

Regular Meeting, Wednesday, April 14, 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
Tracy C. Pyles, Jr.
Nancy Taylor Sorrells
Patrick J. Morgan, County Attorney
Timmy Fitzgerald, Director of Community Development
Jennifer M. Whetzel, Director of Finance
John C. McGehee, Assistant County Administrator
Patrick J. Coffield, County Administrator
Rita R. Austin, CMC, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, April 14, 2010, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 234th year of the Commonwealth....

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Chairman Garber welcomed the citizens present.

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Charlotte Marion, a senior of Stuarts Draft High School, led us with the Pledge of Allegiance. Charlotte is the President of her Senior Class; she plans on attending Shepherd University and major in Chemistry.

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Larry C. Howdyshell, Supervisor for the North River District, delivered invocation.

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RESOLUTION – EDWARD WILLIAMS PARKINS, JR.

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

RESOLUTION

WHEREAS, Edward Williams Parkins, Jr. was an inspiration to all of his fellow cadets throughout his years at Augusta Military Academy until his graduation in 1970; and

WHEREAS, subsequent to Augusta Military Academy, Edward Williams Parkins, Jr. has motivated others especially during his 30 years of employment at Blue Ridge Community College; and

WHEREAS, Edward Williams Parkins, Jr. has inspired many young people at Turner Ashby High School as their Honorary Football Coach, their #1 fan, Chaplain, member of the Round Table and Booster Club; and

WHEREAS, Edward William Parkins, Jr. is greatly appreciated for his support to Relay for Life and his support and encouragement to others while fighting his own battle with cancer; and

WHEREAS, Edward William Parkins, Jr. is applauded for his honorary membership in ZTA Sorority at James Madison University and support of its Breast Cancer Awareness efforts; and

WHEREAS, Edward William Parkins, Jr.'s solid reputation as an avid fan at VMI sporting events, Kaydet Club activities, UVA Wahoo, Fork Union Military Academy and Fishburne Military School is well known and acknowledged; and

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RESOLUTION – EDWARD WILLIAMS PARKINS, JR. (cont'd)

WHEREAS, Edward William Parkins, Jr.'s active participation in the Bridgewater Ruritan Luncheon Club and the Harrisonburg Church of the Nazarene and his spiritual motivation and support to others is well recognized; and

WHEREAS, Edward William Parkins, Jr. will be inducted into the Hall of Fame of the Augusta Military Academy Association Reunion on the 24th day of April, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Augusta County Board of Supervisors wishes to recognize the life accomplishments of Edward William Parkins, Jr. and commend him on his inspirational services and support to others.

BE IT FURTHER RESOLVED that the Augusta County Board of Supervisors acknowledges Edward William Parkins, Jr. during the regular meeting on April 14, 2010; and

BE IT STILL FURTHER RESOLVED that a copy of this Resolution be presented to Edward William Parkins, Jr. and spread upon the minutes of the Augusta County Board of Supervisors April 14, 2010 meeting.

Patrick J. Coffield, County Administrator, explained that the resolution was for a citizen who is in poor health. To celebrate his contributions to the community, a request had been made that the Augusta County Board of Supervisors recognize this individual.

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

Nays: None

Motion carried.

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VDOT SIX-YEAR PLAN

This being the day and time advertised to consider and receive input in regards to the proposed Secondary Road Construction Improvement Program for the State Secondary System of Highways in accordance with Section 33.1-70.01, Code of Virginia, 1950, as amended; the program covers the six-year period from July 1, 2010 through June 30, 2016. The Board will also receive input on the Secondary Road Construction Improvement Budget for Fiscal Year 2010-11. The Budget covers the period from July 1, 2010 through June 30, 2011.

The Chairman declared the public hearing open.

Jeremy Mason, Acting Residency Administrator, reviewed with the public the purpose for conducting the public hearing:

“My name is Jeremy Mason. I am the Acting Residency Administrator in Verona. It is a pleasure to be here tonight with the Board and the public to present our Six-Year Plan and budget for Fiscal Year 2011 through 2016. I will take a minute to recognize a couple of folks that are here tonight with us that helped the Six-Year Plan happen: Terry Jackson, who is over Planning at the District office; and Al Scott, from our Residency office. Al plays an important role in the development of a lot of the projects here in Augusta County, mainly, the non-hard surface road projects such as the Rural Rustic program and the Pave-in-Place projects. The proposed Six-Year Plan does not have any State or Federal dollars in it. The money on the Six-Year Plan is from Telecommunications Fees, which are fees collected for the use of public easements by utility companies. Those monies are given to VDOT and reallocated back out to local residences. There is approximately \$245,000 identified for each year on the Six-Year Plan. There are several projects that are still on the Plan. A lot of those projects were federal-aid projects that are not receiving any money this year but there is still money that was placed in previous years. These projects are:

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VDOT SIX-YEAR PLAN (cont'd)

1. Route 636 road and bridge project, which is a connector project from Route 250 over past Augusta Medical Center.
2. Route 640, which is Goose Creek Road and on the other side of the hospital that ties into Route 250 at a new location.
3. Route 42 is a primary route that shows up in the secondary plan because it has a small amount of secondary dollars on it. That is a realignment over in the area of Mossy Creek in the northern end of the County. This project will start in May.
4. Route 340 turn-lane improvements at Calvary Church in Stuarts Draft – left turn and right turn improvements in that area.
5. Route 616 is Dam Town Road across from Fort Defiance High School to take care of some curve issues there.
6. Route 610, from Stuarts Draft over to the Sherando area, where there are several areas that are prone to flooding.
7. Route 612, at the intersection of Route 792, near ASR.
8. Route 250, with some intersection improvements at Woodrow Wilson Complex.

Some of these are primary projects that have local funding and are eligible for federal funding.

We do have several projects on the plan to be completed this summer (2010). These projects are:

1. Route 642, Barrenridge Road (Wayne District)
2. Route 652, University Farms Road (Riverheads District)
3. Route 659, Payton Hill Road (Riverheads District)
4. Route 694, Swartzel Shop Lane (Riverheads District)
5. Route 694, Chestnut Ridge Road (Riverheads District)
6. Route 1207, Wright Lane (Riverheads District)
7. Route 696, Coffman Road (North River District)
8. Route 699, Ridge Road (North River District)
9. Route 835, Varner Road (North River District)
10. Route 746, Todd Road (North River District)
11. Route 716, West Augusta Road (Pastures District)
12. Route 682, Troxel Gap Road (Pastures District)
13. Route 772, Sulfur Pump Road (Middle River District)
14. Route 906, Rife's Ford Road (Middle River District)
15. Route 971, Lipscomb Road (South River)

The potential projects for 2011 are:

1. Route 610, Howardsville Turnpike (South River District)
2. Route 699, Ridge Road (North River District)
3. Route 761, Bull Mountain Road (North River District)
4. Route 765, Narrow Back Road (North River District)
5. Route 875, Enterprise Road (North River District)
6. Route 800, Springfield Lane (Riverheads District)
7. Route 688, Hodges Draft Lane (Pastures District)
8. Route 832, Buffalo Branch (Pastures District)
9. Route 833, Tribletts Mill Road (Pastures District)
10. Route 845, Stuart's Knob Lane (Pastures District)
11. Route 862, Furnace Road (Pastures District)

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VDOT SIX-YEAR PLAN (cont'd)

Last summer, we were able to complete on several projects in the County:

1. Route 612, Crimora Mines Road
2. Route 694, Virginia Institute Way
3. Route 686, Hilltop Drive
4. Route 799, Dalhouse Road
5. Route 802, Dynamite Road
6. Route 815, Evans Lane
7. Route 652, Guthrie Road

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Max Couchman, of Route 775, Craig Shop Road, asked that this road be placed on the Rural Rustic Roads Program because of the potholes. He had a petition of support for the Board. Chairman Garber said that the Board a copy of the petition.

Bobby Beard, of Route 775, Craig Shop Road, supported having the road placed on the Rural Rustic Roads Program because of the potholes and dust. He asked, if it could not be placed on the program, how the dust could be better controlled.

Sue Staubus, of Barger Lane, asked that the road be placed on the Rural Rustic Roads Program and commended Danny Martin for his excellent job in clearing the roads during the snow removal.

Susan Baldwin, at the intersection of Route 694, Virginia Institute Way and Route 712, Haytie Lane, requested that Haytie Lane not be placed on the Rural Rustic Roads Program. She noted that when Virginia Institute Way was improved, trees were cut along the road on Haytie Lane and changed the character of the area.

David Smith, of Hampton Drive, Stuarts Draft, asked that the bridge on Route 634, in the South River District, be improved. It is in a low-lying area and prone to flooding for many days after the rain has stopped. It is in an area that is frequently used and also affects alternative roads.

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

Chairman Garber reported that action would be taken at the April 28th meeting.

Mr. Beyeler asked Mr. Mason to check the culverts on Route 634 because some of them are clogged.

Mr. Mason recognized Don Komara, Resident Administrator in Harrisonburg, who arrived late for the meeting.

Ms. Sorrells asked that Blacksmith Shop Road, Russell Rock and Newton Lane be added to the list to be considered for Rural Rustic Roads program. She added that residents have expressed appreciation for the work being done on Newton Lane.

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GREENVILLE FIRE-RESCUE STATION

This being the day and time advertised to consider entering into a Comprehensive Agreement with GFC/Campbell Brothers Construction regarding the construction as part of Public-Private Education Facilities and Infrastructure Act (PPEA) of the Greenville Fire-Rescue Station.

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GREENVILLE FIRE-RESCUE STATION (cont'd)

Patrick J. Morgan, County Attorney, advised that as part of the Public-Private Education Facilities and Infrastructure Act (PPEA) procurement procedure, the Board goes through a process. First, was the conceptual phase where several proposals were obtained. Prior to entering into a Comprehensive Agreement, the Board is required to hold a public hearing.

The Chairman declared the public hearing open.

Barry Lotts stated that, when this interest began, Ms. Sorrells had asked for Mr. Lotts' opinion on placing a fire station on the south end of the County and asked how it could be manned. Mr. Lotts was successful in recruiting 27 members that have decided to come to the Riverheads Station to help get it started. "Out of the 27 members, there is a combination of 423 years of combined Fire EMS emergency service experience; 22 have Fire EMS; 2 members are Department Fire Programs Adjunct Instructors; 3 are Virginia Association Volunteer Rescue Squad Instructors. Their goal is to recruit new members. In doing training, they hoped to have the training at that facility. They also hoped to have a fundraising committee. He mentioned that they have been meeting regularly (twice a month) and have already set up a committee to establish a Board of Directors for members of the community to assist in general departments and financial oversight to assure the money is being spent appropriately. They have also contacted a trooper in the area who is willing to serve as a Safety Officer for the department so that the programs will meet the Virginia State Police guidelines.

Ed Clymore, former Superintendent of the Augusta County School District, stated that "we have had a well-run county. You have taken care of the citizens of our area where there is a need. You have taken a look at it and fulfilled that need." He asked that the Board consider another need. Because of an increase in population and potential growth in the area, he felt that fire and rescue protection was critical.

Stacy Baker asked for the Board's support and stated that this was the best time to proceed. He felt that there would be lower bids on construction at this time.

Chairman Garber asked for those present to stand who were in support of the Greenville Fire-Rescue Station. Approximately 50 stood.

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

Mr. Coffield reiterated that this public hearing was required as part of the PPEA code requirement. The Comprehensive Agreement will be submitted to the Board at a later date for consideration.

Ms. Sorrells made the following statement:

This evening has been a long time in coming. It has been a lot of hard work that has gone into this process with the Board, the community, and it is an incredible need and an incredible opportunity and this is the time to act on that to fill what really is the biggest Fire and Rescue hole in Augusta County.

Ms. Sorrells moved, seconded by Mr. Beyeler, that the Board go forward with GFC/Campbell Brothers Construction for the Riverheads Fire and Rescue Station and to authorize the County Attorney to negotiate the Comprehensive Agreement with GFC/Campbell Brothers Construction.

She noted that she has had great cooperation with the South River District, who is going to contribute \$150,000; and Beverley Manor District, who is going to contribute \$50,000.

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GREENVILLE FIRE-RESCUE STATION (cont'd)

Mr. Pyles made the following comment:

I'm going to speak against everybody out here, but it is not for the reasons that you might think that I'm just against something. We had a fire plan we paid for and said 'we ought to move the fire station that is in Staunton south of Staunton so that it could serve your area. That was the plan. We set money aside for it dutifully. For many years, we put that in place. When this PPEA was proposed, I asked this Board to please let's also look at the cost to move that station south. On a 6-1 vote, they said no. Why wouldn't we want to do that? Mr. Clymore speaks we serve needs and what-not. When he was Superintendent, he closed Deerfield Elementary School because it makes sense to have one facility than two. We have to have our money saved as well as we can. Having more buildings doesn't give us more people. We keep adding in construction and cutting in service providers. We haven't added to our Fire and Rescue people. While you think . . . or Ms. Sorrells says she's got the greatest need, that's not what the County indicates when it looks at fire responses. You know Deerfield, they are at six minutes and 11 seconds; Mount Solon, six minutes and 38 seconds; Verona, eight.66 minutes; the things that go to you—Raphine, 4.71 minutes; Company 10, 1.66 minutes. It's not the biggest hole. It's not the biggest need. Deerfield has asked for three years straight to get three people—get one person and this Board continually turns them down. Are their lives worth less than Deerfield? Yet, that little community, I would challenge each of you to drive out to that little community and see what they have built. They have built the Fire Station themselves. They didn't come to this Board for it. They have put \$1 million worth of equipment in that facility, but you folks have come "build me a station; build it and we will come". Everybody else says, 'We'll take it upon ourselves.' That's what makes this county well run . . . is when our citizens are willing to step forward and do their part. We have a great need of service providing all over this county. Ms. Sorrells often spoke of people dying—a dead person at Riverheads High School. We had a fellow this past weekend who was killed by a drunk driver of a motorcycle where they had called the Sheriff several times about the driver and he said, 'I didn't have enough people to send out there'. We reduced the number of people we have in Law Enforcement; we restrict the number of people that we have at Fire & Rescue; and we've got \$1 million to build a new facility. We would have saved a lot of money to move Company 10 down to where it could service your high school, where it could service a lot of places off the loop can get east and west. I haven't been opposed to a station south of Staunton. I've been opposed to putting in a volunteer station when we struggle all the time with having people enough to run volunteer agencies. We have one in Weyers Cave –Grottoes where they have a building but nobody to operate it. So when you look at things, I wanted this Board to at least have the way to evaluate what would be the best use of the money. And you would be better served by having that Company 10 down there and if we had rescue people. One of the things that is going to happen with your facility down there is SARS is going to put a place there. They are going to collect 100's of 1,000's of dollars. I was wanting that money to come to us or go to our Stuarts Draft Rescue Squad who have served you so well over the years. So there isn't just one answer. My opposition has been to not doing what we had planned because I think it would serve more people, serve them better; career people serving you and being something that you can count on for years. This is all new for us. We've not funded a station before. This is also costing us in equipment. We had to take—we bought a new pumper this year for \$650,000 and it was so bad we couldn't use it and we had to replace it with what we had. Low and behold, where is that pumper going that we couldn't operate? It's going down to Greenville. Either is not good enough and you people shouldn't have it or it was good enough for us to keep running. We keep spending money now in the most difficult times we've ever had and I can't understand it. There was a better way to do this. There was comments that I didn't care about you folks. I care about you, but I also care about the taxpayers. The other 70,000 people that aren't here today who trust us to be wise with their money. This isn't as wise as we could be.

Mr. Howdysshell made the following comments:

I have some real concerns here. I was on the committee to recommend that we build a fire station in that area and I still think we need one down there. The funding that has been divvied up here was not part of the conceptual agreement that we had with the two supervisors when it first started. It kind of boils down, you know, where they were going to take the '99 pumper out of Company 10 and send it down there. Now, they're not going to take anything. In a few years, they are going to need some kind of pumper down there and it is going to come out of General Funds. The supervisors of that area had made a commitment that this is what they would do. They would do the balance of depreciation

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GREENVILLE FIRE-RESCUE STATION (cont'd)

and take on the '99 pumper. Now, that doesn't seem to be the case. I want you to be able to answer the calls down there and this piece of equipment that was supposed to have been part of this funding scenario is not going there. I don't know what kind of vehicle you're going to have. I would hope that you would have a real good vehicle because the first seven years, you need not to be thinking about how you're going to find a good pumper. It's going to be tough starting that system up—that new fire station and it's going to take a lot of your time and I want you to dedicate that time, but I don't want you to worry about what kind of pumper you're going to have to have because there is other equipment you are going to need, also. Another thing, it seems like we kind of get sideways one piece at a time.

Mr. Howdysshell moved, seconded by Mr. Pyles, that the Board table this item until the Board has time to decide about the pumper and have a concept of what the call area is going to be for that area.

Vote was as follows: Yeas: Howdysshell and Pyles

Nays: Sorrells, Garber, Beyeler, Shifflett and
Coleman

Motion failed.

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Ms. Sorrells made the following comments:

Let me address the question about the vehicles. What we are going to do—in discussion—I have had a long discussion with Fire Chief Holloway, Mr. McGehee, and Mr. Lotts (the head of this new company) and what they will do is we'll move 102 and the tanker down there. 102 has depreciated out fully. From day one, they will be treated like any other volunteer station, which means that they will have to enter the line for the revolving fund; they will have to write grants; they will have to do fundraising to buy their vehicles just like every other vehicle is with the exception of their vehicles will be titled to the County. So they would be the County's vehicles. As long as they are in that station, they will have use of them, but if they would for ever any reason fold up, they would become the County's vehicles. Now, they will, just like any other fire station, get their annual allocation, minus, to put them on even ground with everybody else, minus the depreciation of the building and asphalt and, also, minus anything that the County pays for utilities. They will get their allotment based on their calls like all the other companies, minus . . . other companies use some of their allotment to pay their building expenses, and, in this case, it's a County building where we're starting a new template here. We'll be the first volunteer company in the entire County to have 24/7 coverage. That's an incredible thing for the community to step up and do that. I don't think anybody is holding out their hand to the County. We have two groups who have stepped up to the plate when we knew we had an important need. I just want to remind the Board and the audience, tonight, what we're voting on here tonight is not whether or not to move Company 10. We took a long look at that and debated that. For a variety of reasons, not many of which, are the needs in the Riverheads District, we decided that it wasn't going to happen. We weren't going to move it. It was going to stay where it was and we were going to renovate that. That question was decided last year. We're not even here to take a vote on whether there will be a new fire and rescue station. That question was also decided last year. We're here tonight to vote on the committee's recommendation of this site as a selection of the PPEA process. Let me just set the scenario. You, who are here, most of you are from the Riverheads District, or work in the Riverheads District, you know that in the Riverheads District, there is one fire or rescue station. That's the Middlebrook Volunteer Fire Department. They do a fantastic job. But there is one. Four of the companies that have to respond into the Riverheads District aren't even in our County. We can't even help them financially. We have Fairfield Rescue, South River Fire Department, Walkers Creek and Raphine outside the County so we can't even affect whether we add personnel down there, whether we give them money for equipment, they have different protocol time, so we have a big need. The Pastures District has, within its district, seven companies—Churchville Fire and Rescue, Craigs ville Fire and Rescue, Deerfield Fire and Rescue, and Swoope. Last year, in the middle of the budget cycle, Mr. Pyles did come to us and asked us for three career personnel to put out there in

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GREENVILLE FIRE-RESCUE STATION (cont'd)

Churchville. That's \$168,000 in the budget each and every year from now on. We did not question that; we did not ask him to supply us reams of information and statistics to prove that; and there is a reason for that. Augusta County is a huge county. It's thousands of square miles. Our governance, up here, works because we can each specialize in our district and know it inside and out. There is no way any of us can know a thousand square miles of a county. If we do our job fully, we don't have time to do the job of the Middle River District or the South River District, but we have to have a trust that each supervisor knows his or her district and knows what is best. That's why, when the Chairman has an issue, looks to the supervisor in that district to make the motion because it is understood that that person should take the lead in what goes on in their district. That's why, when Mr. Pyles asked for those personnel, we gave it because we trusted that he knew best what was correct for his district. I think what you're seeing here tonight, unfortunately, is a little bit of trust that has broken on that Board with that, but, hopefully, we're here pulling together and making that trust work. My constituents have long . . . Since I have been on the Board, they have talked to me about this big need and it is not just a fire need; it's a rescue need; it is a desperate rescue need. Last year, we had several incidents that pushed us into action. Stuarts Draft Fire Department came to us and said, 'we're covering deep into the Riverheads District'. And, yet, Stuarts Draft is slated for a lot of growth. We can't, possibly, continue that wide an area without having an area reduced and personnel added to us. You know when one of our own comes to us, we respond to the need just like Mr. Pyles responded to the need with the Churchville request. In subsequent discussions with the Captains and Chiefs of all the agencies that come into the Riverheads District, Fairfield came to us and said, 'we applaud what you're doing. This is wonderful because we're not making it out to the calls from the County and it's hurting the County. We'll take any help that you can get.' So the need is there. When we took a map and did dots, we did a dot for every fire and rescue station in the County and did concentric circles two and one-half miles out and five miles out. When you put it up, it was pretty stunning because none of those circles overlapped around the schools and around our new Urban Service Area that was done after our Fire and Rescue Master Plan in 2000. That Urban Service Area came out of a new Comp Plan. That hole is our two schools. It is 1,200 people, with the students and all the administration that are there every day, in our biggest rescue hole in the County and that is not acceptable. It's just not! We've got 200 houses right around those schools that are on the books to be built when the economy starts getting better. We have 100s of acres of commercial area that is not developed, yet. Already, the Pilot area--that interchange gets almost a 911 call a day—not all of it is a fire and rescue, but a lot of them are. The need is now and we need to work forward with it.

The other thing is, you know in these tough economic times, I talked to Roger Hammond, who does insurance. He worked up a lot of numbers for me and he said that anybody (this is a Federal law) who is within 5 miles of that new fire department will save between \$100 and \$200 a year on their homeowners insurance. So when you look and see how many households is—it's 3,500 households that are within the 5-mile radius. Some of those are going to be close enough to Stuarts Draft that they are already getting it; some of them are going to be close enough to Middlebrook, but you're talking about \$300,000—maybe, \$700,000 a year back into the pockets of the community at a time when we hit the most. It's a win-win all the way around. Ultimately, we couldn't do it if it wasn't for the Staunton-Augusta Rescue Squad stepping up and this new fire company stepping up and saying, 'we're going to man this 24/7 and we're going to fill this need in the community'. That saves us. We've got enough money to cobble together the project—\$1 million or so. We don't have enough money to pay \$800,000 a year to staff it. This is an amazing thing. I want to move forward on this. We've vetted the process pretty thoroughly. We've looked at a dozen different sites over the past year. I had a guy who came up to me tonight. He was going to speak, but his wife is ill, and he gave me a check for \$1,000 to go to the fire department as soon as we push the button and it's a reality. So the community is behind this. The community wants it. The community needs it. Besides that, we guaranteed Santa Clause that he is going on a Riverheads fire truck to the Greenville United Methodist Church next Christmas, and we can't break a promise to Santa Clause.

Chairman Garber made the following comment:

We've gotten off track here. We have a motion on the floor that is about the PPEA process. It is about staff entering into an agreement on a building and a location. The fire truck is not on the floor. The split as to how this is paid for is not on the floor. It is not on the agenda. We need to discuss the PPEA, which is on the floor, and if you want to

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RURAL RUSTIC ROADS – RESOLUTIONS (cont'd)

Mr. Pyles explained that \$4 million was proposed for the road out to the prison. He felt that road would never be completed and that the money could be well-used for these projects.

Mr. Pyles moved, seconded by Mr. Howdyshell, that the Board adopt the following resolutions:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1500 vpd; and

WHEREAS, the Board of Supervisors of Augusta County, Virginia (“Board”) requests that **Route 688, Hodges Draft Lane** From: Rte. 629 To: End of State Maintenance be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways; and

WHEREAS, the general public and particularly those citizens who own land abutting this road have been made aware that this road may be paved with minimal improvements as is consistent with the development of a rural rustic road project; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

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RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1500 vpd; and

WHEREAS, the Board of Supervisors of Augusta County, Virginia (“Board”) requests that **Route 832, Union Hall School Lane**, From: Rte. 720 To: End of State Maintenance be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways; and

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RURAL RUSTIC ROADS – RESOLUTIONS (cont'd)

WHEREAS, the general public and particularly those citizens who own land abutting this road have been made aware that this road may be paved with minimal improvements as is consistent with the development of a rural rustic road project; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics;

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BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

* * *

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1500 vpd; and

WHEREAS, the Board of Supervisors of Augusta County, Virginia (“Board”) requests that **Route 833, Tribletts Mill Road**, From: Rte. 720 To: End of State Maintenance be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways; and

WHEREAS, the general public and particularly those citizens who own land abutting this road have been made aware that this road may be paved with minimal improvements as is consistent with the development of a rural rustic road project; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

* * *

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

April 14, 2010, at 7:00 p.m.

RURAL RUSTIC ROADS – RESOLUTIONS (cont'd)

WHEREAS, any such road must be located in a low-density development area and have no more than 1500 vpd; and

WHEREAS, the Board of Supervisors of Augusta County, Virginia (“Board”) requests that **Route 845, Stuart’s Knob Lane**, From: Rte. 42 To: End of State Maintenance be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways; and

WHEREAS, the general public and particularly those citizens who own land abutting this road have been made aware that this road may be paved with minimal improvements as is consistent with the development of a rural rustic road project; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

* * *

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1500 vpd; and

WHEREAS, the Board of Supervisors of Augusta County, Virginia (“Board”) requests that **Route 862, Furnace Road**, From: Rte. 601 To: End of State Maintenance be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways; and

WHEREAS, the general public and particularly those citizens who own land abutting this road have been made aware that this road may be paved with minimal improvements as is consistent with the development of a rural rustic road project; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

April 14, 2010, at 7:00 p.m.

RURAL RUSTIC ROADS – RESOLUTIONS (cont'd)

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

* * *

RESOLUTION

WHEREAS, project 0601-007-358,N501(UPC60523) is completed and there is a balance of funds remaining of \$1,107,239.00 (\$555,226.50 county share and \$552,012.50 VDOT share), and

WHEREAS, the Augusta County Board of Supervisors would like to adopt the following Secondary Six Year Plan Project 0688-007-R29-N501(UPC 96250 as a revenue sharing project; Route 688, known as Hodges Draft Lane, to be constructed as a Rural Rustic Road from Route 629 to Route End Of State Maintenance, and

WHEREAS, project 0688-007-R29-N501(UPC96250) has an established ad date of July 24, 2012 and to ensure this ad date is met the County of Augusta would like transfer the funds to this project from 0601-007-358-N501(UPC 60523), totaling \$277,623.00,

BE IT RESOLVED, that the Augusta County Board of Supervisors requests that the revenue sharing funds in the amount of \$277,623.00 (total) be transferred from project 0601-007-358-N501(UPC 60523) to the new project described above.

* * *

RESOLUTION

WHEREAS, project 0601-007-358,N501(UPC60523) is completed and there is a balance of funds remaining of \$1,107,239.00 (\$555,226.50 county share and \$552,012.50 VDOT share), and

WHEREAS, the Augusta County Board of Supervisors would like to adopt the following Secondary Six Year Plan Project # 0832-007-R32-N501(UPC 96253 as a revenue sharing project; Route 832, known as Union Hall School Road, to be constructed as a Rural Rustic Road from Route 720 to Route End Of State Maintenance, and

WHEREAS, project 0832-007-R32-N501(UPC96253) has an established ad date of July 24, 2012 and to ensure this ad date is met the County of Augusta would like transfer the funds to this project from 0601-007-358-N501(UPC 60523), totaling \$173,898.00,

BE IT RESOLVED, that the Augusta County Board of Supervisors requests that the revenue sharing funds in the amount of \$173,898.00 (total) be transferred from project # 0601-007-358-N501(UPC 60523) to the new project described above.

* * *

RESOLUTION

WHEREAS, project 0601-007-358,N501(UPC60523) is completed and there is a balance of funds remaining of \$1,107,239.00 (\$555,226.50 county share and \$552,012.50 VDOT share), and

WHEREAS, the Augusta County Board of Supervisors would like to adopt the following Secondary Six Year Plan Project # 0833-007-R33-N501(UPC 96254 as a revenue sharing project; Route 833, known as Tribletts Mill Road, to be constructed as a Rural Rustic Road from Route 720 to Route End Of State Maintenance, and

WHEREAS, project 0833-007-R33-N501(UPC96254) has an established ad date of July 24, 2012 and to ensure this ad date is met the County of Augusta would like transfer the funds to this project from 0601-007-358-N501(UPC 60523), totaling \$273,160.00,

April 14, 2010, at 7:00 p.m.

RURAL RUSTIC ROADS – RESOLUTIONS (cont'd)

BE IT RESOLVED, that the Augusta County Board of Supervisors requests that the revenue sharing funds in the amount of \$273,160.00 (total) be transferred from project # 0601-007-358-N501(UPC 60523) to the new project described above.

* * *

RESOLUTION

WHEREAS, project 0601-007-358,N501(UPC60523) is completed and there is a balance of funds remaining of \$1,107,239.00 (\$555,226.50 county share and \$552,012.50 VDOT share), and

WHEREAS, the Augusta County Board of Supervisors would like to adopt the following Secondary Six Year Plan Project # 0845-007-R30-N501(UPC 96251 as a revenue sharing project; Route 845, known as Stuart's Knob Lane, to be constructed as a Rural Rustic Road from Route 42 to Route End Of State Maintenance, and

WHEREAS, project 0845-007-R30-N501(UPC96251) has an established ad date of July 24, 2012 and to ensure this ad date is met the County of Augusta would like transfer the funds to this project from 0601-007-358-N501(UPC 60523), totaling \$210,000.00,

BE IT RESOLVED, that the Augusta County Board of Supervisors requests that the revenue sharing funds in the amount of \$210,000.00 (total) be transferred from project # 0601-007-358-N501(UPC 60523) to the new project described above.

* * *

RESOLUTION

WHEREAS, project 0601-007-358,N501(UPC60523) is completed and there is a balance of funds remaining of \$1,107,239.00 (\$555,226.50 county share and \$552,012.50 VDOT share), and

WHEREAS, the Augusta County Board of Supervisors would like to adopt the following Secondary Six Year Plan Project # 0862-007-R31-N501(UPC 96252 as a revenue sharing project; Route 862, known as Furnace Road, to be constructed as a Rural Rustic Road from Route 601 to Route End Of State Maintenance, and

WHEREAS, project 0862-007-R31-N501(UPC96252) has an established ad date of July 24, 2012 and to ensure this ad date is met the County of Augusta would like transfer the funds to this project from 0601-007-358-N501(UPC 60523), totaling \$78,022.00,

BE IT RESOLVED, that the Augusta County Board of Supervisors requests that the revenue sharing funds in the amount of \$78,022.00 (total) be transferred from project # 0601-007-358-N501(UPC 60523) to the new project described above.

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

Motion carried.

* * * * *

PAVE-IN-PLACE – VDOT

The Board considered resolution transferring funding from cancelled Route 909 to Route 971 (Lipscomb Road) (South River Road).

Mr. Coffield advised that since funds were being transferred from Route 909 to Route 971, it requires Board action.

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

April 14, 2010, at 7:00 p.m.

PAVE-IN-PLACE – VDOT (cont'd)

RESOLUTION

WHEREAS, project 909-007-465 (UPC54026) is completed and there is a balance of funds remaining of \$1,170,718.00 (\$307,137.00 County share, \$431,859.00 VDOT share), and \$431,723.00 Federal Share, and

WHEREAS, the Augusta County Board of Supervisors would like to adopt the following Secondary Six Year Plan Project 971-007-825,N501 (UPC 95676) as a revenue sharing project; Route 971, known as Lipscomb Road, to be constructed as a Pave in Place road from Route 970 to Route 624, and

WHEREAS, project 971-007-825,N501(UPC95676) has an established ad date of July 27, 2010 and to ensure this ad date is met the County of Augusta would like transfer the funds to this project from 909-007-465 (UPC 54026), totaling \$106,932.00,

BE IT RESOLVED, that the Augusta County Board of Supervisors requests that the revenue sharing funds in the amount of \$106,932.00 be transferred from project 909-007-465 (UPC 54026) to the new project described above.

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

Nays: None

Motion carried.

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SUBDIVISION NAME CHANGE

The Board considered request to change name of subdivision from Forrest Glen Subdivision to Autumn Breeze Subdivision (Middle River District).

Timmy Fitzgerald, Director of Community Development, advised that Hillmont Apartments, LLC has requested that the subdivision known as Forrest Glen Subdivision be changed to Autumn Breeze Subdivision. By ordinance, once a subdivision has been named, the only way the name could be changed would be by action of the Board of Supervisors.

Mr. Beyeler 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.

* * * * *

MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

* * * * *

OUTDOOR MUSICAL OR ENTERTAINMENT FESTIVAL

The Board considered application as submitted by the Crimora Ruritan Club for the Green Environmental Festival outdoor event to be held on July 30, 31 and August 1 at the Crimora Community Park (Middle River District).

Rita R. Austin, Executive Secretary, reported that an application has been submitted by the Crimora Ruritan Club and all requirements have been met.

April 14, 2010, at 7:00 p.m.

OUTDOOR MUSICAL OR ENTERTAINMENT FESTIVAL (cont'd)

Mr. Shifflett moved, seconded by Mr. Howdyshell, 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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WAIVERS - NONE

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CONSENT AGENDA

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

MINUTES

Approved minutes of the following meetings:

- Staff Briefing Meeting, Monday, March 22, 2010
- Regular Meeting, Wednesday, March 24, 2010
- Budget Work Session Meeting, Monday, March 29, 2010
- Budget Work Session Meeting, Tuesday, March 30, 2010

CLAIMS

Approved claims paid since March 10, 2010.

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Beyeler: Chairman Howdyshell had asked Mr. Beyeler to provide guidelines for when a Board member requests staff to conduct research at what point is it no longer a reasonable effort. He felt that, under the FOIA, if cost exceeded \$200, that Board member should pay those fees. Chairman Garber said that he would take this under advisement.

Chairman Garber: Budget process – Thank you, Ms. Whetzel (Finance Director), for an outstanding job!

* * * * *

MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. 4-H Volunteer Appreciation Dinner – April 26th, 5:30-7:00 p.m., at Memorial Baptist Church, Staunton, Virginia.
2. Blue Ridge Parkway 75th Anniversary – September 11th – Honor Representative to be designated; proclamation to be adopted; quilt patch symbolizing Augusta County to be submitted. Chairman Garber asked if Mr. Coleman would be willing

April 14, 2010, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (cont'd)

to represent Augusta County. Mr. Coleman stated that he would be out of town. Ms. Sorrells suggested that Dennis Burnett, Economic Development Director, would be a good representative for Augusta County.

- 3. Farm Bureau Women’s Lunch – April 26th at 12:00 noon.
- 4. Land Use Open Space designation – shared information with the Board. Asked the Board how to proceed.
- 5. Parks and Recreation Annual Report distributed to Board
- 6. Spring Clean-Up update – 801 customers visited the Public Use Site; 219 customers visited the wood waste area; received 1,303 tires; 47 appliances; 75 batteries. Coca Cola of Staunton donated soft drinks for the Landfill employees and volunteers.
- 7. Attended CSPDC Regional Transportation Meeting, April 7th, with Dr. James Davis, Commonwealth Transportation Board Member. Supported funding for I-64, Exit 91 improvements.
- 8. ECC draft feasibility study distributed to Board. Consultant soliciting comments from jurisdictions. Will be presenting findings at a future Staff Briefing.

* * * * *

CLOSED SESSION

On motion of Mr. Shifflett, seconded by Mr. Howdyshell, 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
 - B) Military Leave

- (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) Landfill
 - B) Reassessments

- (3) the real property exemption under Virginia Code § 2.2-3711(A)(3)**
[discussion of the acquisition for a public purpose, or disposition, of real property]:

 - A) Off of Route 612 (Beverley Manor District)

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

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

Motion carried.

April 14, 2010, at 7:00 p.m.

CLOSED SESSION (cont'd)

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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.

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: Coleman, Garber, Sorrells, Howdysshell, Shifflett, 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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YOUTH COMMISSION – REAPPOINTMENT

Mr. Shifflett moved, seconded by Mr. Beyeler, that the Board reappoint Holly Wyatt Herman to serve another three-year term on the Youth Commission, effective July 1, 2010, to expire June 30, 2013.

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 STAFF (cont'd)

- 1. April 21, 2010 Special Meeting Agenda (Budget Hearing) was distributed to the Board with backup information.
- 2. Coyote Ordinance (revised) – distributed to the Board. It was the consensus of the Board to authorize staff to advertise for public hearing.

* * * * *

April 14, 2010, at 7:00 p.m.

ADJOURNMENT

There being no other business to come before the Board Mr. Beyeler moved, seconded by Ms. Sorrells, 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.

* * * * *

Chairman

County Administrator