

Regular Meeting, Wednesday, May 26, 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, May 26, 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 and reminded them to remove their hats and turn off their cell phones.

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Rachel Moffett, a seventh grader of Stewart Middle School, led the Pledge of Allegiance. Rachel said that she has had fun in school this year, especially, in Social Studies. Rachel enjoys soccer and reading. She hopes to be an Interior Designer or a CSI agent.

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

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MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

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VDOT REVENUE SHARING FY2010-2011

The Board considered VDOT Revenue Sharing Program for FY2010-2011.

Patrick J. Coffield, County Administrator, advised that this was discussed at Monday's Staff Briefing. He added that each year the Commonwealth of Virginia allocates funding for matching grants for roads. It is generally a 50-50 match; you can enhance the application by giving more than 50% up to \$1 million; however, if you fund less than \$1 million, you run the risk of not securing funding. Last year \$50 million was available statewide; this year \$15 million is available. He noted that it will be quite competitive this year and Augusta County may not be awarded the funding. In addition to the \$1 million; you may enhance your application by agreeing to manage the local projects. Staff is proposing to administer the projects locally. To accomplish this, the Revenue Sharing funds will be placed on the projects as listed to be locally administered with any secondary roads funding being reallocated to balance the accounts. Mr. Coffield advised that for the \$350,000 that was not budgeted in the CIP, an appropriation is needed of \$50,000 from each magisterial district infrastructure account (7 x \$50,000 = \$350,000). Mr. Howdyshell had stated that if there are priorities other than roads from certain districts, he understands that and he is willing to ensure that the County meets the \$1 million level out of his infrastructure account by covering the difference.

The following poll was taken:

- Mr. Pyles: Pastures would like to be involved as much as they can be.
- Mr. Howdyshell: Will pay what is needed.
- Chm. Garber: Middle River needs money for the sewer line out of the North River District.
- Mr. Beyeler: Clarified that these funds will only be used if the County receives the \$1 million.
- Ms. Sorrells: Yes

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VDOT REVENUE SHARING FY2010-2011 (cont'd)

Mr. Coleman: Yes
Mr. Shifflett: Yes

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

RESOLUTION

WHEREAS, the County of Augusta desires to submit an application for an allocation of funds of up to \$1,071,782 through the Virginia Department of Transportation Fiscal Year 2010-11 Revenue Sharing Program; and,

WHEREAS, \$1,071,782 of these funds are requested to fund the following:

SUMMARY – Designation of Funds Form
FY11 Revenue Sharing Program

Augusta County
District Staunton Residency

Rev Sh Priority #	Route # / Road Name	Requested State Rev Sh Match (\$)	Locality Rev Sh Match (\$)	Locality Unmatched Funds (\$)	TOTAL FUNDS (\$)
1	875 Enterprise Rd.	\$45,500	\$45,500	\$0	\$91,000
2	756 Whetstone Draft Road	\$259,500	\$259,500	\$0	\$519,000
3	1220 Russell Rock Lane	\$22,829	\$22,829	\$0	\$45,658
4	765 Narrowback Road	\$118,500	\$118,500	\$0	\$237,000
5	699 Ridge Road	\$62,737	\$62,737	\$0	\$125,474
6	800 Springfield Lane	\$120,165	\$120,165	\$0	\$240,330
7	761 Bull Mountain Rd.	\$75,500	\$75,500	\$0	\$151,000
8	340 Eastside Highway	\$226,609	\$226,609	\$71,782	\$525,000
9	891 Newton Lane	\$68,660	\$68,660	\$0	\$137,320
TOTAL OF ALL FUNDS		\$1,000,000	\$1,000,000	\$71,782	\$2,071,782

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

BE IT FURTHER RESOLVED THAT the Augusta County Board of Supervisors hereby grants authority for the Director of Community Development to execute project administration agreements for any approved revenue sharing projects.

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**VDOT REVENUE SHARING
FY2010-2011**

Allocations (County and State)

North River	Route 875	\$ 91,000.00
North River	Route 756	\$519,000.00
Riverheads	Route 1220	\$ 45,658.00
North River	Route 765	\$237,000.00
North River	Route 699	\$125,474.00
Riverheads	Route 800	\$240,330.00
North River	Route 761	\$151,000.00
Beverley Manor/ South River	Route 340	\$525,000.00 (move \$287,857 of existing funds to Route 610)
Riverheads	Route 891	\$137,320.00
		<u>\$2,071,782.00</u>

Funding Sources

CIP - Revenue Sharing \$92,857.14 X 7 = \$650,000.00
(Account #80000-8162)

CIP - Infrastructure Accounts:

Beverley Manor	#80000-8011-39	\$ 50,000
Middle River	#80000-8012-64	-0-
North River	#80000-8013-30	\$100,000
Pastures	#80000-8014-61	\$ 50,000
Riverheads	#80000-8015-59	\$ 50,000
South River	#80000-8016-52	\$ 50,000
Wayne	#80000-8017-62	\$ 50,000
		<u>\$350,000</u>

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

Nays: None

Motion carried.

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WILSON ATHLETIC BOOSTERS

The Board considered allocation of an amount not to exceed \$13,412.50 to offset Booster Club fundraising shortfall to complete the project.

Funding Source: Wayne Infrastructure Account #80000-8017-61

Mr. Coffield advised that this had been discussed at Monday's Staff Briefing. Mr. Coleman had asked for consideration to offset some fundraising shortfall for Wilson Athletic Boosters. He noted, historically, that the Wayne District has required the 50% whereas other supervisors have in the past used 100% contribution due to fundraising shortfalls. On Monday, Mr. Coleman had given a figure of \$8,150. After further review, it was determined to close the project, it would cost \$13,412.50.

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

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

Nays: None

Motion carried.

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May 26, 2010, at 7:00 p.m.

ORDINANCE CHANGE

The Board considered modifications to County Code to redefine:

- A) Animal "further" processing
- B) Wood processing

Patrick J. Morgan, County Attorney, advised that at Monday's Staff Briefing, he became aware of certain gaps in the Zoning ordinances, which may have slowed down efforts in economic development. The Board asked him to look into the ordinances and propose amendments which would be helpful to future economic development projects. Those amendments were attached to the agenda high-lighting the following:

- A) Animal "further" processing:
 - o § 25-382. Permitted uses in the General Industrial Districts without Administrative or Special Use Permit:

- B. Assembly, fabrication, processing, or packaging of products including the "further processing of meat products for human consumption, provided that, on the premises, no livestock or poultry are killed".

- F. Slaughterhouses, animal product processing plants "including fish processing".

Slaughterhouses, animal product processing plants "(other than those permitted by 25-382B), and fish processing plants" may be permitted by Special Use Permit provided:

- B) Wood processing
 - o § 25-304. Uses permitted by Special Use Permit dealing in the General Business Districts:

"L. Wood processing businesses.

Wood processing businesses, limited to firewood production may be permitted by Special Use Permit provided:

1. The minimum lot size for a wood processing business shall be 10 acres.
2. All buildings, structures and operations will be setback at least one hundred feet (100') from all property lines unless the Board of Zoning Appeals determines that greater setbacks are necessary to adequately protect neighboring properties from noise, lights, dust, odor, fumes and vibrations.
3. Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing said roads; and
4. If within sight of an Interstate Highway, the view from the Interstate Highway is made as pleasant and inviting as possible giving consideration to the value of scenic surroundings to residents, tourists and commercial development.
5. A site plan is filed meeting the requirements of division J article LXII "site Plan Review", approved and followed which clearly delineates the areas intended for outdoor storage and complies with the requirements of this chapter; and
6. Outdoor storage areas will not interfere with convenient, easily accessible parking for the public. Areas delineated on the site plan for parking or aisleways may not be used for outdoor storage; and
7. Outdoor storage areas will be proportionately appropriate in size and scope to the nature of the business.

Mr. Morgan advised that the next step is to refer this to the Planning Commission for its public hearing and then consideration by the Board of Supervisors.

Mr. Beyeler moved, seconded by Mr. Howdyshell, that the Board refer this item to the Planning Commission.

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ORDINANCE CHANGE (cont'd)

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

MINUTES

Approved the following minutes:

- Regular Meeting, Wednesday, May 12, 2010

INDOOR PLUMBING PROGRAM

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

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

Nays: None

Motion carried.

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(END OF CONSENT AGENDA)

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Ms. Sorrells:

1. Augusta-Staunton-Waynesboro Sesquicentennial Committee – Commemorate Civil War for tourism; was appointed to that committee last year. Committee is a joint committee with Staunton, Waynesboro and Augusta County. A tourism-project involves creating a kiosk that has a map of Augusta County, Staunton and Waynesboro and points of interest. They plan to write a grant to the Virginia Tourism Corporation for funding. Guidelines of the grant require a copy of resolution from the Board of Supervisors that makes the committee the official committee for the area.

Ms. Sorrells moved, seconded by Mr. Beyeler, that the Board confirm the Augusta-Staunton-Waynesboro Sesquicentennial Committee as the official committee representing the area for the Civil War commemoration.

Mr. Howdyshell asked for clarification. Ms. Sorrells stated that this request is to have minutes stating that this is the "real" committee to apply for the grant with no money involved from any of the localities.

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

Nays: None

Motion carried.

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May 26, 2010, at 7:00 p.m.

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

2. GREENVILLE SEWER ENGINEERING/ENVIRONMENTAL ASSESSMENT PROPOSAL

Ms. Sorrells distributed information to the Board reflecting a total estimated budget of \$34,580 from Peed & Bortz, LLC. She noted that an estimate for adding an additional alternative (only if requested) in the amount of \$4,500 was included in this cost. The purpose of this is to look at a second site if the first tract land becomes unavailable.

Funding Source: Riverheads Infrastructure Account #80000-8015-58

Ms. Sorrells moved, seconded by Mr. Coleman, that Board approve the allocation of \$34,580 out of the Riverheads Infrastructure Account.

Mr. Pyles asked why the Wastewater Treatment Plant in Greenville was not being considered. Ms. Sorrells said that it was being considered. Ms. Sorrells said that seven options have been narrowed down to two – 1) Wastewater Treatment Plant; 2) An alternative mass drainfield. Mr. Howdyshell felt that the Wastewater Treatment Plant needed to be used. Ms. Sorrells reiterated that this report was necessary to determine what was appropriate. Mr. Shifflett clarified that both options are to be considered to determine which was the most appropriate.

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

Nays: Howdyshell

Motion carried.

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- 3. Staunton News Leader – 1877 articles reflected Augusta County Board of Supervisors’ report – “to show you nothing changes in 133 years” – except for the fact Wayne District did not exist, 1) Schools asking for more money by adding a tax; 2) Dispute over a transaction between Staunton and Augusta County; 3) Bounties being paid out – foxes and wildcats; 4) Reimbursements for sheep killed by dogs; 5) Taxing dogs

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

VALLEY COMMUNITY SERVICES BOARD – APPOINTMENT

Mr. Shifflett moved, seconded by Ms. Sorrells, that the Board appoint Nicole Michele Medina to serve a three-year term on the Valley Community Services Board, effective July 1, 2010, to expire June 30, 2013.

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

Nays: None

Motion carried.

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May 26, 2010, at 7:00 p.m.

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

MCKEE FOODS CORPORATION

McKee Foods Corporation 20TH Anniversary – June 14, 2010, 10:00 a.m. – 1:00 p.m. Suggested recognition of appreciation of 20 years of employment for Augusta County citizens.

Mr. Shifflett moved, seconded by Mr. Beyeler, that the Board authorize presentation of a plaque to McKee Foods Corporation.

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 (cont'd)

Mr. Howdyshell: Fire and Rescue Volunteer Training - \$75,000 previously approved. Mr. Beyeler and he have met with staff and Officers' Association and will be coming back with a recommendation. Asked for input from the Board. He indicated they hoped to bring recommendation to the Board at the June Staff Briefing (June 26th).

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following issues:

1. Virginia Retirement System (VRS) – Member Contribution Pick-up Guide Resolution – Will be discussed at the June Staff Briefing. The Virginia General Assembly, in its 2010 session, passed legislation implementing new plan provisions for employees hired or rehired on or after July 1, 2010 with no prior VRS service. Faith Souder, Human Resources Director, has been asked to:
 - a. Be available at the Staff Briefing to explain the resolution and be available to answer questions;
 - b. Calculated by salary range (grades) what it would mean financially for someone with a 1 to 5% increase;
 - c. Analyze turnover over the past twelve months to determine cost estimate reflecting possible savings to the County but an expense to the employees.

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CLOSED SESSION

On motion of Mr. Shifflett, seconded by Mr. Beyeler, the Board went into closed session pursuant to:

- (1) **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) Reassessment

May 26, 2010, at 7:00 p.m.

CLOSED SESSION (cont'd)

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.

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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, Howdyshell, 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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ADJOURNMENT

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

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

Nays: None

Motion carried.

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Chairman
H:5-26min.10

County Administrator