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Regular Meeting, Wednesday, February 24, 2010, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald W. Garber, Chairman  
Jeremy L. Shifflett, Vice-Chairman  
David R. Beyeler  
Wendell L. Coleman  
Larry C. Howdyshell  
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

ABSENT: Tracy C. Pyles, Jr.

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, February 24, 2010, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 234<sup>th</sup> year of the Commonwealth....

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

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Colin Clark, a senior of Buffalo Gap High School, led the Pledge of Allegiance. Colin participates in Fine Arts – Theater and Chorus and states that he is “relatively a good student”.

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Chairman Garber, Supervisor for the Middle River District, delivered invocation.

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THE BIG READ MONTH – PROCLAMATION

Christiana Shields, Grants Manager of the Community Foundation of the Central Blue Ridge, announced that the Foundation received a matching grant from the National Endowment for the Arts (NEA) to promote throughout the month of March events around Fahrenheit 451 throughout Staunton, Waynesboro and Augusta County. The Foundation will be purchasing 1,500 books for distribution. Information was distributed to the Board. Ray Bradbury’s official biographer is the keynote speaker and will be flying in from Chicago the second week in March. Shenandoah Valley Regional Airport is helping to sponsor him. She added that there would be a kick-off event Wednesday, March 3rd, at the Verona Fire Department at 6:00 p.m. Grand finale will be the movie shown at the Visualite in Staunton.

Ms. Sorrells added that a special exhibit was at the Smith Center in Staunton, called “Burning Words”. “This has been a wonderful success every year.” She noted that Fahrenheit 451 is the temperature in which books burn and that in this futuristic novel, the firemen’s job is only to burn books because books contradict themselves. The Government controls the thought of everybody by burning books. The exhibit will consist of books and important documents that the Historical Society has – Congressional minutes, General Assembly minutes, histories, atlases, Augusta Declaration Proclamation that came in 1775 (before the Declaration of Independence) and the history of the firefighting in this area. She noted that Staunton has the oldest volunteer fire department in the state – 1790.

Ms. Sorrells read the following Proclamation:

February 24, 2010, at 7:00 p.m.

THE BIG READ MONTH – PROCLAMATION (cont'd)

**PROCLAMATION**

**WHEREAS,** an initiative of the National Endowment for the Arts, The Big Read is designated to bring communities together through literature: and

**WHEREAS,** The Big Read aims to address the critical issue of declining literacy reading in America; and

**WHEREAS,** aided by a strong sense of community and passion for the arts, Augusta County, Staunton, and Waynesboro were selected from communities nationwide by the NEA to participate in The Big Read program; and

**WHEREAS,** *Fahrenheit 451*, written by Ray Bradbury, is the book upon which activities such as lectures, book discussions, and other special events are based; and

**WHEREAS,** due in large part to the dedication of the Community Foundation of the Central Blue Ridge, the Augusta County Public Libraries, the Staunton Public Library, and the Waynesboro Public Library, the citizens of Augusta County, Staunton, and Waynesboro have joined together through literature to make The Big Read a success;

**NOW, THEREFORE,** I, Gerald Garber, Chairman of the Augusta County Board of Supervisors, do hereby proclaim the month of March 2010 to be

**THE BIG READ MONTH  
In Augusta County, Virginia.**

Ms. Sorrells moved, seconded by Mr. Howdyshell, that the Board adopt the proclamation.

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

Nays: None

Absent: Pyles

Motion carried.

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HILLMONT APARTMENTS, LC – REZONING

This being the day and time advertised to consider a request to rezone from Single Family Residential to General Business with proffers approximately 4.1 acres and to amend and restate the proffers on 45.7 acres zoned Single Family Residential owned by Hillmont Apartments, LC, located on the south side of Weyers Cave Road (Route 256) approximately 0.1 of a mile east of the intersection with Keezletown Road (Route 750/276) in Weyers Cave (Middle River District). The Planning Commission recommends approval of the rezoning to General Business with proffers and approval of the amended and restated proffers on the Single Family Residential property.

Becky Earhart, Senior Planner, displayed 4.1 acres property in red to be rezoned General Business; the proffer on that property will be no building will exceed two stories. Property outlined in pink is property which they wish to have proffers amended and restated. She noted that the proffers have changed since the Planning Commission considered them as follows:

1. The minimum square footage for one story single family dwellings will be fifteen hundred thirty-six (1536) square feet.
2. The minimum square footage for two story single family dwellings will be eighteen hundred (1800) square feet.

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HILLMONT APARTMENTS, LC – REZONING (cont'd)

3. There will be no manufactured mobile or modular homes allowed on the property.
4. Building permits for no more than twenty-five (25) dwelling units will be requested per calendar year.
5. There will be no more than 90 residential dwelling lots created out of the 45.7 acres.
6. There will be no more than two street connections on to Route 256, one of which will align with the entrance to the Weyers Cave Community Center and the other with Shreckhise Shrubbery Sales and Landscaping entrance. In addition, no lots will have direct access to Route 256.
7. The developer will provide a sidewalk from Route 256 to the Roller property (Tax Map 28-1).
8. The developer will dedicate up to 24' of right-of-way to VDOT from the existing right-of-way line of Route 256 along the entire frontage of the property.

Ms. Earhart added that this property was originally rezoned to Single Family Residential in February 2006; is in an Urban Service Area; designated for Medium Density Residential. Ms. Earhart displayed a Concept Plan which the applicant had submitted. Public water and sewer are available. Ms. Earhart mentioned that she had received letters of opposition from Patricia Click and Carolyn Click, which were attached to tonight's agenda, noting that they opposed the General Business zoning as well as the size of the houses.

The Chairman declared the public hearing open.

Jim Monger (along with John Monger and, partner, Gary Gordon were present), applicant, felt that General Business along Route 256 would be an asset to the County and the area would be beneficial in terms of tax revenue. He displayed pictures comparable to what he planned on developing. He added that there would be ample parking spaces available for the small businesses. In the Residential section, the number and size of lots have been decreased. He added that there would be paved driveways, sidewalks, curb/guttering, and two retention ponds.

Jim Shreckhise read a statement written by Randy Roller, who had planned to be at tonight's meeting, but was in an accident. He emphasized that he and most of the community agreed with the following message:

Mr. Chairman, Members of the Board, and Members of the Planning Commission, I am Randy Roller and I live at 1093 Keezletown Road, Weyers Cave. I stood at this podium a little over a week ago in opposition to the proposed rezoning of the 49-acre tract that lies directly across my yard fence. I was not opposed to the subdivision itself, but I had issues with the number of proposed lots, the minimum size of the homes to built there, and the effect this would have on the Weyers Cave community. I can tell you that the new owners, specifically, Gary Gordon, met with me and some of the adjoining landowners this past weekend to listen to our concerns. We asked him to consider a number of covenants that would eliminate some of the issues that we have seen in other subdivisions throughout the County. He went back to his partners and they agreed to increase the minimum square footage from 1300 to 1536 sq. ft. for single-story homes; from 1600 to 1800 sq. ft. for two-story dwellings. Along with the strong covenants that you see before you tonight, the commercial buildings, I believe, will be a plus. The streets will have curb and guttering, a sidewalk on one side; driveways will be paved and concreted. These improvements go a long way in making the subdivision aesthetically pleasing. It is still not what we would prefer as far as the minimum square footage of the homes, but the point is the developers were willing to talk; they were willing to compromise; and now we have something we can live with. I am confident we are dealing with men of character and integrity who will do what they say they will do. Gentlemen, we welcome you to the Weyers Cave community. I also want to thank our supervisor, Gerald Garber, for his many hours of work on this project and his willingness to listen and work with all parties

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HILLMONT APARTMENTS, LC – REZONING (cont'd)  
concerned.

Now, in looking ahead at what inevitably will happen to Weyers Cave and the surrounding area, we can expect continued pressure for additional housing and the services that go with this type of expansion. There are a number of factors that contribute to this. First, the Rockingham Memorial Hospital is near completion of their new facility on the southeast side of Harrisonburg along with the ancillary businesses that go with it. This will influence housing demand in Weyers Cave. The Airport, which is truly an asset to us, will continue to stimulate business and create increased pressure for housing. We are centrally located near Interstate 81 between Staunton, Waynesboro, and Harrisonburg. For the two-income family, where each spouse travels in opposite directions to go to work, we make an ideal location for a home. All of this is good, but I am concerned about the future of housing in Weyers Cave. When you look at the 430 homes on the south-end of town in one subdivision and the 100 or so homes and apartments in the subdivision on the north-end of town, I think this sets the tone for the kind of housing we will see in future residential requests. I am not criticizing the folks who live there. I have friends in both subdivisions. Catherine Click sold her land next to me with the understanding that houses with 2000 sq. ft. minimums would be constructed. This is not going to happen and I understand the nature of our current economy and the need to build affordable homes. But I have confidence in our nation and we will return to a strong economic environment. I simply don't want to see Weyers Cave become known as the minimum square footage capital of Augusta County. I am told our Comprehensive Plan provides for a subdivision in Weyers Cave that would have homes with 2000 sq. ft. minimums. I would like to see that occur at some point. I am not promoting the idea of an elitist community but rather a blended community where people of all professions can live and work. My point is we need to be vigilant and discerning as you receive future requests for subdivisions and rezoning and they will be coming.

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

Chairman Garber stated that this rezoning has been in the works for approximately two years. "It is not something that has made everybody happy, but we have a product that is far better than what we had two years ago. We have a product that is far better than what we had even in January of this year." He appreciated the group working peacefully together to come to this decision.

Mr. Shifflett moved, seconded by Mr. Beyeler, that the Board adopt the following ordinance with proffers:

A request to rezone from Single Family Residential to General Business with proffers approximately 4.1 acres and to amend and restate the proffers on 45.1 acres zoned Single Family Residential owned by Hillmont Apartments, LC, located on the south side of Weyers Cave Road (Route 256) approximately 0.1 of a mile east of the intersection with Keezletown Road (Route 750/276) in Weyers Cave in the Middle River 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

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HILLMONT APARTMENTS, LC – REZONING (cont'd)

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 1A (portion) on tax map number 20 containing approximately 4.1 acres is changed from Single Family Residential to General Business with the following proffer:

- 1. No building or structure built on the General Business lots shall have more than 2 stories.

Parcel number 1A (portion) on tax map number 20 containing approximately 45.7 acres. The proffers are amended and restated as follows:

- 1. The minimum square footage for one story single family dwellings will be fifteen hundred thirty-six (1536) square feet.
- 2. The minimum square footage for two story single family dwellings will be eighteen hundred (1800) square feet.
- 3. There will be no manufactured mobile or modular homes allowed on the property.
- 4. Building permits for no more than twenty-five (25) dwelling units will be requested per calendar year.
- 5. There will be no more than 90 residential dwelling lots created out of the 45.7 acres.
- 6. There will be no more than two street connections on to Route 256, one of which will align with the entrance to the Weyers Cave Community Center and the other with Shreckhise Shrubbery Sales and Landscaping entrance. In addition, no lots will have direct access to Route 256.
- 7. The developer will provide a sidewalk from Route 256 to the Roller property (Tax Map 28-1).
- 8. The developer will dedicate up to 24' of right-of-way to VDOT from the existing right-of-way line of Route 256 along the entire frontage of the property.

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

Nays: None

Absent: Pyles

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC

VARIANCE REQUEST

Lynn and Douglas Kershner, 394 Mule Academy Road, Fishersville, requested that the Board grant them a variance for the three-year holding period for the Family Member Exception under the Subdivision Ordinance. Ms. Kershner stated that, in May 2007, they met with Mr. Wilkinson, Zoning Administrator, to discuss the possible subdivision of their property. The lot contains 1.473 acres and has two existing dwellings that were built prior to the current ordinances. They could not meet the minimum lot width (150') and lot area (1 acre for each lot) requirement of the current ordinance to subdivide their property. They applied to the Board of Zoning Appeals (BZA) for a variance. BZA held the public hearing and approved their request on July 5, 2007. She stated that due to family problems, they did not create the lot until 2009. On March 13, 2009, a subdivision plat was submitted to Community Development for approval. It was denied because the plat was not consistent with the BZA approval and did not meet the ordinance requirements. She noted that a revised plat was approved by Community Development on November 4, 2009, and has been recorded. They are seeking a variance of the mandatory three-year holding period for lots created under the Family Member Exception.

Mr. Coleman reported that he has met with the Kershners, and discussed this matter with Patrick Morgan, County Attorney, and John Wilkinson, Zoning Administrator. Mr. Morgan had advised him that it would be legal to present to the Board for consideration.

Mr. Coleman moved, seconded by Ms. Sorrells, that the Board grant the Kershners a variance from the required three-year holding period under the Family Member Exception from the date the plat was recorded and to use a three-year period based on the BZA approval of the lot width and lot area variance: July 5, 2007 to July 5, 2010.

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

Nays: None

Absent: Pyles

Motion carried.

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PARKS AND RECREATION MATCHING GRANT – WILSON ATHLETIC BOOSTERS

The Board considered (A) recommendation of Parks and Recreation Commission to award a grant in an amount not to exceed \$36,464 for reworking the entire field to correct drainage and replant with Bermuda grass seed and installation of aluminum bleachers and correcting power and cable lines that overhang on part of the field; and (B) approval of grant agreement.

|                                   |                |                |
|-----------------------------------|----------------|----------------|
| Funding Sources:                  |                |                |
| Wayne Recreation Account          | #80000-8027-38 | \$30,000 (82%) |
| Beverley Manor Recreation Account | #80000-8021-45 | \$ 6,464 (18%) |

Patrick J. Coffield, County Administrator, advised that this item had been discussed at the Staff Briefing on Monday. He noted that the outstanding question on Monday was the percentages from Wayne and Beverley Manor Districts as reflected above.

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

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PARKS AND RECREATION MATCHING GRANT – WILSON ATHLETIC BOOSTERS  
(cont'd)

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

Nays: None

Absent: Pyles

Motion carried.

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LOCAL EMERGENCY TERMINATION

The Board considered resolution to terminate declaration of local emergency due to a significant storm event.

John C. McGehee, Assistant County Administrator, advised that the Chairman of the Board of Supervisors, as Director of Emergency Services, declared a local emergency on February 4, 2010, preceding the second largest snow storm this winter. Part of the process is terminating the local emergency which Board approval is required. The resolution will be forwarded to Richmond. Mr. McGehee said that this action would not have an affect on qualification for the federal designation on this particular snow. He noted that they did qualify for the first snow and will be receiving some reimbursement from the Homeland Security. They will be submitting a request on the second snow but are aware that there is question of qualification because of the percentage of "per year storm".

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

**TERMINATION OF A DECLARED LOCAL EMERGENCY**

**WHEREAS**, due to a significant winter storm event, the County of Augusta, Virginia faced dangerous conditions of sufficient severity and magnitude to necessitate the declaration of a local emergency;

**WHEREAS**, on February 4, 2010, by Declaration of Local Emergency, Gerald W. Garber, Chairman of the Board of Supervisors and Emergency Services Director, declared such a local emergency, subject to confirmation by the Board of Supervisors of Augusta County, Virginia;

**WHEREAS**, by resolution adopted on February 10, 2010, the Board of Supervisors confirmed the declaration of a local emergency;

**WHEREAS**, all coordinated local government emergency actions necessary to prevent or alleviate the damage, loss, hardship or suffering threatened or caused by the significant winter storm event have been taken and it is no longer necessary for the Declaration of Local Emergency to remain in effect;

**NOW, THEREFORE**, the Declaration of Local Emergency is hereby terminated effective 12:00 noon on February 25, 2010.

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

Nays: None

Absent: Pyles

Motion carried.

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February 24, 2010, at 7:00 p.m.

VHDA – HOUSING TAX CREDITS

The Board considered requests by applicants for County endorsement of rental projects:

|                       |                                    |
|-----------------------|------------------------------------|
| Montague Terrace      | 96 units (Riverheads District)     |
| The Village at Verona | 42 units (Beverley Manor District) |
| Waterford Terrace     | 75 units (Wayne District)          |

- A) CEO Support Letter(s)
- B) Revitalization Area Certification(s)

Mr. Coffield advised that this request was discussed at the Staff Briefing on Monday. He reiterated that there were three different developments. Applicants have requested VHDA financing support letters and revitalization area certifications.

Mr. Howdysshell felt that this would be good for Augusta County.

Mr. Coleman reiterated the importance of affordable housing. “This is the right thing for Augusta County and Waynesboro District.”

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

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

Nays: None

Absent: Pyles

Motion carried.

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REVENUE RECOVERY

The Board considered proposal for distribution of funds.

Mr. McGehee advised that this had been discussed at the Staff Briefing on Monday. Two issues had been brought up at that meeting:

1. Policy approved at the last meeting regarding the OIG opinion on whether a bill should be sent to citizens in the remaining part of Augusta County for implementation of Revenue Recovery and what Waynesboro and Staunton are doing with respect to this. Ms. Noland from the LLC had another commitment tonight and could not attend this meeting to explain the policy issues.
2. Wording in the addendum to the agreement with Rescue Squads. The County Attorney has been working on this issue. Patrick J. Morgan, County Attorney, advised that he was looking at a master agreement that had a provision dealing with what would happen to the equipment of a volunteer squad that disbanded. During negotiations for the last two days, it occurred to him that that provision does not have to be part of this agreement as to how the funds are being distributed. There is an individual agreement with each squad that has a provision in it that they cannot charge for their services which will need to be amended. Mr. Morgan recommends that the paragraph be deleted from the master agreement and that amendments be made on the smaller agreements.

Mr. Beyeler moved, seconded by Mr. Howdysshell, that the Board approve the request with the County Attorney’s recommendations, delete the third paragraph and authorize the County Attorney to create an individual agreement with all rescue agencies and move forward with Revenue Recovery to become effective April 1, 2010.



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REVENUE RECOVERY (cont'd)

David Thomas, attorney, agreed that Mr. Morgan's recommendations would improve the process. He thanked Mr. Morgan for his diligent work in the last two days in dealing with the conflicts between state law, State Corporation Commission requirements, and federal law governing the disbursement of assets from a dissolving 501(C)(3). He also thanked Messrs. Beyeler and Howdyshell for their leadership.

Ms. Sorrells addressed concerns regarding SARS and Waynesboro. She felt that something needed to be worked out in the future but did not want to hold up the process. She expressed frustrations that SARS and Waynesboro will continue to charge the difference between whatever the insurance paid and the final bill or accept the \$50 subscription. She clarified that, by the OIG opinion, it would be illegal for them not to do that because they are not accepting government money. They cannot waive the billing. She noted that if we wanted everyone to be treated equally in rescue, as far as the billing, then discussion is needed with SARS and Waynesboro to determine what contribution will be accepted in order for waiver.

Mr. Howdyshell felt this to be a big step to move forward with Revenue Recovery. "Everybody is learning. As we go down the road, as we learn more, we may have to tweak more. It is always open to come back to the Board to tweak it and make it better. Our main concern is that we have somebody to answer that call."

Mr. Beyeler stated that he and Mr. Howdyshell met with the Fire and Rescue people last night. "Not everybody is 100% happy but I think most of them are agreeing that we have to at least get a year under our belt to know exactly what the outcome is going to be and they are willing to go along with that." Mr. Beyeler suggested that he and Mr. Howdyshell meet, again, with Staunton and Waynesboro to work out the problem. Mr. Howdyshell felt that Staunton and Waynesboro needed to meet with the Board at a future Staff Briefing to answer questions that the Board may have. Mr. Beyeler felt that the committee needed to meet with Staunton and Waynesboro first.

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

Nays: None

Absent: Pyles

Motion carried.

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FIRE AND RESCUE EQUIPMENT

The Board considered purchase of additional toughbooks/software for Stuarts Draft Rescue Squad and Churchville Fire and Rescue.

Funding Sources:

|                  |                               |                |                  |
|------------------|-------------------------------|----------------|------------------|
| A) Stuarts Draft | South River Infrastructure    | #80000-8016-50 | \$2,942.50 (50%) |
|                  | Riverheads Infrastructure     | #80000-8015-56 | \$1,471.25 (25%) |
|                  | Beverley Manor Infrastructure | #80000-8011-37 | \$1,471.25 (25%) |
|                  |                               |                | \$5,885.00       |
| B) Churchville   | Pastures Infrastructure       | #80000-8014-60 | \$2,942.50 (50%) |
|                  | North River Infrastructure    | #80000-8013-29 | \$2,942.50 (50%) |
|                  |                               |                | \$5,885.00       |

Mr. McGehee advised that these requests go hand-in-hand with the Revenue Recovery issue. The squads listed on the agenda, Stuarts Draft and Churchville, have the additional ambulance. In order to assure paperwork is completed from a call, the toughbook needs to be in the ambulance when the call is initiated.

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FIRE AND RESCUE EQUIPMENT (cont'd)

Mr. Beyeler added that this allows the squads to have a toughbook in all the units; it would fully fund the program that was approved last summer and be a total of three for Churchville and four for Stuarts Draft.

Mr. Howdyshell felt that this was needed to make the emergency responders more efficient.

Mr. Howdyshell moved, seconded by Mr. Beyeler, that the Board approve the requests.

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

Nays: None

Absent: Pyles

Motion carried.

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GENERAL ASSEMBLY UPDATE

The Board received a presentation by Assistant County Administrator of 2010 General Assembly legislation update.

Mr. McGehee distributed a highlighted synopsis of House Appropriations Committee Chairman Proposed Amendments to HB30 and Senate Finance Committee Subcommittee Proposed Amendments to SB30. He mentioned local telecommunication taxes where the scenario is that the County is funding the increase in the budget for the Constitutional officers. In the House version, money for the Treasurer and Commissioner of Revenue’s office to restore some funds will come from the Virginia Communications Sales & Use Tax Fund. He stated that before 2006, the County collected a 911 tax, a Consumer Utility Tax, which incorporated cell phones, and the General Assembly combined it to a Sales Tax 5% and then return the money to the County based on the percentages statewide prior to the new law. Now, the proposal is to use money taken from that fund to assist in putting more money back into the state budget for Treasurers and Commissioners of Revenue.

Mr. Howdyshell stated that this was a power of lobbying (Verizon). “Our VACo Steering Committee didn’t like the idea of all this money going to the State because we were afraid of what might happen. It looks to me like it has a possibility of happening.”

Mr. McGehee said that the 4-for-life, from a budget standpoint, has been restored to go to the EMS Health Department budget.

Mr. Coleman understood that some of the cuts to the Commissioner of Revenue’s office will be reinstated. He felt that there should be another way to find them using our Communications taxes. Mr. McGehee explained that the funding level for the Commissioner of Revenue and Treasurer will be the same net to the County as the Kaine proposal was to begin with. Jennifer Whetzel, Director of Finance, said that, technically, it would be a wash, but it depended on the distribution of the money.

Mr. Coleman moved, seconded by Ms. Sorrells, that the Board authorize staff to draft a letter for the Chairman’s signature, to delegation and members of the Conference committees stating that the County does not support taking local revenues and funding state-responsible expenditures.

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GENERAL ASSEMBLY UPDATE (cont'd)

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

Nays: None

Absent: Pyles

Motion carried.

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REAL ESTATE ASSESSMENT OPTIONS

The Board considered Committee recommendations to table for further input and analysis (would be placed on either March/April Staff Briefing).

Mr. Coffield advised that this was discussed at the Staff Briefing on Monday and that the Board requested that it be placed on the regular agenda for further discussion.

Mr. Shifflett stated that in reviewing the recommendations, it would be approximately \$623,000 for an in-house department and asked what had currently been expended.

Mr. Coffield explained that the County is on a four-year cycle, and that the first two years would cost \$623,000 annually. After the first two years, the question is if you continue a two-year cycle or a four-year cycle. If you go to a two-year cycle, \$623,000 would be an annual cost. If you go to a four-year or six-year cycle, you would not need full staff for the remaining cycle.

Jean Shrewsbury, Commissioner of Revenue, reiterated that to conduct an in-house reassessment operation, it would cost the County \$623,000 per year if the County elected to perform reassessment every two years. She said if the County went with reassessment every four or six years, the annual cost would be less as staffing could be reduced for some of the years. You would need to maintain the core staff (management, statistician, data-entry person) and not have as many field people. There would be an ongoing cost to maintain that department.

Mr. Howdysshell asked if this was stated in the Code of Virginia as to the staffing of doing in-house reassessment. Ms. Shrewsbury said it was in the Code of Virginia and more particular in the Uniform Standards that are set by the Appraisal Institute for the United States, which are standards adopted by the International Association of Assessing Officials.

Ms. Sorrells appreciated the research that Ms. Whetzel and Ms. Shrewsbury presented and stated the following:

I think it is clear to us that the we have already been using the best way to do it with a private contract money-wise and professionalism-wise. It is not to say that there aren't things that we need to tweak within the process. The Board of Assessors outlined a letter that gave us some specific things that we could do to do that. I would make a motion that we continue with doing it as we have with contracting with a private individual on a four-year cycle.

Ms. Sorrells moved, seconded by Mr. Beyeler, that the Board approve keeping the reassessment process as it is currently being done, contracting with a private entity.

Mr. Coleman made the following comment:

I am one of two Board-appointed representatives to this whole general reassessment process. Mr. Coffield and his staff came back to us not long ago and presented to us

February 24, 2010, at 7:00 p.m.

**REAL ESTATE ASSESSMENT OPTIONS (cont'd)**

exactly what we asked them to present. What is it currently costing us to do it contractually? What would it cost us to do it in-house? Of course, in addition, we talked about the \$623,000 and it is estimated that there is an additional \$170,250 of start-up cost. This is something that the Commissioner's office currently is not doing and, obviously, there is some cost associated with that. I heard Mr. Garber mention the notion that probably concerns me as much as anything about this of growing government. Why should the government . . . We get criticized enough . . . Why should the government get into something that the private sector is already doing? That is the business of the private sector. They have been doing it. Blue Ridge first started doing it for us in 1985 and we haven't heard any real fall-out. We just simply went through a period in our history that is unprecedented. They are the same contractor who has continued to do good work. Whether they are the contractor the next time, or not, that is not the point. It will be put out to bid and go through a very well-defined process and comes how this Board ends out in selecting whoever might do the next reassessment. They can clearly do it cheaper. They did our last reassessment at \$14.65 per parcel. I had a private assessment done . . . \$200! They never got out of their car! They just drove by and I waived at them and they sent the banking institution a bill for \$200. At least, this process, they get out of the car. They take a picture of the property. And then what the private sector ended out doing was using the stuff that the County actually had about my property on their website. They didn't even have to go out and generate that sort of thing. As the Board's liaison, and I've been very active in this thing over the time we went through this process, and I certainly whole-heartedly endorse the motion that is on the floor that we continue and continue to refine it and make it the best we can possibly make and do it on that four-year cycle.

Mr. Shifflett made the following statement:

I reviewed the information given to us Monday that evening and yesterday and cost was the deciding factor for me. I don't think that adding another department with more employees and growing the government all the while spending this amount of money every year by doing it in-house is the answer. Simply, the events of previous year, there is no longer any trust in doing this process locally and by doing it in-house isn't going to bring that trust back. I think the biggest step of bringing trust back to the assessment process over all is currently working its way through the legislature and that's the bill the house approved several weeks ago, placing the burden of proof on the assessor during an appeal instead of the property owner. I supported a similar measure last year and I support the measure now. It's currently in the Senate, and it could very well become law. If it does, it would be a substantial win on the property owner's behalf, but we should remember that it will most likely add additional cost to the reassessment process during property owner appeals. We have to keep all of this in mind.

Mr. Beyeler made the following statement:

I thought of that same bill if it happens. If that happens, we want to make sure that we have quality people doing that job and they used different figures. If you look at the sales since the assessment, it proves that they came a whole lot closer than I thought they would come. I also want to say, from experience, I have served on the Assessment Board. I am convinced that that is the best way to have a fair assessment without a lot of politics being involved. The way we are doing it is the best way for the people of Augusta County and the fairest way.

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

Nays: None

Absent: Pyles

Motion carried.

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February 24, 2010, at 7:00 p.m.

CONSENT AGENDA

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

MINUTES

Approved the following minutes:

- Regular Meeting, Wednesday, February 10, 2010

NON-CONVENTIONAL SEWAGE DISPOSAL SYSTEMS

Approved one non-conventional system in the Laurel Heights Subdivision on Lot #13A (Tax Map #47B((1))(1) as provided in § 11-13 (D) of the County Code (Wayne District).

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

Nays: None

Absent: Pyles

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:

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION APPOINTMENT

Mr. Howdyshell moved, seconded by Mr. Coleman, that the Board nominate Jeremy L. Shifflett to serve a two-year term on the Central Shenandoah Planning District Commission Executive Board, effective July 1, 2010, to expire June 30, 2012.

Mr. Beyeler mentioned that this only a nominee from this Board.

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

Nays: None

Absent: Pyles

Motion carried.

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Mr. Howdyshell: Roads – VDOT snow removal – “Tremendous toll on the roads.” VDOT has spent a lot of hours on the roads and has asked citizens to be patient with the repairs.

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CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION REAPPOINTMENT

Mr. Shifflett moved, seconded by Ms. Sorrells, that the Board reappoint David R. Beyeler to serve another three-year term on the Central Shenandoah Planning District Commission, effective July 1, 2010, to expire June 30, 2013.

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

Motion carried.

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February 24, 2010, at 7:00 p.m.

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

Ms. Sorrells:

1. Roads – Echoed Mr. Howdyshell
2. GART/Tourism – Attended Waynesboro City Council Meeting and spoke about joint tourism efforts, which is a regional agreement that the three localities have signed and participating in for a number of years. Will be going to Staunton in March to encourage the continued partnership. “We need to emphasize regional efforts that we can spend less money, not duplicate efforts, and bring tourism to the area.” She mentioned that Virginiavalley.com is available on the web for marketing information.

Mr. Beyeler: Garbers’ dinner – Thank you. Nice event! Honored Dale Cobb’s retirement.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following issues:

1. VACo Regional Meeting – Thursday, March 25<sup>th</sup>, at JMU Festival Building, 5:00 - 6:00 p.m.; reception at 6:45 p.m.
2. Augusta Health Center – Government Officials social meeting – Tuesday, June 1, 2010, at 5:00 – 7:00 p.m.
3. Emergency incident – Mr. McGehee mentioned that Fire Chief Holloway had informed him that a person in Waynesboro was having a heart attack. They called for a paramedic at Preston Yancey Fire Co. He identified the issues that the gentleman was having and informed the hospital. With the heart specialist now at the hospital, this individual was in the operating room for a stint within 9 minutes. He explained the importance of having a stint inserted within 30 minutes and commended Augusta Health and the paramedic.

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4. Telecommunications Request – Mr. Morgan reported that in June 2006, Augusta County subleased space on the communications tower owned by Ntelos to the North River Communications, LLC so that North River could provide wireless communications to the North River Elementary School. Yesterday morning, he received a call from Grant Penrod, an attorney in Harrisonburg, informing him that North River Communications is dissolving as is the parent company to the North River Telephone Cooperative. They are trying to assign their obligation to the Shenandoah Valley Electric Co-op. Mr. Morgan did not see a problem for this, but since it was subleased to North River, it is going to require consent from the Board to assign their contractual obligation to the Shenandoah Valley Electric Co-op. He received a copy of the sublease agreement for review and did not see any problems. In the letter, it indicates that the School Board agrees to this arrangement.

Mr. Beyeler moved, seconded by Mr. Shifflett, that the Board authorize the County Attorney to proceed with a new sublease agreement.

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

Motion carried.

