this endorsement could lead to federal and state assistance in marketing a valuable industry to the County.

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SHENANDOAH VALLEY BEEF COOPERATIVE (cont'd)

Mr. Garber moved, seconded by Mr. Shiflett, that the Board approve the request.

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

Nays: None

Motion carried.

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MIDDLEBROOK BOOK STATION

The Board considered supplemental funding for additional start-up costs associated with new facility.

Funding Source: Riverheads Infrastructure Account #80000-8015-53 \$1,420

Mr. Coffield stated the project was successfully completed and recognized by NACo and VACo. He stated the County has received a recent update on the usage of this facility and it has exceeded expectations.

Ms. Sorrells commented on the success of the book station. She stated the community donations exceeded \$10,000 as the majority of the items were donated. Due to budget cuts, the book station's Wednesday hours were cut, but it now remains open on Wednesdays with the help of the volunteers.

Ms. Sorrells moved, seconded by Mr. Beyeler, that the Board approve the request.

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

Nays: None

Motion carried.

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LIBRARY RENOVATION PHASE II

The Board considered Library Board request to proceed with bidding of project.

Mr. McGehee stated Frazier and Associates did a presentation on Phase II at the Staff Briefing on Monday. He stated Debbie Sweeney from the Library Board is present to answer any questions.

Sharon Pettyjohn, 51 Whispering Oaks Drive, Staunton, stated her support for the request. She stated the library will be a foundation component to the County.

Mr. Shiflett stated he has met with the Library Board and they are aware he is not willing to commit to moving forward with construction on the library, but he is willing to support the go ahead for the library to put out the bid to determine if there will be any savings by bidding during these economic times. He stated if there is a substantial amount of savings, then the item can be reviewed at such a time.

Mr. Shiflett moved, seconded by Mr. Coleman, that the Board approve the request.

Mr. Pyles stated he feels money should be used for projects that will actually get done. He stated he is a supporter of library services. He stated while there are needs for these services, these needs are not being addressed by what is being proposed. He stated there can be updates and replacements made without having to renovate the entire library. He concluded by stating the County is not servicing the taxpayers by going forward with this request.

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LIBRARY RENOVATION PHASE II (cont'd)

Mr. Beyeler stated this project will serve the County. He stated Pastures District has three libraries that operate out of this facility and this facility needs to be upgraded. He stated the County needs to go to bid, but if it does come by too high he will not vote for it.

Mr. Garber commented the request is a good project, but it is a bad time to be spending money. He commented on the uncertainties of what the future holds with regards to the budget and money.

Chairman Howdyshell stated his comment goes back to the request for Phase I. He stated his district lost their bookmobile service with the request for Phase I. He, too, commented on the budgetary uncertainties of the future.

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

Nays: Howdyshell, Pyles, and Garber

Motion carried.

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NEW COURTROOM

The Board considered funding for construction of a second Juvenile and Domestic Relations Courtroom.

Mr. McGehee stated adding a second courtroom was discussed during Monday's Staff Briefing. He noted the courts are experiencing an increased caseload relating to child support issues.

Funding Source: County Courthouse Account #80000-8148 \$48,202

Mr. Beyeler moved, seconded by Ms. Sorrells, that the Board approve the request.

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

Nays: None

Motion carried.

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CONSENT AGENDA

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

MINUTES

Approved minutes of the following meeting:

- Regular Meeting, Wednesday, June 10, 2009.

STREET ADDITION

Approved Community Development's recommendation to adopt the following resolution for acceptance of the following streets into the secondary road system in accordance with VDOT request:

WHEREAS, that the County and the Virginia Department of Transportation have entered into an agreement on August 26, 1996, for comprehensive stormwater detention which applies to this request for addition.

BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the following streets in **HARRISTON EAST,**

June 24,, 2009, at 7:00 p.m.

**CONSENT AGENDA (cont'd)**

**SECTION 6,** into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Auburn Drive

From: Route 2104 (Existing)  
To: 0.03 miles south of Route 2104  
Length: 0.03 miles

Evergreen Court

From: Intersection of Auburn Drive (Route 2104)  
To: 0.04 miles west of Auburn Drive  
Length: 0.04 miles

Evergreen Court

From: Intersection of Auburn Drive (Route 2104)  
To: 0.15 miles east of Auburn Drive  
Length: 0.15 miles

AND FURTHER BE IT RESOLVED, that the Board does guarantee the Commonwealth of Virginia an unrestricted right-of-way of 50 feet with necessary easements for cuts, fills, and drainage as recorded in Instrument 050013716, Plat Book 1, Page 6357, recorded September 30, 2005.

AND FURTHER BE IT RESOLVED, that the Virginia Department of Transportation will only maintain those facilities located within the dedicated right-of-way. All other facilities outside of the right-of-way will be the responsibility of others.

**INDOOR PLUMBING PROGRAM**

Considered retaining Waynesboro Development and Housing Authority as the County's Indoor Plumbing/Rehabilitation Loan Program Administrator.

Vote was as follows: Yeas: Howdysshell, 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:

Ms. Sorrells: Riverheads Fire and Rescue Station – reminded everyone there will be a community meeting on Thursday, June 25, 2009 at 7:00 p.m. at Riverheads High School to discuss a proposed fire and rescue station in that district.

Chairman Howdysshell – Jousting Tournament, Natural Chimneys- informed everyone the tournament was held last weekend. He stated it has become a popular event with many in attendance from out of state. Chairman Howdysshell mentioned the Old Joust, which is the oldest sporting event, will be held at Natural Chimneys in August.

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June 24,, 2009, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. Administrative Support – the County Administrator extended appreciation to Jessica Staples for her hard work and “flexibility” in stepping in for Rita during her vacation. She did an excellent job working with Rita to prepare for Monday and Wednesday agendas as well as handling the office duties during the week.
2. NACo Drug Card Update – Assistant County Administrator briefed the Board on results to date. Considerable savings to Augusta County residents.
3. Route 250 Corridor Study – Board consensus to proceed with scheduling Wednesday, July 15, 2009 at 7:00 p.m. and Tuesday, September 1, 2009 at 6:00 p.m. meeting with Staunton City Council.
4. Community Service Organizations Grant – County Administrator briefed Board on submittal of regional grant proposed with Community Foundations to meet service needs of community. Grant requires a local match and pursuing in-kind eligible sources.
5. Shenandoah National Park – County Administrator distributed to Board a copy of press release announcing 75<sup>th</sup> Anniversary planning efforts.
6. Afton Mountain Tourist Infrastructure Center – County Administrator briefed the Board on status of Waynesboro’s discussions with property owner to secure an agreement relocating the existing TIC. The property owner and Waynesboro have identified an acceptable site on the mountain for placing the temporary structure to allow for redevelopment of the current site (demolition of site and improvements to water and sewer infrastructure). The property owner wants to continue with a month to month lease (the same as what has been the agreement for the last twenty years).

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CLOSED SESSION

On motion of Mr. Garber, seconded by Mr. Shiflett, 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
- (2) **the legal counsel exemption under Virginia Code § 2.2-3711(A)(7)**  
[consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, as permitted under subsection (A) (7)]:  
  
A) Contractual negotiations
- (3) **the procurement exemption under Virginia Code § 2.2-3711(A)(30)**  
[discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, as permitted under subsection (A)(30)]:

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On motion of Mr. Beyeler, seconded by Ms. Sorrells, the Board came out of Closed Session.

June 24,, 2009, at 7:00 p.m.

CLOSED SESSION (cont'd)

Vote was as follows: Yeas: Howdysshell, 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:

The Chairman asked if there is any Board Member who cannot 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 answer 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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CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION - APPOINTMENT

Mr. Garber moved, seconded by Mr. Beyeler that the Board appoint Jeremy Shifflett to serve a three-year term on the Central Shenandoah Planning District Commission, effective July 1, 2009, to expire June 30, 2012.

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

Nays: Pyles

Motion carried.

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CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION - REAPPOINTMENT

Mr. Garber moved, seconded by Ms. Sorrells that the Board reappoint Richard Lee Fox to serve another three-year term on the Central Shenandoah Planning District Commission, effective July 1, 2009, to expire June 30, 2012.

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

Nays: None

Motion carried.

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June 24,, 2009, at 7:00 p.m.

VALLEY COMMUNITY SERVICES BOARD - REAPPOINTMENT

Mr. Garber moved, seconded by Ms. Sorrells that the Board reappoint Karen Cochran to serve another three-year term on the Valley Community Services Board, effective July 1, 2009, to expire June 30, 2012.

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

Nays: None

Motion carried.

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ADJOURNMENT

There being no other business to come before the Board, Mr. Beyeler 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.

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Chairman

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County Administrator