
Regular Meeting, Wednesday, July 22, 2009, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Larry C. Howdyshell, 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
Becky Earhart, Senior Planner
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, July 22, 2009, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 234th 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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Chairman Howdyshell led the Pledge of Allegiance.

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Gerald W. Garber, Supervisor for the Middle River District, delivered invocation.

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ORDINANCE AMENDMENT

This being the day and time advertised to consider an Ordinance Amending the Zoning Ordinance of Augusta County Relating to "Projections into Required Yards".

Mr. Garber and Chairman Howdyshell expressed a conflict of interest and stated that they would abstain on this issue. Mr. Beyeler chaired the discussion.

Becky Earhart, Senior Planner, expressed a conflict of interest because of her husband's ownership of property which utilizes rails service; however, for the purposes of this act, she stated that she was able to participate in the transaction fairly, objectively, and in the public interest.

The Chairman declared the public hearing open.

Patrick J. Morgan, County Attorney, advised that a request had been made to amend the ordinance requiring projections into yards. It was made originally at the request of Railside Industries, but the application of this particular amendment will be countywide. In essence, this allows businesses adjacent to rail property to build structures on to the railroad property so that they can load and unload in closed environment.

There being no one present to speak for or against, the Chairman declared the public hearing closed.

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

July 22, 2009, at 7:00 p.m.

ORDINANCE AMENDMENT (cont'd)

ORDINANCE OF THE BOARD OF SUPERVISORS
OF AUGUSTA COUNTY, VIRIGNIA

WHEREAS, The Augusta County Board of Supervisors has found it desirable to amend Section 25-17 of the Augusta County Code to allow buildings on property adjacent to railroad tracks to extend beyond their property lines in order to construct facilities for in door loading and unloading of cargo;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AUGUSTA COUNTY, VIRIGNIA:

That Section 25-17 of the Augusta County Code is amended to read as follows:

§ 25-17. Projections into required yards.

Certain architectural features may project into required yards as follows:

A. Cornices, eaves, bay windows, balconies or other architectural features which do not touch the ground and do not have supporting members which touch the ground within a required yard, may project into required yards.

B. Canopies over gasoline pumps may project into required yards a distance not exceeding twelve feet (12') from the center of the pumps.

C. Ramps and landings necessary for use by the handicapped may project into required yards a distance not exceeding twelve feet (12'). All other stoops, platforms, staircases or similar structures leading to the entrance of a dwelling or other building may project into required yards a distance not exceeding four feet (4') provided they have no roof and are otherwise uncovered.

D. Chimneys may project into required yards.

E. Unenclosed porches, carports and uncovered stairways and necessary landings existing on September 30, 1995, may not be enlarged so as to project further into required yards.

F. In residential districts, no projection shall be nearer to any lot line than five feet (5').

G. For the purpose of loading and unloading cargo to and from rail cars only, buildings, loading docks, canopies, and other loading facilities adjacent to railroad property may be constructed or extended beyond any lot line and over the railroad rails.

~~G-H.~~ In no case other than G above shall any projection extend beyond any lot line.

This ordinance shall become effective upon adoption.

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

Nays: None

Abstain: Howdyshell & Garber

Motion carried.

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ROAD ABANDONMENT

This being the day and time advertised to consider abandonment of unimproved 30' right-of-way R.H. Palmer Addition in Greenville, Virginia (Riverheads District).

The Chairman declared the public hearing open.

Mr. Morgan advised that this is a request to abandon a 30' right-of-way which has never been part of the State maintained system. The property was posted in compliance with State Code.

July 22, 2009, at 7:00 p.m.

ROAD ABANDONMENT (cont'd)

Susan Read, attorney on behalf of the petitioners, asked that the Board approve the abandonment of the alley. She noted that the alley was platted in 1911 but was never actually established as an alley and has never been used.

There being no one present to speak for or against, the chairman declared the public hearing closed.

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

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF AUGUSTA COUNTY, VIRGINIA
ABANDONING PORTION OF RIGHT-OF-WAY**

WHEREAS, Mary L. Thomas, Brian Beverly and Brian Hays (the "Owners") are the owners of the real estate abutting the road designated as a "Unimproved 30' Right-of-Way" (the "right-of-way") in the Riverheads District of Augusta County, Virginia, as more particularly shown on the attached plat entitled "PLAT SHOWING A REDIVISION OF LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, LOT 7, LOT 8, LOT 10 & LOT 14 PLAT OF R.H. PALMER PROPERTY RIVERHEADS DISTRICT, AUGUSTA COUNTY, VIRGINIA", dated March 24, 2009, prepared by Barry E. Lotts, Land Surveyor (the "Plat").

WHEREAS, the Owners have petitioned the Board of Supervisors of Augusta County, Virginia ("Board") for the abandonment of certain portions of the right-of-way, as shown on the Plat, pursuant to Virginia Code § 33.1-157.

WHEREAS, a public notice was posted and published as prescribed under Virginia Code § 33.1-157, announcing (a) the intention of the Board to abandon such portion of the right-of-way and (b) a public hearing to receive comments concerning such abandonment.

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice under Virginia Code § 33.1-157 of the Board's intent to abandon such portions of the right-of-way.

WHEREAS, the Board has conducted the public hearing previously noticed under Virginia Code § 33.1-157, to receive comments concerning the proposed abandonment of such portions of the right-of-way.

WHEREAS, after considering such comments and all other evidence available, and the historic value, if any, of such road, the Board is satisfied that such portions of the right-of-way are no longer necessary for public use and would be best served by the abandonment of the same.

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

1. That the Board abandons those portions of the right-of-way shown on the Plat, as described above, pursuant to Virginia Code § 33.1-157, subject, however to the condition that within sixty (60) days of the date of this resolution, a consolidation plat shall be submitted to the subdivision agent which shall consolidate the abandoned right-of-way and the adjacent properties into single parcels, in accordance with the subdivision ordinance of Augusta County, Virginia.

2. That the effect of this abandonment shall be to vest fee simple title of the entire width of the right-of-way so abandoned in the owners of the abutting lots free and clear of any rights of the public, but subject to the rights of owners of any public utility installations which have been previously erected or easements previously granted therein.

3. That a certified copy of this resolution be forwarded to the Commissioner of the Virginia Department of Transportation.

4. That a certified copy of this resolution shall be recorded in the Office of the Clerk of the Circuit Court of Augusta County, Virginia, and the Clerk of the Court shall enter this resolution upon the public land records of the Court.

July 22, 2009, at 7:00 p.m.

ROAD ABANDONMENT (cont'd)

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

Nays: None

Motion carried.

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(END OF PUBLIC HEARINGS)

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MATTERS TO BE PRESENTED BY THE PUBLIC

Chief Wayne Martin, of Craigsville Fire Department, thanked Supervisor Pyles, Mr. Coffield, and the Board for their support in the renovation of the fire station. He invited the Board to an Open House on August 15th, 1:00 p.m. to 5:00 p.m.

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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) Prospective candidates for employment

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

Nays: None

Motion carried.

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Chairman Howdysshell invited Joseph Williams, Chairman of Industrial Development Authority, to join the Board in Closed Session.

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

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:

- 1. Public business matters lawfully exempted from statutory open meeting requirements, and
- 2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

July 22, 2009, at 7:00 p.m.

CLOSED SESSION (cont'd)

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, Howdyshell, 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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ECONOMIC DEVELOPMENT DIRECTOR – APPOINTMENT

Mr. Beyeler noted that Economic Development Director Committee had received forty-one applications.

Mr. Beyeler moved, seconded by Ms. Sorrells, that the Board appoint Dennis Burnett as the Economic Development Director, effective September 1, 2009.

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

Motion carried.

Chairman Howdyshell read the following press release:

AUGUSTA COUNTY BOARD OF SUPERVISORS APPOINT DIRECTOR OF ECONOMIC DEVELOPMENT

July 22, 2009 - Verona, Virginia – The Augusta County Board of Supervisors announces the appointment of Dennis Burnett as Director of Economic Development effective September 1, 2009.

Since 2005, Burnett has served as the Director, Ground Operations for Colgan Air, Incorporated, a northern Virginia based commercial service airline. Prior to that, he served as Deputy Director at the Shenandoah Valley Regional Airport from 1996 to 2005.

Board Chairman, Larry C. Howdyshell, also Chair of the selection committee, is pleased to see the County move forward in its recruitment process. “The entire selection committee was unanimous in its endorsement of Mr. Burnett. Dennis brings valuable industry experience both locally and nationally. This coupled with his enthusiasm and passion for Augusta County secured the committee’s recommendation.”

As Director of Economic Development, Mr. Burnett will determine and identify economic development issues as well as recommend and implement all elements of the County’s recently completed economic development strategy. He will be responsible for maintaining relationships between the County and the existing businesses and industries within the community while identifying initiatives and programs to encourage businesses and industries to locate in the County. In addition he will advise County officials on all phases of economic development to ensure coordination among all agencies of local government and serve as the Executive Director of the Industrial Development Authority.

Burnett’s experience as a business and industry liaison in other communities brings a working knowledge of the challenges businesses face today. His prior experiences here in the Shenandoah Valley provide the platform needed to establish a strong program.

Burnett, a lifelong resident of Augusta County, resides in Fishersville with his wife Cynthia.

July 22, 2009, at 7:00 p.m.

ECONOMIC DEVELOPMENT DIRECTOR – APPOINTMENT (cont'd)

Mr. Burnett thanked the Board and the Selection Committee for this opportunity. He looked forward to serving Augusta County as its Economic Development Director.

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REVENUE SHARING

The Board considered submittal of FY2009-10 request for funding and resolution.

Patrick J. Coffield, County Administrator, advised that the Board had received a briefing from Mr. Fitzgerald of VDOT at Monday’s Staff Briefing. He noted that \$50 million was available. To participate in the program, \$1 million needs to be allocated to meet the 50% match requirement. In working with Mr. Fitzgerald, projects have been identified for both the County and State contributions. This will be submitted to Richmond to be reviewed. Mr. Coffield added that this funding will assist in offsetting some secondary road funding shortfalls.

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

RESOLUTION

WHEREAS, the County of Augusta desires to submit an application for an allocation of funds of up to \$1,000,000 through the Virginia Department of Transportation Fiscal Year 2009-10 Revenue Sharing Program; and,

WHEREAS, \$1,000,000 of these funds are requested to fund the following:

SUMMARY – Designation of Funds Form
FY10 Revenue Sharing Program

	District	Augusta Staunton	County Residency	Verona	
Rev Sh Priority #	Route # / Road Name	Requested State Rev Sh Match (\$)	Locality Rev Sh Match (\$)	Locality Unmatched Funds (\$)	TOTAL FUNDS (\$)
1	0636 (76043) Goose Creek Road (Bridge Project)	142,857	142,857	2,143	287,857
1	0340 (T8409) Stuarts Draft Hwy Turn Lane SDES	142,857	142,857	2,143	287,857
1	0616 (80271) Dam Town Road	142,857	142,857	2,143	287,857
1	0699 (T8197) Ridge Road	142,857	142,857	2,143	287,857
1	0800 (T8208) Springfield Lane	142,857	142,857	2,143	287,857
1	0682 (T6503) Troxel Gap Road	142,857	142,857	2,143	287,857
1	0610 (80272) Howardsville TPKE	142,858	142,858	2,142	287,858
TOTAL OF ALL FUNDS		1,000,000	1,000,000	15,000	2,015,000

July 22, 2009, at 7:00 p.m.

REVENUE SHARING (cont'd)

NOW, THEREFORE, BE IT RESOLVED that the Augusta County Board of Supervisors hereby supports this application for an allocation of \$1,000,000 through the Virginia Department of Transportation Revenue Sharing Program.

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

Nays: None

Motion carried.

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ROUTE 11/ROUTE 256 TRAFFIC CORRIDOR

The Board considered use of infrastructure funds to assist with intersection improvements.

Funding Source: North River Infrastructure Account #80000-8013-28 \$60,000

Mr. Coffield explained that, with the traffic that has occurred along the corridor and the development interest that has come before the Board, a number of road improvements are necessary. At this point, there are some pressing concerns as it relates to Blue Ridge Community College and the turning movements. The recommendation has been to build some more right turning movements so that the people turning left into the Community College can continue with less backup. They are working with developers to ensure that the development-driven projects are funded by the developments. With regards to the Blue Ridge Community College component, Chairman Howdysshell has indicated he would support using his infrastructure account to assist with necessary improvements.

Chairman Howdysshell added that the Blue Ridge Community College and Criminal Justice Academy have created a lot of traffic. He strongly supported this request.

Mr. Garber moved, seconded by Mr. Shifflett, 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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PARKS AND RECREATION MATCHING GRANT – WEYERS CAVE RECREATION ASSOCIATION, INC.

The Board considered (A) recommendation of Parks and Recreation Commission to award a grant in an amount not to exceed \$16,752.12 for paving parking lot; and (B) approval of Grant Agreement.

Funding Source: Middle River Recreation Account 380000-8022-41

July 22, 2009, at 7:00 p.m.

PARKS AND RECREATION MATCHING GRANT – WEYERS CAVE RECREATION ASSOCIATION, INC. (cont'd)

Ronald H. Sites, Director for Parks and Recreation, advised that this had been discussed at Monday’s Staff Briefing. He added that because of the entrance to the Community Center Park and exit from the Fire Station, there has been heavy traffic causing the need of repaving the parking lot.

Mr. Garber 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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SCROGHAM STORAGE BUILDING, PHASE III

The Board considered a request to waive the fire flow requirements on property located at 1724 New Hope and Crimora Road (Middle River District).

John C. McGehee, Assistant County Administrator, advised that even though County water is available, there is not adequate fire flow. This waiver is for a private storage building. The Fire Department has recommended the waiver. Concerns were mentioned at the Staff Briefing concerning rental of the property and the waiver being changed.

Mr. Morgan reported that language is to be used to clarify that the waiver is applicable only to the current owner for his personal use and for the use of his general contracting and related businesses and that it may not to be transferable.

Mr. Garber moved, seconded by Mr. Shifflett, 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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FIRE AND RESCUE STANDARD OPERATING GUIDELINE (SOG)

The Board considered staff recommendations regarding Fire and EMS criminal history.

Mr. McGehee advised that this item had been discussed at Monday’s Staff Briefing. The policy goes by the State guidelines with respect to background checks for people in the EMS service. At Staff Briefing, it was decided that the only change to the State policy would to incorporate Fire Departments that are not EMS agencies into this policy so that it would be consistent countywide. Chief Holloway spoke with Chief Martin at Craigsville and Chief Mays at Wilson and learned that they had no problem with this policy. After the Staff Briefing, the policy was amended on page 3, “any driver of county insured apparatus”.

July 22, 2009, at 7:00 p.m.

FIRE AND RESCUE STANDARD OPERATING GUIDELINE (SOG) (cont'd)

Mr. Beyeler said that he had also spoken with Chief Mays who indicated that this procedure was already occurring. Mr. Beyeler wanted to be sure that volunteer agencies were not going to be burdened with this process.

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

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

Nays: None

Motion carried.

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TEAVERTON DRAINAGE IMPROVEMENTS

The Board considered supplemental funding to re-install fencing.

Funding Source: Wayne District Infrastructure Account #80000-8017-57 \$9,926.97

Mr. Coffield advised that the Board received a status report on the Teaverton drainage improvements at the Monday Staff Briefing. He reiterated that there was a drainage basin built several years ago and that there were some problems with water infiltration. A concrete ditch was built to improve drainage. In doing the project, a fence was removed; therefore, the vinyl fence needs to be re-installed.

Mr. Coleman moved, seconded by Mr. Shifflett, 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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STORMWATER MANAGEMENT REGULATIONS

The Board considered Board input to the State regarding proposed regulations.

Mr. Coffield advised that this item was discussed at Monday's Staff Briefing. Supervisors Coleman and Howdyshell had attended a state briefing and was discouraged in what they heard. They understood that the program is optional in whether the County or the State administers the program. Information from the meeting, VACo and Timmons was shared with the Board.

Chairman Howdyshell pointed out that it was difficult to meet the E&S regulations last year.

Mr. Coleman added that, after careful review of the presentation, and looking at the fees to collect revenue for the program, he felt that the State should operate the program for a minimum of three years. Then the local government should determine if they should operate the program based upon the State's experience. After the three-year operation by the State, Augusta County could re-evaluate its decision to "opt out".

July 22, 2009, at 7:00 p.m.

STORMWATER MANAGEMENT REGULATIONS (cont'd)

Mr. Beyeler mentioned that the Comp Plan indicates that the major development is to be placed in the Urban Service Area. He felt that this program would prohibit this from happening. He felt that this program was an "overkill". "We can't afford overkills. When you're talking about an 100-acre tract of land being developed costing over a million dollars, just in fees, you can't do that. The developers can't do that. We're going to have a reverse. Development is going to go into rural areas rather than Urban Service Areas."

Mr. Beyeler moved, seconded by Mr. Coleman, that the Board authorize staff to submit letter to the State indicating that the Board is not interested in this program and that it be placed on the Legislative Priorities Package and continue to fight this with VACo.

Ms. Sorrells suggested that it be mentioned at the VACo meeting at Richmond in all of the Steering Committee meetings. Mr. Beyeler added that speakers, i.e., regulators, legislators, and developers, were needed at the annual meeting to provide information from both sides.

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

Nays: None

Motion carried.

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EMERGENCY COMMUNICATIONS CENTER STUDY

The Board considered scope of work and timeline for regional study.

Mr. Coffield advised that information was shared with the Board at Monday's Staff Briefing. He noted that Waynesboro has volunteered to be Fiscal Agent. Included in Monday's package was a copy of the contract, milestones and a PowerPoint presentation.

Ms. Sorrells moved, seconded by Mr. Pyles, that the Board approve the scope of work and timeline for regional study.

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

Nays: None

Motion carried.

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UPPER VALLEY REGIONAL PARK AUTHORITY

The Board considered Memorandum of Understanding for the transfer of assets from the Authority to the Town of Grottoes and Augusta County.

Mr. Sites introduced Larry Curry, Beverley Manor Parks and Recreation Commission member, and Andy Wells, Executive Director for the Upper Valley Regional Park Authority.

July 22, 2009, at 7:00 p.m.

UPPER VALLEY REGIONAL PARK AUTHORITY (cont'd)

Mr. Sites, as Director of Parks and Recreation, and as Augusta County representative and Chairman of the Upper Valley Regional Park Authority (UVPRA), mentioned that this process has been discussed since 2000. In 2002, Department of Conservation and Recreation initiated conversations with UVPRA. Through the Virginia Outdoors Plan, they were interested in gaining a presence of State Parks in the Shenandoah Valley. They approached UVPRA about Grand Caverns and Natural Chimneys. It was obvious to the Parks and Recreation Commission that they were only interested in Grand Caverns. They were not interested in Natural Chimneys. In 2003, Staunton, Harrisonburg, and Rockingham County approached Augusta County to determine if it would be interested in taking the ownership/transference of Natural Chimneys if the State would move forward with Grand Caverns. At that time the North River District Supervisor was uncertain on whether to pursue. A pros/cons list was presented to the Board for its consideration. A proposal for acceptance was presented to the Parks and Recreation Commission for transferring Natural Chimneys to the County with certain contingencies. The Board or Supervisors had asked staff to provide a "plan of action" for its review. The Plan of Action looked at the current operations, expenditures, and revenues to determine a balance between revenues and expenditures to make the process a revenue-neutral program. A modification of Natural Chimneys' camping schedule was also presented to the Board (Memorial Day to Labor Day). The rest of the park would be opened year-round for hiking, picnicking, etc. In February, 2009, Town of Grottoes approached the Park Authority Board about the possibility of transferring Grand Caverns to the Town of Grottoes. The transition report was updated to include consideration of weekend camping in April/May and September/October based on an advanced registration. Mr. Sites felt there were too many variables such as the weather and the economy on whether the program break even on a yearly basis; but he did feel that, given three to five years, the program could work.

Mr. Coffield added that one of the conditions was tapping into Chairman Howdyshell's recreation account. Chairman Howdyshell reiterated that this has been an ongoing concern since he has been on the Board. This would keep a park in the northern end of the County and it could be a revenue generator. The community has shown enthusiasm in keeping the park running.

Mr. Coleman moved, seconded by Ms. Sorrells, that the Board approve the Memorandum of Understanding.

Ms. Sorrells thanked Mr. Sites and Chairman Howdyshell for introducing this to the Board. "It is a unique resource for the County and is very special for the northern part of the County. I'm glad it can be a valuable part of Augusta County."

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

Nays: None

Motion carried.

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CONSENT AGENDA

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

MINUTES

Approved minutes of the following meetings:

- Special Meeting, Friday, June 12, 2009

July 22, 2009, at 7:00 p.m.

CONSENT AGENDA (cont'd)

- Staff Briefing Meeting, Monday, June 22, 2009
- Special Meeting, Wednesday, June 24, 2009
- Regular Meeting, Wednesday, June 24, 2009
- Special Meeting, Thursday, June 25, 2009
- Special Meeting, Monday, July 6, 2009

CLAIMS

Approved claims paid since June 10, 2009.

STREET ADDITION

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

BROADMOOR, UNIT 8 - STREET ADDITION

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 **BROADMOOR, UNIT 8**, into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Sylvan Drive (Route 1590)

From: 0.01 miles west of Route 1512
To: 0.01, Intersection of Route 1512
Length: 0.01 miles

Sylvan Drive (Route 1590)

From: Intersection of Route 1512
To: 0.01 miles east of Intersection Route 1512
Length: 0.01 miles

Sylvan Drive (Route 1590)

From: 0.01 miles east of Intersection of Route 1512
To: Intersection of Lynn Circle (Route 1591)
Length: 0.04 miles

Sylvan Drive (Route 1590)

From: Intersection of Lynn Circle (Route 1591)
To: 0.04 miles east of Intersection of Lynn Circle (Route 1591)
Length: 0.04 miles

Lynn Circle (Route 1591)

From: 0.01 miles south of Route 1590
To: Intersection of Route 1590
Length: 0.01 miles

Lynn Circle (Route 1591)

From: Intersection of Route 1590
To: 0.11 miles north of Route 1590
Length: 0.11 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 060009658, Plat Book 1, Page 6672, recorded July 25, 2006.

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.

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July 22, 2009, at 7:00 p.m.

CONSENT AGENDA (cont'd)

NON-CONVENTIONAL SEWAGE DISPOSAL SYSTEMS

Approved one non-conventional system on the Augusta Springs Park on Tax Map 62A-((1))-73 and Tax Map 62A-((1))-A as provided in § 11-13 (D) of the County Code.

NON-CONVENTIONAL SEWAGE DISPOSAL SYSTEMS

Approved one non-conventional system on the Augusta County Landfill for the Regional Shooting Range on Tax Map 65-42 as provided in § 11-13 (D) of the County Code.

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: Received an e-mail today from Mr. and Mrs. Piper regarding “out of hand spending”. Distributed information to the Board reflecting the budget: Local Revenue continuing to decline (shortfall of \$1,449,704); State Revenue falling since budget (1% drop in State Revenue is over \$800,000 for Augusta County). VRS had 20% of Value losing \$12 billion in first half of 2009 (possibly \$1,000,000 or more increase next budget). Mr. Pyles asked that the Finance Director present a status report of the budget (both revenue and expenditures) at each Staff Briefing.

Ms. Sorrells:

1. Sweet Dreams – Saturday, July 25th
2. Recycling Committee meeting – announced that extra bins will be placed at the Landfill for recycling #1 - 7 plastics.
3. Middlebrook Library – 1 year celebration coming up soon!
4. Riverheads Fire & Rescue progress report – Several successful meetings – interested in moving forward. Will be bringing forth information in the near future. Mr. Beyeler felt that this project should not slow down, but a lot of questions need to be answered. Ms. Sorrells asked for the Board’s approval to move forward and bring back a concrete proposal. It was the consensus of the Board to have additional information provided. Mr. Pyles suggested that the master plan be considered as an alternate proposal (moving Company 10 to south of Staunton)—to not do piecemeal. Mr. Beyeler concurred. Ms. Sorrells suggested, that as part of this process would be to show the pros and cons. Mr. Coleman referred to the Staunton multi-modal study for Route 250 and reiterated that Company 10 would need to be relocated because of the projected growth.

Mr. Beyeler:

1. Rest stop closings – Asked that a letter be submitted to congressional delegation to waive the federal requirement not to allow privatization of rest areas and that it be a part of the County’s Legislative Priorities.

Mr. Beyeler moved, seconded by Mr. Garber, that the Board authorize staff to submit a letter to our congressional delegation to waive the federal requirement not to allow privatization of rest areas and to make this issue as part of the County’s Legislative Priorities.

July 22, 2009, at 7:00 p.m.

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

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 BOARD (cont'd)

2. Weyers Cave Farm Day – Nice event – well attended!

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

- 1. SVEC Dinner – September 17th
- 2. Shenandoah Valley Airport – Letter of support for Essential Air Service designation submitted to SVA.

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3. Budget Challenge – Department Heads have asked employees to think about areas where money can be saved or money be made for the County. A suggestion, which has been submitted, is to revise County Traffic Ordinance regarding Radar Detectors to allow for money to be allocated to the County instead of Richmond for court fines.

Mr. Beyeler moved, seconded by Mr. Shifflett, that the Board authorize the County Attorney to draft an ordinance.

Vote was as follows: Yeas: Howdysshell, 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 Mr. Shifflett, 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
H:7-22min.09

County Administrator