
Regular Meeting, Wednesday, May 11, 2011, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Wendell L. Coleman, Vice-Chairman
David R. Beyeler
Gerald W. Garber
Larry C. Howdysshell
Nancy Taylor Sorrells
Patrick J. Morgan, County Attorney
Timmy Fitzgerald, Director of Community Development
Jennifer M. Whetzel, Director of Finance
John C. McGehee, Assistant County Administrator
Patrick J. Coffield, County Administrator
Rita R. Austin, CMC, Executive Secretary

ABSENT: Tracy C. Pyles, Jr.
Jeremy L. Shifflett, Chairman

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, May 11, 2011, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 235th year of the Commonwealth....

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Vice-Chairman Coleman welcomed the citizens present.

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Cole Herndon, an eighth grader of Beverley Manor Middle School, led us with the Pledge of Allegiance. Cole is involved with the SCA and is in Boy Scouts Troop 13 in Greenville. He enjoys school except for SOL testing.

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

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PROCLAMATION – MENTAL HEALTH MONTH

Vice-Chairman Coleman invited Mickey DeCarr, Mental Health Residential Supervisor at Valley Community Services Board, to comment on Mental Health and receive the proclamation. Mr. DeCarr expressed appreciation of the Board of Supervisors' adoption of the Proclamation and recognition of Mental Health Month. He noted that over the course of a lifetime, 1 in 4 Americans will experience a diagnosed mental illness which will necessitate treatment. He added that they wanted to increase the awareness of mental health conditions and that treatment is effective. They strongly encourage people to overcome the stigma of mental illness and to seek treatment when needed before the situation deteriorates to the point they may need hospitalization. Mr. DeCarr also mentioned that Doug Cochran, President, has made an anti-stigma PowerPoint presentation that is available for community groups, churches, etc., that would educate people of the prevalence of mental illness and the need for treatment that can be successful. Brochures were distributed to the Board.

Ms. Sorrells added that the work of the Mental Health America of Augusta is fantastic and that the PowerPoint presentation "sends a powerful message".

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

May 11, 2011, at 7:00 p.m.

PROCLAMATION – MENTAL HEALTH MONTH (cont'd)

Mental Health Month Proclamation

May, 2011

"Do More for 1 in 4 "

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

Therefore I, Jeremy L. Shifflett, Augusta County Supervisors Board Chair, do hereby proclaim May 2011 as Mental Health Month in Augusta County and call upon our citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of mental health and mental illness, and to work to assure good mental health practices in our community, to assure that appropriate treatment is readily available for all those with mental health conditions, and to improve the understanding and acceptance of those with mental illness.

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

Nays: None

Absent: Shifflett and Pyles

Motion carried.

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VDOT SIX-YEAR PLAN

This being the day and time advertised to consider and receive input in regards to the proposed Secondary Road Construction Improvement Program for the State Secondary System of Highways in accordance with Section 33.1-70.01, Code of Virginia, 1950, as amended; the program covers the six-year period from July 1, 2011 through June 30, 2017. The Board will also receive input on the Secondary Road Construction Improvement Budget for Fiscal Year 2011-12. The Budget covers the period from July 1, 2011 through June 30, 2012.

The Chairman declared the public hearing open.

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

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VDOT SIX-YEAR PLAN (cont'd)

"My name is Jeremy Mason. I am the Assistant Residency Administrator in Harrisonburg. It is a pleasure to be here tonight with the Board and the public to present our Six-Year Plan and budget for Fiscal Year 2012 through 2017. It is exciting to work in Augusta County because the Revenue Sharing Program enables us to accomplish a lot of work. I would like to start with going over a few of the accomplishments that we had last year. Last year was a tough year for VDOT. As you all know, we went through a transition, and closed the Verona Residency. With that being said, and with your help and nudging and pushing us forward, we were still able to move forward on a number of projects:

1. Route 694; two in Riverheads District, on each side of Route 11.
2. Route 746, North River District, recently completed. After completion, storm occurred and have some EMS issues.
3. Route 835, North River District, completed.
4. Route 659 and Route 1207, Riverheads District
5. Route 642, Wayne District
6. Route 906, Middle River District, under construction
7. Route 682, Pastures District, started
8. Route 696, North River District, started
9. Route 42; completed a bridge project on Mossy Creek Road
10. Route 340; Stuarts Draft High School, opened bids; Plecker Construction is low bidder.

We also have a strong maintenance program. I think we did a good job in maintaining our roads; through the winter, we did not have a rough winter, but it was a nagging winter—a lot of weekend storms and so forth.

Our Bridge crew replaced about 8 box culverts throughout the County, as well as one slab replacement and a widening of another structure that we did in-house.

The proposed Six-Year Plan does not have any State or Federal dollars in it. The money on the Six-Year Plan is from Telecommunications Fees, which are fees collected for the use of public easements by utility companies. Those monies are given to VDOT and reallocated back out to local residences. There is approximately \$260,000 to \$270,000 identified for each year on the Six-Year Plan, which is significantly lower from the years past. There are several projects that are still on the Plan. These projects are:

1. Route 626, Limestone Road, rescoping project to see what can be done with a little less money
2. Route 636, Goose Creek Road, two projects, one is a PE project to coordinate with developer; the other is a connector project from Route 250 over past Augusta Medical Center.
3. Bridge project on Christians Creek
4. Route 640, which is Goose Creek Road and on the other side of the hospital that ties into Route 250 at a new location is currently being advertised.
5. Route 685, a bridge project in the Craigsville area. Was considering replacement; now considering removing and replacing with cul-de-sac.
6. Route 340, turn-lane improvements at Calvary Church in Stuarts Draft – Public Hearing in July.
7. Route 616, Dam Town Road, estimates are high. Need to rescope and possibly phase sections.
8. Route 610, Howardsville Turnpike, help a vertical curve in the middle.
9. Route 612, applying for some Revenue Sharing funding to improve the intersection of Route 792, near ASR.
10. Route 906, Rural Rustic project under construction.
11. Route 746, Todd Road, (North River District) completed

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VDOT SIX-YEAR PLAN (cont'd)

12. Route 652, University Farm Road (Riverheads District) Rural Rustic project, planning this summer.
13. Route 716, West Augusta Road, advertised (Pastures District); will be opening bid May 25th.

Other line items: County-wide services for engineering, seeding, traffic services and right-of-way engineering.

We do have several Rural Rustic projects that has some Revenue Sharing funding. These projects are:

1. Route 891, Newton Lane (Riverheads District) next summer
2. Route 696, Coffman Road (North River District) started construction
3. Route 682, Troxel Gap Road (Pastures District) started construction
4. Route 699, Ridge Road (North River District), summer 2012
5. Route 800, Springfield Lane (Riverheads District) summer 2012
6. Route 971, Lipscome Road (South River District) working on project
7. Route 688, Hodges Draft Lane (Pastures District), summer 2012
8. Route 845, Stuarts Knob Lane (Pastures District), summer 2012
9. Route 862, Furnace Road (Pastures District), summer 2012
10. Route 832, Union Hall School Lane (Pastures District), summer 2012
11. Route 833, Triplets Mill Road (Pastures District), summer 2012
12. Route 772, Sulpher Pump Road (Middle River District), summer 2011
13. Route 250, coordinating with developer along with Route 636 project. Utilities and other things are needed to be done by developer before moving forward.
14. Route 761, Bull Mountain Road (North River District), try to accomplish project with State, summer 2011
15. Route 757, Barger Lane (North River District), summer 2011
16. Route 610, Howardsville Turnpike (South River District) applying for Revenue Sharing this year, Lyndhurst area

The last sheet of the plan indicated the Revenue Sharing projects that are not shown in the Six-Year Plan. He noted that the first four projects are locally administered (Rural Rustic projects) that are currently advertising and planning on opening bids next week. Three are in the North River District and one in the Riverheads District. Last year, the Revenue Sharing stipulated that that it had to be locally administered. Your staff has done a very good job and we look forward to seeing those projects get completed this year.

There are also six projects that has been applied for Revenue Sharing this year:

1. Route 610, Howardsville Turnpike (South River District)
2. Route 612, Laurel Hill Road (Beverley Manor District)
3. Route 748, Flint Hill Road (Rural Rustic) (North River District)
4. Route 698, Wise Hollow Road (Rural Rustic) (North River District)
5. Route 754, Badger Road (Rural Rustic) (North River District)
6. Route 758, George Walton Road (ford) (North River District), money set aside to address issues.

Susan and Michael Thompson expressed concerns of the ford on Route 758, George Walton Road, in Mount Solon. Ms. Thompson questioned who was responsible in cleaning up the trash. They felt that the ford should be closed and suggested a widening of the road to allow turning. A petition of the landowners was distributed to the Board. Also, pictures were circulated.

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VDOT SIX-YEAR PLAN (cont'd)

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

Mr. Howdysshell moved, seconded by Ms. Sorrells, that the Board approve the Six-Year Plan as presented.

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

Nays: None

Absent: Shifflett and Pyles

Motion carried.

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RESOLUTION – SHERI HITER

Patrick J. Morgan, County Attorney, read the resolution to be presented to Sheri Hiter.

Vice-Chairman Coleman expressed the Board's appreciation of the contribution that Sheri had made during the short time of her service.

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

RESOLUTION

WHEREAS, SHERI HITER is a law student at Washington & Lee University, in Lexington, VA; and

WHEREAS, as a partial fulfillment of law school requirements Sheri served as an extern for the County Attorney's Office from January 24, 2011 until April 25, 2011; and

WHEREAS, in completion of the duties and tasks assigned to her by the County Attorney, Sheri was required to work with members of the Board of Supervisors, Board of Zoning Appeals, the Circuit Court, and County personnel; and

WHEREAS, Sheri drafted ordinances concerning the use of golf carts on public roads with speed limits of 25 miles or less, and establishing a new zoning classification for Recreational Vehicle Parks, currently being considered by this Board of Supervisors and various other resolutions; and

WHEREAS, in her quiet, pleasant demeanor, all assignments were performed in an exemplary fashion; and

WHEREAS, Sheri quickly earned the respect and admiration of those she was working with; and

WHEREAS, the Board of Supervisors as a token of their appreciation desires to give due recognition to Sheri for her dedicated service.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Augusta County, Virginia that Sheri Hiter be recognized and commended for an excellent job as extern for the County Attorney's Office;

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented to Sheri Hiter and be incorporated in the official minutes of this Board.

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

Nays: None

Absent: Shifflett and Pyles

Motion carried.

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RESOLUTION – SHERI HITER (cont'd)

Mr. Morgan added that Ms. Hiter would be working with a law firm in Bristol, Virginia.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Lee Godfrey, referring to the two options on Redistricting, stated that she opposed Option 1 as it is currently stated. She suggested moving a single boundary and include the area from Old Greenville Road to Route 11 in the Jolivue Precinct. She further stated that concern had been expressed that the Board should be cognizant of “how what you do today will affect this process in 2021. The future is uncertain. No one in 2001 would have guessed that the district that saw the most growth in the coming decade would have been Middle River. This Board should work with the numbers you have before you today and not try to use a crystal ball to predict what the future will bring. It is prudent to assume that growth will occur in Beverley Manor and Wayne Districts, but the small change that I am asking you to make on Option 1 will not affect the numbers greatly.” She further suggested that Option 2 could be chosen which keeps all three precincts basically intact while preserving the local communities of Verona and Jolivue. Ms. Godfrey commended Becky Earhart and staff undertaking this project.

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Delegate Steve Landes was recognized.

Patrick J. Coffield, County Administrator, expressed appreciation on Exit 91. “I know your efforts and our delegation’s efforts were critical for that project moving forward. Thank you.”

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REVENUE RECOVERY

The Board considered recommendations of Emergency Services Committee regarding Revenue Recovery funding formula.

John C. McGehee, Assistant County Administrator, reported that the Board of Supervisors established a Revenue Recovery Distribution Plan when Revenue Recovery went into effect. The purpose of tonight’s discussion is for the Board to consider amending that plan. The basic amendment refers to 24 hours of service versus daylight, which is the current policy. When a company has 24 hours of service, the percentage of money coming to the County before it is received by the agency, is 65%. If they are daylight, then it is 25%. Since the adoption of this plan, career staff has been changed in less populated areas such as Deerfield (1 person twenty-four hours a day) and also in Craigsville. In looking at the current plan, it was suggested to be more in line with the amount of career people that are at a station rather than what shift they work. The proposal is to change Paragraph No. 3, “Monies generated from this billing program will be divided up in the following manor: Prior to dispersal of the money, the County will retain 25% of agency’s generated net revenue from any agency that has less than 6 career personnel assigned to that agency; agencies having 6 or more career personnel assigned, 65% of agency’s generated net revenue will be retained.” Mr. McGehee clarified that this would be based on the number of career people rather than the shift that they work.

Mr. Howdysshell questioned if the number went above 6. Mr. McGehee stated that if the number is 6 or greater, then the County will deduct 65% of the Revenue Recovery money from the agency before a check is disbursed.

Mr. Beyeler recommended the number be lowered to 5. “If it got above 4, it would be 65%.”

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REVENUE RECOVERY (cont'd)

Mr. Beyeler moved, seconded by Ms. Sorrells, that the Board approve the recommendations, with the revision of lowering the number to 5 career people (versus 6) and agencies having 5 or more career personnel assigned, 65% of agency's generated net revenue will be retained.

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

Nays: None

Absent: Shifflett and Pyles

Motion carried.

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Ms. Sorrells explained that this did not affect any other agencies. This revision needed to be made because of the change made in Deerfield and Craigsville.

Mr. Beyeler moved, seconded by Ms. Sorrells, that the Board amend the motion to include that this be retroactive to January 1, 2011.

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

Nays: None

Absent: Shifflett and Pyles

Amended motion carried.

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STREET ADDITION

The Board considered Community Development's and VDOT's recommendations to adopt resolution for acceptance of the following streets into the Secondary Road System in accordance with VDOT request (Wayne District):

- 1. Teaverton, Unit 12

Timmy Fitzgerald, Director of Community Development, displayed an aerial and stated that inspections have been made for the streets to be included in the Secondary Road System.

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

WHEREAS, that the County and the Virginia Department of Transportation have entered into an agreement on August 26, 1996, for comprehensive stormwater detention which applies to this request for addition.

WHEREAS, VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the following streets in **TEAVERTON UNIT 12** into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

May 11, 2011, at 7:00 p.m.

STREET ADDITION (cont'd)

- Kensington Drive
From: Intersection of Route 1425 (Erem Way)
To: End of cul-de-sac, a distance of: 0.04 miles
- Oxford Road
From: Intersection of Route 1424
(Hamshire Way)
To: Intersection of Route 1425 (Erem Way), a distance of:
0.11 miles
- Hamshire Way
From: Intersection of Route 1423 (Oxford Road)
To: Intersection of Route 1426 (Abbey Court), a distance
of: 0.11 miles
- Hamshire Way
From: Intersection of Route 1426 (Abbey Court)
To: End of Cul-de-Sac, a distance of: 0.04 miles
- Oxford Road
From: Intersection of Route 1365 (Kensington Drive)
To: Intersection of Route 1424 (Hamshire Way), a distance
of: 0.16 miles
- Kensington Drive
From: 0.01 miles east of Route 1356 (Victoria Drive)
To: Intersection of Route 1423 (Oxford Road), a distance
of: 0.12 miles
- Kensington Drive
From: Intersection of Route 1423 (Oxford Road)
To: Intersection of Route 1425 (Erem Way), a distance of:
0.09 miles
- Oxford Road
From: Intersection of Route 1425 (Erem Way)
To: End of Cul-de-Sac, a distance of: 0.05 miles
- Erem Way
From: Intersection of Route 1365 (Kensington Drive)
To: Intersection of Route 1423 (Oxford Road), a distance
of: 0.16 miles

AND FURTHER BE IT RESOLVED, that the Board does guarantee the Commonwealth of Virginia an unrestricted right-of-way of 50 feet with necessary easements for cuts, fills, and drainage as recorded in Plat Book 1, Pages 5590-5592, Instrument #030006890, Pages 185-192, recorded May 8, 2003.

AND FURTHER BE IT RESOLVED, that the Virginia Department of Transportation will only maintain those facilities located within the dedicated right-of-way. All other facilities outside of the right-of-way will be the responsibility of others.

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

Nays: None

Absent: Shifflett and Pyles

Motion carried.

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LOCAL EMERGENCY TERMINATION

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

Mr. McGehee reported that this resolution is to terminate the local emergency that was declared on April 29, 2011, by the Chairman, and confirmed by the Board on May 4th. This local emergency referred to the tornado in the western part of the County.

May 11, 2011, at 7:00 p.m.

LOCAL EMERGENCY TERMINATION (cont'd)

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

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF AUGUSTA COUNTY, VIRGINIA**

WHEREAS, due to a tornado touching down in a portion of Augusta County, Virginia (the County) and high winds, torrential rains lightening and flooding affecting most of the entire County, the County faced dangerous conditions of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused thereby;

WHEREAS, the conditions of extreme peril to life and property necessitated the declaration of the existence of a local emergency;

WHEREAS, circumstances did not permit the governing body to convene to consent to the declaration of the existence of such a local emergency;

WHEREAS, the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Title 44, Chapter 3.2 of the Virginia Code) authorizes the Emergency Services Director to declare the existence of a local emergency when the governing body cannot convene, subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within fourteen days of the declaration;

WHEREAS, on April 29, 2011, by Declaration of Local Emergency ("Declaration"), Jeremy L. Shifflett, Chairman of the Board of Supervisors and Emergency Services Director, declared the existence of such a local emergency, subject to confirmation by the Board of Supervisors of Augusta County, Virginia;

WHEREAS, by resolution adopted on May 4, 2011, the Board of Supervisors confirmed the Declaration;

WHEREAS, all coordinated local government action has been taken and it is no longer necessary for the Declaration to remain in effect; and

WHEREAS, the Board of Supervisors desires to terminate the Declaration, and to approve, ratify and confirm all actions taken by the Emergency Services Director and County staff pursuant to the Declaration and the approved plans of the County of Augusta.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AUGUSTA COUNTY, VIRGINIA that all actions taken by the Emergency Services Director and County staff pursuant to the Declaration and the approved plans of the County of Augusta be, and hereby are, approved, ratified and confirmed.

IT IS FURTHER RESOLVED that the Declaration be, and hereby is, terminated, effective May 11, 2011.

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

Nays: None

Absent: Shifflett and Pyles

Motion carried.

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WAIVERS/VARIANCES - NONE

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May 11, 2011, at 7:00 p.m.

CONSENT AGENDA

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

MINUTES

Approved minutes of the following meetings:

- Budget Hearing Meeting, Wednesday, April 20, 2011
- Staff Briefing Meeting, Monday, April 25, 2011
- Regular Meeting, Wednesday, April 27, 2011

CLAIMS

Approved claims paid since April 13, 2011.

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

Nays: None

Absent: Shifflett and Pyles

Motion carried.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Ms. Sorrells: 4-H and FFA Market Animal Show – Incredibly successful! “Gratifying to see number of children involved! Longest-continuous show of its kind east of Mississippi and also the largest of its kind.”

Mr. Garber:

1. Commended Vice-Chairman on leading tonight’s meeting.
2. Announced will not run for re-election.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. AIB comments – presented staff comments to Chairman Shifflett; County Administrator had spoken with Jason Carter, Extension, and Bud Shaver, AIB, who were appreciative of the Board’s response from input.
2. CATS Transportation - Jennifer M. Whetzel, Director of Finance, gave a brief history of what was in the Six-Year Transit Development Plan, which was proposed in 2008. The guide is to look at items that have not been implemented and use the current structure to implement those routes. Basically, it is to re-allocate the services to better utilize the funding. The proposal is to 1) implement fixed route between Grottoes and Stuarts Draft; 2) continue one day a week demand service to Craigsville; 3) discontinue demand service; and 4) does not increase local funding. The next step is to: 1) speak with potential partners (BRCC); 2) time the route, tie into existing connections/systems; and 3) advertise/print schedules.
3. Shenandoah National Park – Rededication on July 25th, 10:00 a.m., at Big Meadows.
4. Building Code being revised, effective March 2012.
5. COPS Hiring Program solicitation – now open – Will provide 100% funding for approved entry-level salaries and benefits for first three years for newly-hired, full-time sworn officer positions. Fourth year is paid by local funding; fifth year,

