

Regular Meeting, Thursday, January 27, 2011, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Jeremy L. Shifflett, Chairman  
Wendell L. Coleman, Vice-Chairman  
Gerald W. Garber  
David R. Beyeler  
Tracy C. Pyles, Jr.  
Nancy Taylor Sorrells  
Patrick J. Morgan, County Attorney  
Timmy Fitzgerald, Director of Community Development  
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: Larry C. Howdysshell

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Thursday, January 27, 2011, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 235<sup>th</sup> year of the Commonwealth....

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Chairman Shifflett welcomed the citizens present.

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Tucker Davis, of the Boy Scouts Troop 38 in Bridgewater, led the Pledge of Allegiance. Tucker participates in Boy Scouts every Monday night and enjoys playing soccer.

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

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RIVERHEADS HIGH SCHOOL VARSITY FOOTBALL TEAM – RESOLUTION

Ms. Sorrells reported that she would be presenting this resolution at the Ring Ceremony. She accredited Stuarts Draft (as Riverheads closest rival) as “the test they needed to win the State Championship”.

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

**RESOLUTION**

**WHEREAS**, the Riverheads High School Varsity Football Team has enjoyed unprecedented success over the last eleven years, under the leadership of Coach Robert C. Casto; and

**WHEREAS**, in 2000 and 2006, the Riverheads High School Varsity Football Team won the Group A State Championship; and

**WHEREAS**, in 2010, the Riverheads High School Varsity Football Team continued its success by becoming the Shenandoah District Champions, Region B Champions, and the Virginia High School League Group A Division 1 State Champions; and

**WHEREAS**, during this year’s playoffs schedule, which included four games, the Riverheads High School Varsity Football Team averaged 42 points per game and only allowed an average of 15 points by their opponents; and

**WHEREAS**, in the State Championship game, the Riverheads High School Varsity Football Team scored 63 points and set many State Football Championship records such as total offensive yardage in one game, total rushing yardage by one team, and a number of first downs; and

**WHEREAS**, all citizens of Augusta County can be proud of the way the Riverheads High School Varsity Football Team promoted teamwork and sportsmanship throughout the Commonwealth of Virginia; and



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DHARTI, LLC – REZONING (cont'd)

VDOT, for review and approval, additional traffic analysis, projecting the additional vehicle trips to be generated by any development on the business property and taking into consideration any remaining undeveloped portions accessing Route 11 through this property. In addition, prior to the issuance of said building permits the Applicant or his successors or assigns shall construct or bond any and all road improvements, as required by the findings of the additional traffic analysis.

3. Prior to the issuance of a building permit for the 101<sup>st</sup> residential unit on the multi-family portion A shown on the rezoning exhibit accessing Route 11 through the property or any development on the business property, Dharti Street will be constructed through the property extending to the boundary line with parcel 19-116.
4. As part of site plan approval for any development on the property sufficient right-of-way and access to a public street will be provided and constructed to parcel 19-147A.

Public water and sewer are available.

The Chairman declared the public hearing open.

Rupen Shaw, Applicant, stated that this request was for the ongoing negotiations with two other potential customers and was available to answer any questions.

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

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

A request to rezone with proffers approximately 3.35 acres from General Agriculture to General Business, 0.38 acres from General Agriculture to Multi-Family and 0.075 acres from Multi-Family to General Business and to add proffers to 1.17 acres currently zoned Multi-Family Residential owned by Dharti, LLC located on the east side of Lee Highway (Route 11) approximately 0.2 of a mile north of the intersection of Lee Highway (Route 11) and Weyers Cave Road (Route 256) in Weyers Cave in the North 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 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;

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DHARTI, LLC – REZONING (cont'd)

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors that the Augusta County Zoning Maps be amended as follows:

Parcel number 6 (portion) on tax map number 19D (1) containing a total of approximately 5.0 acres is changed as follows: 3.35 acres from General Agriculture to General Business; 0.38 acres from General Agriculture to Multi-Family Residential; and 0.075 acres from Multi-Family Residential to General Business with the following proffers, as well as adding the proffers to the 1.17 acres currently zoned Multi-Family Residential:

1. If at the time of development 19-147A is zoned General Agriculture, a buffer consisting of a ten-foot wide strip of land with a six-foot opaque, vinyl privacy fence will be constructed along the adjacent property line of the business portion of the property.
2. The intersection of Route 11 and the proposed connector street as shown on the rezoning exhibit prepared by Hamrick Engineering has been designed to accommodate up to 250 vehicles per day at the peak hour. Once that capacity has been reached based on the ITE traffic generation rates, additional transportation improvements may be needed. Therefore, once the capacity has been reached and prior to the approval of any building permit for any building accessing Route 11 through this property, the developer shall submit to Augusta County and VDOT, for review and approval, additional traffic analysis, projecting the additional vehicle trips to be generated by any development on the business property and taking into consideration any remaining undeveloped portions accessing Route 11 through this property. In addition, prior to the issuance of said building permits the Applicant or his successors or assigns shall construct or bond any and all road improvements, as required by the findings of the additional traffic analysis.
3. Prior to the issuance of a building permit for the 101<sup>st</sup> residential unit on the multi-family portion A shown on the rezoning exhibit accessing Route 11 through the property or any development on the business property, Dharti Street will be constructed through the property extending to the boundary line with parcel 19-116.
4. As part of site plan approval for any development on the property sufficient right-of-way and access to a public street will be provided and constructed to parcel 19-147A.

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

Nays: None

Absent: Howdysshell

Motion carried.

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SOURCE WATER PROTECTION OVERLAY DISTRICT – ORDINANCE AMENDMENT

This being the day and time advertised to consider an ordinance amending the Zoning Ordinance of Augusta County by adding a Source Water Protection Overlay District and adopting Source Water Protection Overlay District maps depicting Areas 1 and 2. The Planning Commission recommends approval of the draft as written. The Commission also recommends the Board of Supervisors consider reducing the 1,000-foot fixed radius

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SOURCE WATER PROTECTION OVERLAY DISTRICT – ORDINANCE AMENDMENT  
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for Area 1 and reducing the 500' radius from a public water supply in which no new on-site sewage systems can be construed.

Becky Earhart, Senior Planner, gave a PowerPoint presentation with the following highlights:

**Purpose:** To protect public health, safety and welfare by preventing the contamination of water or loss of water in aquifers that service the County groundwater sources. This is an ordinance that the County and Service Authority have been working on for many years. The Service Authority has spent a great deal of money to delineate the Area 2 boundaries and to protect the existing sources of the drinking water to meet current and future public needs.

A map was displayed indicating 32 wells and spring and the four Area 2s which will also be protected under this ordinance.

With regard to public notification, Ms. Earhart reported that the Virginia State Code requires publication in a local newspaper and notification to people in Areas 1 and 2; and people adjacent to those areas. She explained that in some of the Area 2, Federal Lands are generally in very large parcels and adjacent properties could be located miles away, but State Code still requires notification.

**Boundaries:** Area 1 consists of a 1000' fixed radius around public groundwater supply sources. The 1000 feet is based on recommendations from DEQ, Department of Health and the Service Authority's Groundwater Consultant. Currently there are 32 sources identified for protection under the ordinance. Area 2 is a defined area that contributes recharge to the groundwater supply source. At the adoption of this ordinance, there will be four Areas 2s including Blue Hole, Dices Spring, Hurdis/Hershey/Ridgeview Acres wells and Lyndhurst. As additional Area 2s are defined, through studies by the Service Authority, another public hearing will be held to rezone property into those Areas 2s if it is the desire of the Board.

Ms. Earhart displayed a graphic representation of the Sourcewater Protection Areas.

**Exempted Uses:** Ms. Earhart clarified that agricultural and forestry uses with Best Management Practices, are exempt, as are normal on-site residential uses.

**Prohibited Uses in Area 1:** (Within 1000 feet of the wells) Class II injection wells, class V injection wells unless EPA permitted, junkyards and demolition facilities, chemical, electrical or electronic manufacturing, quarries and asphalt processing plants, facilities with underground petroleum storage tanks of over 660 gallons, storage of chemicals or petroleum products in structures for subsequent resale to distributors or retail dealers or outlets, machine shops, and vehicle service and repair shops.

**Prohibited Uses in Area 2:** Class II and class V injection wells unless EPA permitted, and junkyards and demolition facilities. These are uses considered to be the highest risk to the public groundwater supplies.

**Special Administrative Permits:** Permits are to be issued by the Director of Community Development and can be appealed to Board of Supervisors, if denied. The use would be permitted administratively within thirty days if the request is not expected to detrimentally affect groundwater quality, if sufficient recharge is not expected to be inhibited or prevented, and the use meets all other ordinance requirements. Ms. Earhart explained that chemical, electrical or electronic manufacturing, electroplating or drycleaners with hazardous materials are permitted in Area 2s by Special Administrative Permit as long as the parcel is connected to public sewer. They need to have secondary containment and spill detection and control system for bulk storage of chemicals, as well as a spill containment and prevention plan and the use is otherwise permitted or the necessary permits are obtained. She added that asphalt processing, quarries, facilities with petroleum tanks, fertilizer storage, machine shops, heavy equipment maintenance or fueling facilities, storage of chemicals or petroleum products for resale, and wood preserving facilities with hazardous materials are also permitted as long as a secondary containment and spill detection and control system for bulk storage of chemicals is provided, a spill containment and prevention plan is submitted, and the use is otherwise permitted or permits are obtained. Funeral homes and photo processing labs, with hazardous materials, are permitted as long as the use is connected to public sewer and the use is otherwise permitted or permits obtained. Ms. Earhart advised that any of the uses that are prohibited in Area 1, which do not involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials, are permitted provided the applicant certifies that no hazardous materials are involved and the use is otherwise permitted or permits obtained.

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### SOURCE WATER PROTECTION OVERLAY DISTRICT – ORDINANCE AMENDMENT (cont'd)

**Minimum Lot Size:** In Area 1, no new on-site sewage systems are to be constructed within 500 feet of a public groundwater supply source. Where any part of a new lot is located within Area 1, the minimum lot size is 2 acres. The goal of these regulations was to limit the number of septic systems that would be in close proximity to the sources to reduce the chances of viruses getting into the water supply or nitrates getting into the water supply.

**Prohibition on Buildings and Structures:** In Area 1, no new buildings or structures shall be constructed within 250 feet of a supply source.

**Criteria for Utilities:** The Health Department will be requested to use the adopted maps prior to issuing permits for new on-site sewage disposal systems or well construction permits. For large water users (10,000 gallons per day/300,000 gallons per month) in Areas 1 and 2, the user must get a Special Administrative Permit from the County. Prior to approval of the permit, the user must also submit a map and narrative. In order for the permits to be issued, the well must not be expected to affect the quality of public water supply, to cause a reduction in the volume of water, and sufficient recharge is not expected to be inhibited or prevented.

**Conditional Exemption:** An exemption is an option if the use or activity is prohibited. The conditional exemption is only to be issued by the Board of Supervisors if there is good and sufficient cause and the use will not result in an unacceptable possibility of hazardous materials being discharged in the overlay district. The exemption should be the minimum required to provide relief from any hardship. The applicant must submit an Operations and Contingency Plan and a professional evaluation that the use would minimize the risk of contamination. The application and plan will go to the Service Authority for comment; the Director of Community Development will either approve or deny the Operations and Contingency Plan. If approved, the conditional exemption will go before the Board of Supervisors for approval. If denied, the plan and exemption request will then go to the Board of Supervisors for approval. Once issued, it will be non-transferable.

Ms. Earhart further mentioned the following recommendations:

#### **Planning Commission:**

- Recommended 5-2 for approval of the Source Water Protection Overlay District Zoning Ordinance.
- Recommended the Board of Supervisors consider adjusting the 1000' and 500' radii for Area 1 regulations to lessen the impact on private property owners if public water supplies can still be protected.

#### **Augusta County Service Authority:**

- Eliminate the minimum lot size requirement in Area 1.
- Decrease from 500' to 250' the minimum distance a new on-site sewage system is required to be from a public water source

Ms. Sorrells clarified what was discussed at the worksession on Monday regarding reducing the minimum lot size to 1 acre. She understood that the Service Authority was comfortable with this change because of the underlying Department of Health's regulations. She asked if the Service Authority was comfortable with decreasing the minimum distance of 500' to 250'.

Ken Fanfoni, Director of Augusta County Service Authority, advised that the initial requirement of the minimum lot size was based on the established State Health Department's calculation on the contamination of nitrates and bacterial viruses from a conventional septic system. With the 2-acre lot, you can calculate that the impact of the drainfield from a conventional septic system will not impact drinking water to the point where it violates drinking water standards. The discussions with the State Health Department in the past two weeks have indicated to the Service Authority that there will be two outcomes for a new lot developed in Area 1: 1) It is going to require an alternative septic system because the soils do not accommodate a conventional system.

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If so, the new state requirements for alternative septic systems will involve an engineered highly-technical system to reduce the nitrates, which would then justify putting it on a smaller lot. 2) In regards to a conventional system, the opinion of the County Health Department was that it is very unlikely, with the existing soils, that there will be few conventional septic systems with the required reserved areas being sited on a one-acre parcel. Mr. Fanfoni added that the 500 feet was looking at reducing the density and also looking at the movement of the contaminants through the groundwater. Anything closer than 250 feet could allow bacterial and nitrates contamination to reach the public water supply. He noted that millions of dollars have been spent in the last four or five years putting treatments on water supplies because of contaminations from septic systems. He reiterated that 500 feet gives a bigger protective area with reduced density; 250 feet is a minimum to the sources. The distance is from the wellhead not the property line.

The Chairman declared the public hearing open.

The following citizens spoke in support of the ordinance:

Charles Huppuch, Associate Director for Headwaters Soil & Water Conservation District; Bill Tueting; Sandy Greene

The following citizens spoke in opposition of the ordinance:

John Campbell, Sr.; William Wolfe; Lyle Evelsizer; Martha Stout

They felt that the restriction would devalue their properties or make it difficult to sell lots.

Chairman Shifflett thanked the citizens for speaking tonight and asked for those who did not sign up to fill out a sign-up sheet before leaving.

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

Mr. Beyeler asked Ms. Stout how much acreage she had. Ms. Stout said 8 acres. He asked how close she was to the spring. She said approximately 100 feet. Mr. Beyeler asked Mr. Evelsizer how close to Blue Hole he was; Mr. Evelsizer said it was about 30 feet. Mr. Beyeler asked Mr. Campbell if he had a privy. Mr. Campbell said that it was, but that the house had been vandalized and had been vacant for quite a while. Mr. Beyeler stated that he would be grandfathered in on the present system. The County Attorney stated that it would not be grandfathered due to not being occupied since 2000.

Mr. Garber said that there has been a lot of discussion on this issue. He expressed that water quality affects everybody in the County, but, specifically, as it relates to the land, it affects very few people. He said, "You're talking about very few parcels, very few situations." He pointed out that there was nothing in the ordinance that would change the type of septic system needed on individual property. "You would have to have whatever the Health Department will approve . . . and that relates to what kind of soil you have." "I think we have reached a conclusion that addresses the concerns of the people that own this property, but still is not compromising the water quality."

Mr. Garber moved, seconded by Ms. Sorrells that the Board adopt the ordinance, the maps depicting the Areas 1 and 2, and accept the 250' minimum distance from a source without an on-site sewage system and remove the 2-acre minimum lot requirement as recommended by the Service Authority.

Mr. Coleman asked if they would amend the motion to maintain the 1000' radius, decrease the setback distance (from 500' to 250'), eliminate the minimum lot size requirement, and make the ordinance effective February 1<sup>st</sup>. It was the consensus of the

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Board to make the ordinance effective February 1, 2011.

Ms. Sorrells thanked staff and Board for this long 7-year process. She added, "This Board has always stood for the importance of water in Augusta County. We recognize that we are in a rare situation here. As we go forward into the future, I think water is going to be more and more one of the key resources that makes or breaks communities. In Augusta County, we're one of the few counties in the State, if not the only one, where no water flows into Augusta County. That is a rare treasure! But that puts an extra burden on us because how it leaves here and winds up in the Chesapeake Bay is our responsibility."

Mr. Pyles said that he has had several calls about this matter. He felt that the 1000' perimeter prohibited things that he did not think you would want in your backyard anyway – dry-cleaning plant, chemical plant, asphalt plant, etc. He noted that the Service Authority has spent quite a bit of money for the filtration systems. "Groundwater is not what it used to be. Our job is to try to balance all of the community needs. We have a need for clean water. I think we have come up with as fair a balance as we could get."

Mr. Coleman asked if language is included that would be sufficient to allow a waiver approved by the Board if an individual property owner feels there are extenuating circumstances that might exist. Ms. Earhart said the conditional exemption process is in the ordinance which would provide a sufficient process of appeal.

Mr. Beyeler thanked the citizens who spoke tonight. "It did make a difference. The intent from the beginning was not to make it a hardship on anyone."

CHAPTER 25. ZONING

DIVISION H. OVERLAY DISTRICTS

Article LI. Source Water Protection Overlay (SWPO) Districts.

**§ 25-511. Purpose and Objectives.**

The purpose of the SWPO Districts is to protect public health, safety and welfare by preventing adverse impacts due to contamination of water or loss of water in aquifers which currently serve as groundwater supply sources.

The aquifers of Augusta County are integrally connected with and recharged by waters at the land surface and are therefore particularly vulnerable to spills and discharges of toxic and hazardous materials. These overlay districts are intended to preserve existing sources of drinking water to meet present and future public need.

The SWPO District zoning contained herein provides a framework for certain land use activities that have the potential to adversely impact groundwater quality in delineated groundwater recharge areas. The degree of water supply protection sought by the provisions of this article is considered reasonable for regulatory purposes based on the standards and policies of the Virginia Department of Health, Office of Drinking Water, and accepted hydrogeological methods of study. This does not imply that groundwater will not be impacted by natural causes or those unanticipated land uses located within or outside of the SWPO Districts.

**§ 25-512. Applicability and Enforcement.**

A. This article shall apply to all lands within the County of Augusta which are identified as being in a SWPO District established by this article.

Other areas deemed to be essential to the protection of public groundwater supply sources may be included in a SWPO District in accordance with § 25-514. A copy of the Source Water Protection Map Set shall be filed in the Community Development Department and shall be available for inspection by the public. Properties or portions of that property located within a SWPO District shall be governed by the restrictions contained herein.



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B. Any person who fails to comply with any of the requirements or provisions of this article shall be subject to the penalties listed in division J of this chapter. In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations or noncompliances within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by the county to be a public nuisance and abatable as such.

C. This ordinance excludes surface water supply protection areas.

**§ 25-513. Definitions.**

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of this article:

Aquifer. A geological formation, group of formations or part of a formation that contributes to a public groundwater supply source or that is capable of storing and yielding groundwater to public wells and springs.

Best Management Practices (BMPs). Improved environmental protection practices including but not limited to practices applied to stormwater, agriculture, well drilling, industrial, land development, and other land use applications. These are performance or design standards established to minimize the risk of contaminating groundwater or surface waters while managing the use, manufacture, handling or storage of chemicals that could potentially contaminate groundwater.

Class II Injection Wells. Wells that inject fluids associated with oil and natural gas production.

Class V Injection Wells. A shallow well used to place a variety of fluids at shallow depths below the land surface. Examples of Class V injection wells include: motor vehicle waste disposal wells, large capacity cesspools, storm water drainage wells, aquifer remediation wells, and large capacity septic systems.

Large Concentrated Animal Feeding Operation (CAFO). An animal feeding operation that confines or stables at any one time for a total of 45 days or more in any 12-month period at least the number of animals described below and discharges or proposes to discharge from the production or the land application areas and thus would require coverage under a Virginia Pollutant Discharge Elimination System (VPDES) permit. The quantities would include but not be limited to:

- a. 700 mature dairy cattle, whether milked or dry;
- b. 1,000 cattle other than dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls, and cow-calf pairs;
- c. 55,000 turkeys;
- d. 30,000 laying hens or broilers, if the AFO uses a liquid manure handling system;
- e. 125,000 chickens (other than laying hens), if the AFO uses other than a liquid manure handling system;
- f. 82,000 laying hens, if the AFO uses other than a liquid manure handling system;

Contamination. An impairment of water quality by the introduction of contaminants, including chemicals, radionuclides, biologic organisms, or other extraneous matter into a water source, whether or not it affects the potential or intended beneficial use of water.

Disposal. The deposition, injection, dumping, spilling, leaking, incineration, or placing of any hazardous materials into or on any land or water so that such hazardous materials or any constituent thereof may enter the environment or be discharged into any waters including groundwater.

Groundwater Recharge. The portion of precipitation and/or surface runoff that infiltrates into the subsurface and reaches the water table or portion of the subsurface that is saturated, and then may ultimately flow to wells, springs, or streams.

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Hazardous Material. A material that may pose a present or potential hazard to the groundwater supply when improperly stored, transported or disposed of or otherwise managed including without exception hazardous materials identified and listed in accordance with the Resource Conservation and Recovery Act of 1976.

Karst. Geologic setting where dissolution of bedrock (primarily carbonate bedrock such as limestone or dolomite) forms subsurface voids capable of rapid transmission of water. The subsurface features can be unseen or evident as sinkholes, caves, sinking streams, and springs that make the underlying aquifer particularly susceptible to contamination from activities at the land surface.

Leachable Material. Material, including solid wastes, sludge, and agricultural wastes that are capable of releasing contaminants to the surrounding environment.

Nonconventional Sewage Disposal System. See Augusta County Code Section 11-13.A.2.

On-Site Sewage System. A Type I, Type II, Type III or Type IV sewage disposal system as referenced in 12 VAC § 5-610-250 of the Sewage Handling and Disposal Regulations.

Person or Party. An individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

Public Groundwater Supply Source. A well, spring or other groundwater source that is owned or leased by a governmental unit or agency and is currently utilized or is currently under active development as a public water supply. The term shall exclude any source utilized as a water supply for a transient or other non-community water system.

Secondary Containment System. A supplemental tank, catchment pit, pipe, liner or vessel that meets the requirements of 40 CFR § 264.193 or successor requirements and limits and contains liquid or chemical leaking or leaching from a primary containment area, where monitoring and product recovery can be conducted.

Sinkhole. Any surface depression formed by the removal (typically underground) of water, surficial soil, rock, or other material in a karst setting.

Source Water Protection Overlay (SWPO) District. The zoning district established to protect public groundwater supply sources and overlaying other zoning districts in the jurisdiction of Augusta County. This district includes specifically designated groundwater recharge areas that collect and convey groundwater recharge to public groundwater supply zones.

Spill Containment and Prevention Plan. A working document for the facility which addresses storage and secondary containment, spill response, and waste disposal.

Underground Storage Tank. Any one or any combination of tanks, including connecting pipes, used to contain an accumulation of petroleum products or other products that may adversely contaminate groundwater quality, and the volume of which, including the volume of the underground connecting pipes, is ten percent or more beneath the surface of the ground.

**§ 25-514. Boundaries of SWPO Areas**

A. Area 1 SWPO Districts include areas within a 1,000-foot fixed radius measured in a flat horizontal plane without regard to changes in ground elevation around a public groundwater supply source. Their purpose is to protect wells and springs from the accidental or intentional introduction of contaminants into the aquifer from spills, surface runoff, or leakage from storage facilities or containers. Any additional Area 1 boundaries shall be established by ordinance adopted by the Board of Supervisors, without hydrogeologic studies upon development of future public water sources by the ACSA, Craigsville, Staunton, or Waynesboro.

B. Area 2 SWPO Districts are the defined areas that contribute recharge to a public groundwater supply source. Area 2 is exclusive of Area 1. Area 2 boundaries may be established as deemed necessary, by ordinance

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adopted by the Board of Supervisors, based on standard hydrogeologic principles, including water table mapping, analytical solutions, dye tracing, aquifer testing, computer models, or other acceptable means, to ensure protection of public groundwater supply sources.

C. The boundaries of any SWPO Area 2 may be revised by the Board of Supervisors, in consultation with the Augusta County Service Authority, where natural or man-made changes have occurred, where more detailed studies have been conducted or undertaken by any qualified agency, or an individual documents the need for such change. The costs incurred by the County to evaluate materials submitted by a party other than the Augusta County Service Authority, including, without limitation, costs of an outside consultant, shall be reimbursed by such party.

D. Interpretations of the boundaries of any SWPO Area shall be made by the Director of Community Development. Should a dispute arise concerning the boundaries of any district, the Board of Supervisors shall make the necessary determination upon appeal.

**§ 25-515. Exempted Uses in Area 1 and 2**

The following uses shall be permitted within Source Water Protection Overlay Districts:

A. Agricultural and forestry uses, provided that fertilizers, pesticides, manure and other leachable potential contaminants are used according to prevailing Best Management Practices as prescribed by the appropriate regulatory agency, if applicable. All said potential contaminants must be stored under shelter or in a container or tank. The property owner shall provide specific notification in writing to the applicators under his or her supervision that they are working with pesticides, herbicides, fungicides and rodenticides at a site located in a SWPO District for which particular care is required.

B. Normal on-site residential use.

**§ 25-516. Prohibited Uses in Area 1**

The following uses shall be prohibited in Area 1:

1. Asphalt processing plants.
2. Chemical manufacturing.
3. Class II injection wells as it relates to oil and gas sites that inject brine or other fluids below the underground source of drinking water.
4. Class V injection wells, as classified in 40 CFR § 144.6 or successor requirements.
5. Dry cleaners that conduct on-site cleaning and store cleaning agents, unless connected to public sewer. Dry cleaning facilities that utilize non-toxic cleaning agents are exempt.
6. Electrical or electronic manufacturing, on-site disposal or recycling facilities.
7. Electroplating facilities, unless connected to public sewer.
8. Extraction of minerals, rocks, gravel, sand or similar materials.
9. Facilities with underground petroleum storage tanks of over 660 gallon capacity or underground petroleum product pipelines.
10. Fertilizer storage facilities (commercial).
11. Funeral homes and mortuaries, unless connected to public sewer.
12. Hazardous materials treatment, storage, generation, or disposal facilities as defined in 40 CFR 260.10 or successor requirements.
13. Junkyards and demolition facilities.
14. Land application of contaminated soils as defined by the State Code, wastewater residuals (sludge), or septage.
15. Large concentrated animal feeding operations.
16. Machine shops (commercial).
17. Photo processing labs, unless connected to public sewer.
18. Railroad or heavy equipment maintenance or fueling facilities.
19. Storage of chemicals or petroleum products in structures for subsequent resale to distributors or retail dealers or outlets.
20. Stormwater discharge into karst solution features, sinkholes or drainage wells.

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21. Uncovered stockpiles of leachable materials, including bulk salt stockpiles.
22. Vehicle service and repair (commercial), including motor vehicles, boats and farm equipment.
23. Wood preserving facilities.

**§ 25-517. Prohibited Uses in Area 2**

The following uses shall be prohibited in Area 2:

1. Class II injection wells, unless proof is provided that the use has an appropriate EPA permit
2. Class V injection wells, unless proof is provided that the use has an appropriate EPA permit
3. Junkyards and demolition facilities

**§ 25-518. Uses Permitted by Special Administrative Permit in Area 2**

The uses listed in this section shall be permitted within Area 2 only upon the issuance of a Special Administrative Permit by the Director of Community Development in a manner consistent with the provisions of article LVI of division I of this chapter. Special Administrative Permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the public water supply.

The County may grant approval for a Special Administrative Permit only after written findings of fact are made that all of the following are true:

1. The proposed use is not expected to detrimentally affect the quality of the groundwater contained in the aquifer by directly contributing to pollution or by increasing the long-term susceptibility of the aquifer to potential pollutants; and
2. Sufficient recharge to the aquifer is not expected to be inhibited or prevented; and
3. The proposed use complies with all other applicable sections of this ordinance.

The Director of Community Development shall make a determination of whether or not to issue a Special Administrative Permit within 30 days of the receipt of an application.

A. Chemical manufacturing; dry cleaners; electrical or electronic manufacturing, on-site recycling or disposal; or electroplating facilities; which involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials may be permitted by Special Administrative Permit provided:

1. The use is connected to public sewer; and
2. The use installs a secondary containment and spill detection and control system for any bulk storage of chemicals, whether underground or above ground; and
3. The applicant submits a Spill Containment and Prevention Plan; and
4. The use is otherwise permitted by the underlying district regulations or the required permits of the underlying district regulations are obtained.

B. Asphalt processing plants; extraction of minerals, rocks, gravel, sand, or similar materials; facilities with underground petroleum storage tanks; commercial fertilizer storage facilities; commercial machine shops; railroad or heavy equipment maintenance or fueling facilities; storage of chemicals or petroleum products in structures for subsequent resale to distributors or retail dealers or outlets; and wood preserving facilities which involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials may be permitted by Special Administrative Permit provided:

1. The use installs a secondary containment and spill detection and control system for any bulk storage of chemicals, whether underground or above ground; and
2. The applicant submits a Spill Containment and Prevention Plan; and
3. The use is otherwise permitted by the underlying district regulations or the required permits of the underlying district regulations are obtained.

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**SOURCE WATER PROTECTION OVERLAY DISTRICT – ORDINANCE AMENDMENT**  
(cont'd)

C. Funeral homes and photo processing labs which involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials may be permitted by Special Administrative Permit provided:

1. The use is connected to public sewer; and
2. The use is otherwise permitted by the underlying district regulations or the required permits of the underlying district regulations are obtained.

D. All such uses listed in §25-516. which do not involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials may be permitted by Special Administrative Permit provided:

1. The applicant certifies that the use does not involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials; and
2. The use is otherwise permitted by the underlying district regulations or the required permits of the underlying district regulations are obtained.

**§ 25-519. On-site Sewage Disposal System Requirements.**

In Area 1 SWPO Districts, no new on-site sewage systems shall be constructed within 250 feet of a public groundwater supply source.

**§ 25-520. Prohibitions on buildings and structures**

In Area 1 SWPO Districts, no new buildings or structures (except those required for transferring water from a public groundwater supply source into the ACSA water distribution system) shall be constructed within 250 feet of a public groundwater supply source.

**§ 25-521. Criteria for specific utilities**

A. On-site sewage systems (applies to Area 1 only).

1. The Health Department shall be provided with maps of established SWPO Districts and shall consider source water protection criteria before issuing a new on-site sewage system construction permit.

2. Subject to §25-519 above, a nonconventional sewage disposal system may be constructed on a lot or parcel only in accordance with Chapter 11 of this Code.

B. Water Wells.

1. The Health Department shall be provided with maps of established SWPO Areas and shall consider whether any special conditions should apply before issuing a new water well construction permit.

2. Any party developing additional or expanding groundwater supplies that in aggregate will use more than 10,000 gallons per day (300,000 gallons per month) and are intended to be developed within the designated Sourcewater Protection Overlay District Areas 1 and 2 must obtain a Special Administrative Permit from the County prior to obtaining a VDH and/or DEQ well construction permit/approval. An application for a Special Administrative Permit shall be forwarded to the ACSA for their recommendation. Any costs incurred by the County to evaluate such materials including, without limitation, costs of an outside consultant, shall be reimbursed by the applicant. The application for Special Administrative Permit shall include the following information:

- a. A graphics section or maps containing:
  - i. Topography with land and water features
  - ii. Proposed development
  - iii. Surrounding property 1000 feet beyond the limits of the intended use, with wells and septic system locations
- b. A narrative containing:
  - i. Activity being proposed.
  - ii. List and quantity of materials being used and stored on site
  - iii. Method of wastewater disposal and quantity of materials being discharged
  - iv. Proposed water supply source and quantity.

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**SOURCE WATER PROTECTION OVERLAY DISTRICT – ORDINANCE AMENDMENT (cont'd)**

- v. Field survey summary
  - vi. Groundwater management plan addressing practices during and after construction, in addition to a contingency plan if existing wells on surrounding property 1000 feet beyond the limits of the intended use experience a significant reduction in yield or become contaminated
  - vii. Assessment of well drilling and testing, if applicable
- c. New water wells drilled in Area 1 shall meet the Class IIIB well construction requirements of the VDH Private Well Regulations. In addition, geothermal wells shall meet the Class IIIB grouting requirement of the same regulations.
  - d. Unused wells in SWPO Districts shall be properly abandoned in accordance with the applicable private well regulations of the Virginia Department of Health
3. Standards
- The County may grant approval for a Special Administrative Permit only after written findings of fact are made that all of the following are true:
- a. The proposed well(s) is not expected to detrimentally affect the quality of the groundwater contained in the aquifer by directly contributing to pollution or by increasing the long-term susceptibility of the aquifer to potential pollutants.
  - b. The proposed well(s), either alone or on a cumulative basis, is not expected to cause a significant reduction in the long-term volume of water contained in the aquifer or in the storage capacity of the aquifer;
  - c. Sufficient recharge to the aquifer is not expected to be inhibited or prevented.

**§ 25-522. Conditional Exemptions.**

A. Exemptions shall be granted only after the Board of Supervisors has determined that there is good and sufficient cause for such exemption and that the granting of such exemption will not result in an unacceptable possibility of hazardous material being discharged in the District or additional risks to public health. In addition, the granting of the exemption will not create nuisances or conflict with local laws or ordinances.

B. Such exemptions shall be granted only if the Board of Supervisors has determined that the exemption will be the minimum required to provide relief from any hardship to the applicant.

C. Before any exemption under this section shall be granted, any applicant proposing a petition for any change in land use or activity that involves any prohibited use that would be located either partially or wholly within a SWPO Area must submit an Operations and Contingency Plan to the County for approval. The County will consult with the Augusta County Service Authority for their recommendation on the Operations and Contingency Plan. Any costs incurred by the County to evaluate such materials including, without limitation, costs of an outside consultant, shall be reimbursed by the applicant.

D. The Operations and Contingency Plan shall contain the following aspects of the activity:

- 1. Types of prohibited use proposed for the site;
- 2. Types and quantities of hazardous materials or hazardous wastes that may be used or stored on site;
- 3. Means to be employed to contain or restrict the spillage or migration of hazardous materials or hazardous wastes from the site into groundwater;
- 4. Means to be used to contain or remediate accidental spillage of such materials;
- 5. Means to notify the County Emergency Communications Center, ACSA, and any appropriate federal and state agencies, about any accidental spillage of such materials;

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**SOURCE WATER PROTECTION OVERLAY DISTRICT – ORDINANCE AMENDMENT**  
(cont'd)

E. The applicant must demonstrate that the proposed use and/or activity would employ, to the maximum extent possible, best management practices to minimize the risk of potential groundwater contamination in the SWPO Area. This demonstration shall also include a professional evaluation by a qualified, state-licensed engineer or geologist that the otherwise prohibited use would minimize the risk of potential groundwater contamination based upon the proposed use, site soils, site geology, and any other relevant factors.

F. The County shall review, and shall approve or reject any Operations and Contingency Plan prior to the Board of Supervisors approving or denying the application for a change in land use or activity. Upon receipt of an application for Conditional Exemption and the approved Operations and Contingency Plan, the Director of Community Development shall send written notice to the Augusta County Service Authority and forward the request to the Board of Supervisors for their consideration. In the event that the Operations and Contingency Plan is rejected by the Department of Community Development, the applicant may appeal its decision to the Board of Supervisors. In such a case, the Board of Supervisors shall consider the Operations and Contingency Plan together with the application for a change in land use or activity.

G. Unless otherwise provided by the Board of Supervisors, an exemption granted pursuant to this section, shall be issued to the applicant and shall be non-transferable.

**§ 25-523. Sourcewater Protection Overlay Areas.**

Sourcewater Protection Overlay Area 1 shall consist of a one thousand foot (1000') radius around each of the following sources and are further identified on maps entitled "SWP Mapsets" which are declared a part of this ordinance and which shall be kept on file in the Offices of the Department of Community Development:

- Augusta Springs Spring
- Augusta Springs Well
- Berry Farm Spring
- Berry Farm Well
- Blue Hole
- Churchville Wells #1-8
- Craigsville Wells #1-4
- Craigsville Old Spring
- Craigsville New Spring
- Crimora Mines Well
- Deerfield Spring
- Deerfield Well
- Dices Spring
- Gardner Spring
- Harriston Wells #1 and 2
- Hershey Well
- Hurdis Well
- Lyndhurst Well
- Middlebrook Well
- Ridgeview Well
- Vesper View Well

**Blue Hole Source Water Protection Area 2-** The boundary of the Blue Hole Source Water Protection Area 2 shall consist of that area highlighted in blue on a map entitled "SWP Mapset- Map #24, which is declared a part of this ordinance and which shall be kept on file in the Offices of the Department of Community Development.

**Dices Spring Source Water Protection Area 2-** The boundary of the Weyers Cave Source Water Protection Area 2 shall consist of that area highlighted in blue on a map entitled "SWP Mapset- Map #10, which is declared a part of this ordinance and which shall be kept on file in the Offices of the Department of Community Development.

**Hershey, Hurdis,, Ridgeview Source Water Protection Area 2 -** The boundary of the Hurdis, Hershey, Ridgeview Source Water Protection Area 2 shall consist of that area highlighted in blue on a map entitled "SWP Mapset- Maps #12/13 which is declared a part of this ordinance and which shall be kept on file in the Offices of the Department of Community Development.

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**SOURCE WATER PROTECTION OVERLAY DISTRICT – ORDINANCE AMENDMENT**  
(cont'd)

**Lyndhurst Source Water Protection Area 2** - The boundary of the Lyndhurst Source Water Protection Area 2 shall consist of that area highlighted in blue on a map entitled "SWP Mapset- Maps #14 which is declared a part of this ordinance and which shall be kept on file in the Offices of the Department of Community Development.

*This ordinance shall be effective February 1, 2011.*

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

Nays: None

Absent: Howdysshell

Motion carried.

\* \* \* \* \*

**(END OF PUBLIC HEARINGS)**

\* \* \* \* \*

**MATTERS TO BE PRESENTED BY THE PUBLIC - NONE**

\* \* \* \* \*

**SOCIAL MEDIA**

The Board considered Social Media Policy for Augusta County.

Dennis Burnett, Economic Development Director, advised that this had been discussed at Monday's Staff Briefing and that he and Jackie Zetwick, IT Director, were available to answer any questions.

Ms. Sorrells moved, seconded by Mr. Beyeler, that the Board adopt the Social Media Policy. Funding Source: #92040-9999 \$1,436

Mr. Beyeler clarified that a Public Information Officer was not needed at this time.

Mr. Pyles expressed concern of monitoring and management of the program. He said that staff would not have time to manage a Facebook page and that residents could reach supervisors by their e-mails if needed. He felt that things would get out of control if a Facebook page was used and not tightly monitored.

Ms. Sorrells clarified that her motion was to adopt a Social Media Policy, not a Facebook policy. She had assurance that the County would have control. She felt that this policy would allow to receive input on agenda and budget items. It would allow information to the public. "Certainly, we have to be very smart and cautious in how we proceed with this, but it is allowing us to have more government given to the people to allow them to be participants in our government."

Mr. Beyeler did not feel that additional staff would be required.

Jackie Zetwick, IT Director, stated that the Social Media Policy reflects that Contact Managers would be needed in each department. A designated employee in each department would suffice. She spoke with several IT Directors about the amount of work involved and it seemed to be minimal.

Mr. Garber also opposed the idea and agreed with Mr. Pyles. He felt that additional staff would eventually be needed to implement the policy.



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SOCIAL MEDIA (cont'd)

Chairman Shifflett stated this had been presented back in November because of a VACo work session where Roanoke County had been using Facebook and Twitter. Their Parks and Recreation and Volunteer Fire and Rescue Department used it. They had a Public Information Officer who attended the Board meetings and would tweet out the votes on each item. The goal was to offer the accessibility to citizens and to aid and keep the public informed of Board meetings, agenda topics, public hearings, various notices and updates that was sent directly to them. A future option that was discussed was to allow citizens, who were not able to attend the meeting, to submit their comments for the record. He did not feel additional staff needed to be hired. In regards to Facebook, there is the ability to use it for posting informational notices only. This program can be kept basic to minimize staff time. He added that this allows each department to decide if they could benefit from the program. He noted that the Library is using this and Parks and Recreation plans to. "We can't make citizens be involved in government, but we can provide the accessibility for them to have the chance to be involved."

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

Nays: Garber and Pyles

Absent: Howdyshell

Motion carried.

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FY2011-12 BUDGET SURVEY

The Board considered FY2011-12 Budget Survey.

Jennifer M. Whetzel, Director of Finance, reported that this had been discussed at Monday's work session. She had presented draft questions on a possible budget survey for FY2012. Those revisions were distributed to the Board. She noted that comments section was added to a few of the questions. One question was broken down into two sections (#4 and #5). If approved, it will be available on the web by February 4<sup>th</sup> and a Press Release will be done.

Mr. Beyeler moved, seconded by Mr. Coleman, that the Board approve the Budget Survey.

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

Nays: None

Absent: Howdyshell

Motion carried.

\* \* \* \* \*

VIRGINIA REGIONAL TRANSIT – TAX EXEMPT ORDINANCE

The Board considered authorization for County Attorney to draft ordinance to exempt certain real and personal property owned by Virginia Regional Transit for real and personal property taxation.

Patrick J. Morgan, County Attorney, advised that this had been discussed at the Staff Briefing on Monday. He added that they own property, described as "Ivy Ridge Industrial, Section 6, Lot 1, Tax Map 75H-(8)-1," at a value of \$364,300; Real Property Tax: \$1,748.64 annually. A list of 18 vehicles had been submitted with their



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REDISTRICTING 2010 (cont'd)

those things and they can summarize those things because they are some of the kinds of things that need to ultimately go to parameters--commonsense, geographic boundaries, maintaining a sense of community. They are the kinds of things. We've got all the software. My understanding is, as a result of talking with our Chairman, that the software and stuff that we have is not readily available at the Planning District Commission. Matter of fact, according to what they have indicated, they would have to, in turn, turn around and work with us. In terms of doing this, this is something they have never done. I don't know how many of you, including our staff, have been involved in redistricting before. This will be my first opportunity. I certainly have to pull from the background experiences of other people who have been through the process. I don't know if whether we need to consider amending the motion or whether the Board is just okay with the idea of us filling out the survey that we all have and make that available and then, like they've done on many occasions, summarize that and share that back with us. This is what the individual Board member said about number of precincts, population, size of the Board, all the kind of things that they need to consider as they flush out the options and bring those back to us and then we move from that point to advertising for public input to a public hearing.

Mr. Beyeler agreed that the Board needed to establish parameters. He felt that this needed to be placed on a future work session to discuss. He used Deerfield as an example. "There is no need to put Deerfield and Craigsville in one precinct. It doesn't make sense. The numbers aren't there. Stuarts Draft is split as far as magisterial districts. In certain cases, you are going to have a split. You need community interest, but there are more people in Stuarts Draft than one district can hold."

Mr. Coleman: "We would have to try to find a way to keep communities together to the extent possible; not to simply go into it blindly and say 'well, we have to maintain a sense of community everywhere in the County where there is a community to the extent that it makes sense to do that. As you're suggesting, just the sheer numbers of people it wouldn't make sense to do that. "

Mr. Beyeler: "As you know, you have to have some distinctive boundary lines. In heavily populated areas, that becomes more difficult. Until we get the numbers, we really don't know anything. "

Mr. Pyles: "We're just treading water right now. We need to get the census numbers and how many are in each magisterial district. We may not have to do anything but a little tweaking. We may have to make wholesale changes. I think we need to wait until we get the numbers and then figure out what the next step will be from that."

Chairman Shifflett: "On Monday, it was suggested that we look at Central Shenandoah Planning District Commission. I talked with their Director today. She stated that the Regional Planning Commission could do it if asked; however, they would have to purchase the software to be able to do it and that their staff would, ultimately, end up working with our Community Development staff, anyway, in doing it because she said that their staff had little experience in the redistricting process."

Mr. Garber: "I'm a little confused as to what the motion is to accomplish."

Mr. Coffield: "I will give you a stab at that:

1. Print out a map of the current lines. We can easily put that out on the internet.
2. Once we get the new numbers, we are going to take those districts and put what the new numbers are with a +/- number of what we're going to have to work towards.
3. Seek public input.
4. Direct staff to come back, after looking at the information, with three options.

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REDISTRICTING 2010

When it comes back to the Board, you'll have the benefit of the staff's three options, plus whatever we've gotten from the public.

Ms. Earhart: "I thought that first and foremost, the Board was going to give us policy direction. So we have the Board policy direction; then you have the public meeting and have the citizens' recommendations. All of that would feed into what staff would be looking at to bring back some plans to show you all. To get public input prior to starting to draw lines."

Mr. Garber: "I don't think you have given them enough to chime in on. I think it is just stirring them up one step early."

Mr. Beyeler: "We can't do anything at this time as Mr. Pyles said, and I agree. There is no need to do anything, as far as putting anything out to the public, until we have the numbers."

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

Nays: Garber

Absent: Howdysshell

Motion carried.

\* \* \* \* \*

WAIVERS/VARIANCES - NONE

\* \* \* \* \*

CONSENT AGENDA

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

MINUTES

Approved the following minutes:

- Organizational Meeting, Wednesday, January 5, 2011
- Regular Meeting, Wednesday, January 12, 2011

RURAL RUSTIC ROADS – RESOLUTIONS

Adopted resolution transferring of funding from Route 800 to Route 1204 (Blacksmith Shop) for rural rustic designation (Wayne District) and resolutions approving projects for Rural Rustic designations as follows:

- Route 765, Narrowback Road (North River District)
- Route 756, Whetstone Draft Road (North River District)
- Route 875, Enterprise Road (North River District)
- Route 1220, Russell Rock Lane (Riverheads District)
- Route 1204, Blacksmith Shop (Riverheads District)
- Route 757, Barger Lane (North River District)

**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

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**CONSENT AGENDA (cont'd)**  
**RURAL RUSTIC ROADS – RESOLUTIONS (cont'd)**

**WHEREAS**, the Board of Supervisors of Augusta County, Virginia (“Board”) requests that **Route 765, Narrowback Rd**, From: **Route 764** To: **Rt 731** 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 756, Whetstone Draft Rd**, From: **Route 731** To: **Rt 758** 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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CONSENT AGENDA (cont'd)

RURAL RUSTIC ROADS – RESOLUTIONS (cont'd)

\* \* \*

**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 875, Enterprise Rd, From: Route 739 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 1220, Russell Rock Ln, From: Route 11 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

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**CONSENT AGENDA (cont'd)**  
**RURAL RUSTIC ROADS – RESOLUTIONS (cont'd)**

**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 (*show State Route number and street name*) **Route 1204 Blacksmith Shop**, From: Rte. 1206 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

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CONSENT AGENDA (cont'd)

RURAL RUSTIC ROADS – RESOLUTIONS (cont'd)

1500 vpd; and

**WHEREAS**, the Board of Supervisors of Augusta County, Virginia (“Board”) requests that **Route 757 Barger Lane**, From: End of State Maintenance To: Rte. 758 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.

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

Motion carried.

\* \* \* \* \*  
**(END OF CONSENT AGENDA)**  
\* \* \* \* \*

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pyles: Reassessment – FOIA Act – expressed concerns of actions taken place at the Organization Meeting on January 5<sup>th</sup>. He read excerpts from the Freedom of Information Act:

By enacting this chapter, the General Assembly assures the people of the Commonwealth free entry to meetings of public bodies wherein the business of the people is being conducted. The affairs of government are not intended to be conducted in an atmosphere of secrecy since at all times the public is to be the beneficiary of any action taken at any level of government. The provisions of this chapter shall be liberally construed to promote an increased awareness by all persons of governmental activities and afford every opportunity to citizens to witness the operations of government. Any ordinance adopted by a local governing body that conflicts with the provisions of this chapter shall be void.

Mr. Pyles made the following statement:  
The Augusta County Board of Supervisors certainly violated the premise and



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

### Reassessment – FOIA Act (cont'd)

purpose of Virginia's Freedom of Information Act and may have technically violated it as well. What was done and leading up to and voting the delay of Augusta County's reassessment was both bad government and bad policy. What follows are details on how the process was corrupted and why the decision was bad for Augusta County.

I have a series of e-mails here. On November 12<sup>th</sup>, Ms. Whetzel sent to Mr. Coffield, Ms. Shrewsbury, and some other folks a reassessment timeline, saying 'we had to get involved with this' (telling Mr. Coffield). He contacted Mr. Garber and meetings started being arranged with Mr. Garber, Mr. Shifflett, Ms. Shrewsbury, Mr. Morgan, Mr. Coffield. There were no minutes to that. But there were decisions made during this time. In fact, the motion was crafted by, I think, Mr. Morgan, and was sent by Mr. Coffield to Mr. Coleman. And he said, 'How about this?' Pat said, it was kind of like, you know they already had the discussion. 'How about this? I move that the Board is allowed by Section 58.1-3252 of the State Code to change its current assessment schedule from every four years to a five-year interval in light of ongoing stagnated economic conditions. I further propose that the Board of Supervisors re-evaluate the decision next year if a five-year or six-year schedule is permitted by the State would best meet the needs of the County.' Mr. Coleman responded, 'Pat, the only addition I made was to add the word citizen in addition to the County. Thanks, Wendell.' So what we had was our Chairman, our Vice-Chairman, our Vice-Chairman now today, our County Administrator, our County Attorney, the Commissioner of Revenue, all gathering to do public business. And it wasn't a simple thing. They, during that time period, they went against a vote that we already had. They changed that. They were very sure about it when they voted 6-0 that we were going to do it in four years. They changed what was going to be done; they devised a plan; they called somebody else to do it; they put it in. Now, we were supposed to have an open government. That was what they were talking about here, today. We want to be able to tweet our people that we pass something. They want to know what is going on. We've got here the agenda that Ms. Austin sent out and it is entitled 'The Organizational Meeting of the Augusta County Board of Supervisors'—Organizational Meeting. It doesn't say much about it is going to be a regular meeting. It's an Organizational Meeting. And all these folks are people, who like to be involved with government, and they're on here—Mr. Tueting is down there; Mr. Karaffa is down there. They've got all the press—Mr. Trice is down there; Mr. Stewart is down there—all of the press wants to know what is going on. They got this big e-mail listing—they are to be advised. They are supposed to be given opportunity to be prepared for a meeting. We did more research on whether or not we were going to have social media than anybody was given on whether or not we should delay the reassessment. Let's look at who was invited. I told you who was invited—all those folks. This was a very large contingency of elected officials and senior staff whose gathering was solely discussing agreement to change an existing ordinance and a plan to carry out its execution without notice of the meetings or advanced notice of what was clearly an agenda item. Now, who wasn't involved? The School Board, school staff, and students. Our elected School Board, our educators, and our students are the ones directly impacted by losses of funding related to changes in the Composite Index. To exclude these elected officials and their staff is either short-sighted and not wanting to hear their point of view, or arrogant in believing they do not matter. The public was excluded. No issue for this seated Board of Supervisors and present Commissioner of Revenue, Jean Shrewsbury, was a higher interest than the reassessment process. When a government shuts out the people from matters of greatest public interest and opts to avoid criticism by hiding their work, they have rejected a democratic form of government in favor of an oligarchy (also, known as the good ole boys). The press—the press has a traditional and important role in the public's watch-dog over the affairs of government. The press' standing request is to be notified of activities involving the Board of Supervisors. When there was a planned activity for the Board, it needs to be on the agenda, and the agenda must go out in a timely manner. To do what was done in this case, is to think a totalitarian form of government with controlled access to information and runs around the public's right to know is preferable to the messy business of democracy. Who else was excluded? I was excluded. When the Board members restrict other equally elected members from information and input, it

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

**Reassessment – FOIA Act (cont'd)**

consolidates power, increases the ability of the few to accomplish the illegal and the ill-conceived. Even if I lose every vote; even if I can never influence thinking, I and the people of the Pastures District are owed equal access to the issues and discussions impacting their lives. As the Committee member for Reassessment, the failure to advise me was a deviation from standard protocol. The Board's failure to involve me cannot be seen as accidental or unintended, but rather simply seen as undemocratic. Power corrupts; absolute power corrupts absolutely. So I think they had a bad process there. Yes, I wasn't at the Organizational Meeting. I let Mr. Shifflett know I was going to the Orange Bowl, wouldn't be back. He said, 'Thanks, have a safe trip.' Then these other e-mails went out after, on the 3<sup>rd</sup>, after I wasn't going to be there. So I don't think the process was fair. Wasn't fair to the public; it wasn't fair to the school system; it wasn't fair to the people of Pastures District.

Now, as far as the decision that was made . . . let me go there. Governor Kaine tried to help Augusta County by freezing the Composite Index before all the losses, drops in values, in Virginia came in, and they raised stink up there, and they should have, and so Mr. McDonnell changed it by not freezing the assessments and us being impacted by the loss of values in Northern Virginia. We had a 3.5% change in the Composite Index. That cost our kids \$702,000. Now, you have to remember . . . and we had a presentation on the Composite Index, okay. Fifty percent of that value and that determination is based on real property value. The whole title is Composite Index of a Locality's Ability to Pay. The more you have, the less you get. It's kind of like your income tax. You're a higher people, you pay more. It's just kind of a balance. Now, I made a presentation back towards the reassessment about what is going to happen to us because of values. I've been hounding the Department of Taxation since Augusta for the 2000 numbers. I just got them the first of this month. Guess how much the value of the average citizen, property value, went up in Augusta County on January 1, 2009. We all got \$16,824 richer. Hip, hip, hooray! But the rest of the State went down \$5,769. So we're in this little economic oasis where everybody goes down, but, suddenly, we get richer. There is a \$22,000 change in relative value of us to the rest of the State because of that change. Now, it was based on an artificial period in time. The housing values of 2000 and 2008 that were used for 2009 are not the reality of today. The Greater Augusta County Realtor Association—the number of homes listed for sale—the inventory of active homes in 2007, September, was 230; September, 2010, it was 2,766. We've gone from having an average inventory of 1.9 months to 2.6 years. I've got the sheet here if you want to look at it. The supply is up. Everything we see as well is that demand is down. We see it, if you ask Mr. Fitzgerald to show you the number of new homes, we've gone from 800 in 2004 to 231 in 2009. The number of connections by the Service Authority has fallen from 426 in 2005 to 106 last year and, now, we're 38% behind last year and are projected to have only to have 67. Supply is up; demand is down. If you read Adams & Smith Wealth of a Nation, you'll know the supply and demand impacts prices and our prices are listed as going down from 187 in September, 2007, to 169 now. When I was speaking against the reassessment, I mentioned my neighbor, the Stockdales. They are 80-year-old folks; since that time, they have gone into assisted living. Their house has been on the market for more than six months. We gave it a 37% increase in value, taking it from \$134,000 to \$189,000. I've got a wonderful page here that says 'Priced thousands below assessment'. They've got it at \$154,000 and they can't sell it. We have our prices set at an artificial time. They've come down. For us not to recognize that and move to have it reassessed where the new values are in place, is to be financially irresponsible.

The other thing, they said that, 'Well, we only delayed it one year.' That means we delay moving out of this high assessment for two years. They don't reuse the numbers every year. They only use odd numbered years; so when we move it from 13 to 14, we don't get relief until 15. So while all the rest of the communities in the State will come down, we're still up here. It's like two years ago, we made \$250,000 in annual salary and we are at a marginal tax rate of 36%. Now, we're making \$50,000 and we say, 'Oh, that's all right; we'll still pay

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

Reassessment – FOIA Act (cont'd)

the 36% on the \$250,000.' We've made a bad decision because we had a bad process. You don't want to get information so you go behind closed doors. You make it happen. Three members, for sure, were involved in this planning to undo a vote that the Board made in public and to do a new assessment without fully understanding the cost. When they say 'stagnation', that's good! You know, as far as what's going on its pricing, are we going to wait until it gets volatile again and shoots back up? You have to understand the cause and affect of the money that we get from the Composite Index. It's the number 1 source of income for Augusta County which comes from Education and is driven by the Composite Index. We need to do that reassessment and we need to get it in as soon as we can.

Now, I've gone to the Council of Freedom of Action and had them review the actions to see if it was just a crossing of the spirit of the law, or whether it was a technical violation. But it's disappointing when people sit up here and talk about we want to have the public open and hear what we're doing and the biggest thing that we've done this year, we did behind closed doors; had a vote on it without it being an agenda item at an Organizational Meeting. I'm disappointed and I'll get clobbered here but they are costing us money and they're doing it for protecting themselves from getting grief. Grief is part of the deal when you sign up to be an elected person. This was not smart policy. It was not a smart way to go.

Mr. Garber made the following statement:

Since most of that was directed to me, whether he knows it or not, I will not attempt to discuss the assessment view; I will not attempt to discuss Composite Index because you and I will never agree on those subjects but I will address process.

1. The people that you mentioned gathered are not in a position to make any decision about going forward in the assessment.

2. On numerous occasions, Mr. Pyles, you criticized me for the way I gathered information, made a decision on something that went on up the street. This is exactly how I make decisions, Mr. Pyles, I bring in the attorney, the County Administrator; I bring in any number of people, sit down, and ask for their input. Mr. Coleman's involvement with that was when he called me on my cell phone, I was out in coal country. That was the first time we discussed it. He said, 'I have a question.' So he was not involved in any of that. Mr. Shifflett was involved at the point where I gathered all this data and I said, 'I assume you will be the next Chairman. I will bring this to the Board. Now, do you want me to do it on my watch or yours? I don't care.' That was my question. He did not have a part in the decision to bring it forth other than to say, 'Go ahead and proceed.' I said, 'I'll either do it at this meeting,' which I did not know you were having a nice time in Florida, it didn't make any difference. I was going to bring it one way or the other. It wasn't on the agenda because Mr. Coffield said, 'Are you going to bring it up?' And I said, 'I do not know. It depends on what Mr. Shifflett wants. If he wants it done on his watch or mine, I do not care. I will bring it up.'

Now, I would remind you of one thing, this option to go from four to five or six year reassessment is only available because you thought this was a good idea. I voted for it at the time and thought it was a bad idea. I voted 6-0 to continue the way we were, i.e., 4 years. Things change. They continually change. We got here because I sat down with staff, at my request, reviewed all our options, and asked Mr. Shifflett how he wanted to present it. Mr. Coleman was involved, when he called me on the cell phone; I'm in Kentucky; and he wanted to know. It was coming up whether you were here or not; it did not matter to me, but we're never going to agree on how that process happened the other year, but don't sit here and tell me that I orchestrated this. I asked for information. When I came to the Board with something, I would like information. What can we do? What should we do? Here is my recommendation based on that. That's how we got to that point.

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

**Reassessment – FOIA Act** (cont'd)

Mr. Pyles' response:

There was no reason not to have an agenda or not to wait for it to be an agenda item. The timetable with your e-mails to Mr. Shifflett preceded any information. A meeting like that should have minutes. I asked for minutes and notes of anything that went on, and there were none. So the public was not involved. Did you hear what they said about the Freedom of Information, allowing public? I know you think that I'll gather the information; I'll decide and I'll put it out. The people like to watch what's going on. And when you say, 'I'm going to keep it cloistered.' We have had this discussion before where you like to do everything private, and I think everything ought to be out here. The disinfectant of sunlight helps better government.

Mr. Coleman: Governor Bob McDonnell's Transportation Plan Press Release distributed to the Board.

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

**RESOLUTION**

**WHEREAS**, The Governor of Virginia, Mr. Robert McDonnell, has announced a transportation funding plan for the General Assembly's consideration; and

**WHEREAS**, the proposed funding plan will have a significant impact to transportation and economic development in Augusta County; and

**WHEREAS**, there are 21 projects in Augusta County that will receive funding though the proposed plan, of which includes \$32,752,761 for the I-64 Exit 91 bridge replacement and Rte 285 roadway widening project; and

**WHEREAS**, this particular project has been of high priority to the Augusta County Board of Supervisors for many years.

**BE IT THEREFORE RESOLVED**, that the Board of Supervisors hereby support Governor Robert McDonnell's transportation funding plan.

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

Nays: None

Absent: Howdyshell

Motion carried.

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

Ms. Sorrells:

1. Recognition of community members who recently died: Lionel "Rabbit" Moomau and Justice Cochran – "The difference between politicians and statesmen: Politicians are always thinking about the next election. Statesmen are thinking about the next generation. I think both were statesmen in their own way."

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2. Riverheads Fire and Rescue – close to completion. Everything on track to open by the end of February. Because of the weather, the final layer of the asphalt cannot be accomplished until spring. The Building Committee and County Attorney are working toward creating an escrow account for the final punch list of items and then moving forward with closing.

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

Ms. Sorrells moved, seconded by Mr. Beyeler, that the Board authorize the County Attorney to proceed with developing the necessary documents for closing, together with the Property Committee's recommendations, and submit to the Board for consideration on February 9<sup>th</sup>.

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

Nays: None

Absent: Howdyshell

Motion carried.

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Mr. Beyeler:

- 1. Waynesboro First Aid Crew Banquet/Award Ceremony – Mr. Howdyshell and he attended. Waynesboro Rescue has 5 rescue units!
- 2. Revenue Recover article stating that Revenue Recovery was down. "That's good. The only way to collect revenue recovery is when somebody is hurting and they're being transported to the hospital."

Chairman Shifflett: Trash/debris complaint – Route 608, Exit 91 to Barterbrook Road. Asked if the prisoners could clean up.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following issues:

- 1. Augusta Health Center – Local Government Officials social meeting – March 23<sup>rd</sup>, 5:00 – 7:00 p.m.
- 2. General Assembly update –
  - a. Mill Creek Dam – in State Budget Bill 90% of 35% required local match
  - b. Eminent Domain – Economic Development Director is following up.
  - c. Agricultural and Forestal Districts – streamlining process being considered
- 3. County of Augusta Fire and EMS Study Site Visit Itinerary – February 2 – 5<sup>th</sup>. County Administrator is scheduled to meet Wednesday, February 2<sup>nd</sup>, at 8:00 a.m.

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ADJOURNMENT

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

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

Nays: None

Absent: Howdyshell

Motion carried.

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Chairman

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County Administrator