Regular Meeting, Wednesday, September 14, 2011, at 7:00 p.m. Government Center, Verona, VA.

PRESENT: Jeremy L. Shifflett, Chairman

Wendell L. Coleman, Vice-Chairman

David R. Beyeler Gerald W. Garber Larry C. Howdyshell Tracy C. Pyles, Jr. Nancy Taylor Sorrells

Melissa Meyerhoeffer, Assistant Finance Director Timmy Fitzgerald, Director of Community Development

Patrick J. Morgan, County Attorney

Patrick J. Coffield, County Administrator

John C. McGehee, Assistant County Administrator

Rita R. Austin, CMC, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County

Board of Supervisors held on Wednesday, September 14, 2011, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the

236<sup>th</sup> year of the Commonwealth....

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Chairman Shifflett welcomed the citizens present.

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Taylor Austin, a senior with Buffalo Gap High School, led us with the Pledge of Allegiance. Taylor competes in winter and summer track; is a member of the SCA and Science Club; and is participating in a mentorship with Dr. Allen White, doing dental hygiene. After graduation, she hopes to attend a four-year university to become a dental hygienist.

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Wendell L. Coleman, Supervisor for the Wayne District, delivered invocation.

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

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### VALLEY COMMUNITY SERVICES BOARD - PERFORMANCE CONTRACT

The Board considered FY2011-12 State Performance Contract as proposed. This item was tabled at the Board of Supervisors Regular Meeting on August 24, 2011 until September 14, 2011.

Mr. Pyles moved, seconded by Mr. Beyeler, that the Board remove this item from the table.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

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Patrick J. Coffield, County Administrator, advised that at the last meeting, the Board had received a copy of the contract. Additional information had been requested and received. Melissa Meyerhoeffer and Neysa Simmers were available to answer questions.

Mr. Pyles added that he had asked this item to be tabled to review the operation. He explained that Board approval included the Board's responsibility to oversee the operation.

### VALLEY COMMUNITY SERVICES BOARD - PERFORMANCE CONTRACT

He expressed concern with the financial statement operating in the negative. He stated two specific concerns: 1) Monitor monthly statements where revenues are not covering expenses; and 2) Inability to keep staffing.

Mr. Pyles also requested that the contract be presented to the Board earlier, such as July, in the future.

Mr. Pyles moved, seconded by Mr. Beyeler, that the Board approve the FY2011-12 State Performance Contract as proposed.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

### BUFFALO GAP MUSIC BOOSTERS REQUEST - RABIES CLINIC

The Board considered request to hold a rabies clinic for the purpose of vaccination of dogs and cats from rabies at Buffalo Gap High School as a fundraiser for the school's music program.

John C. McGehee, Assistant County Administrator, advised that this is a request from the Buffalo Gap Music Boosters Club for a rabies clinic to be held October 15<sup>th</sup> from 9:00 a.m. until 12:00 noon at Buffalo Gap High School. Joseph Malcolm, a licensed veterinarian, will be in charge of the event. According to the Code of Virginia, a clinic such as this has to be approved by the Board of Supervisors. The Health Department has approved this event.

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

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

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# DRAFT FEED & SUPPLY REQUEST - RABIES CLINIC

The Board considered request to hold a rabies clinic for the purpose of vaccination of dogs and cats from rabies at Draft Feed & Supply. (This will be a retroactive approval.)

Mr. McGehee reported that, on August 25<sup>th</sup>, he had received a phone call from Heather Hollingsworth, of Draft Feed & Supply, indicating that she had scheduled a rabies clinic to be held at their establishment on September 10<sup>th</sup>. Mr. McGehee informed Ms. Hollingsworth that Board approval was required. She had Health Department approval but was not aware that she needed Board approval. Flyers for the event had already been circulated. Mr. McGehee discussed the issue with Pat Morgan, County Attorney, and it was decided to orally contact all Board members for approval for the event. Mr. Morgan had advised that we would need retroactive approval from the Board tonight.

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

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

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### **VDOT RURAL ADDITION**

The Board considered Community Development's and VDOT's recommendations to adopt resolution for acceptance of the following street into the secondary road system in accordance with VDOT request:

1. Kinmont Subdivision (Beverley Manor District)

Timmy Fitzgerald, Director of Community Development, advised that tonight's request was not a subdivision street addition, but a rural addition through the VDOT program. Kinmont was a project back in the 1960's where they built the road and went through the road acceptance process, but it was never brought into the system. Over the years, maintenance has been provided by the private homeowners. Rural Addition requires the homeowners to have the road meet state standards. That has been done at their own expense. VDOT has inspected the project and recommends approval.

Chairman Shifflett has spoken with several of the property owners and learned that some of the people were older and unable to continue to maintain the road.

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

#### **RESOLUTION**

WHEREAS, the Harrisonburg Residency Office of the Virginia Department of Transportation recommends that the street(s) referenced in this Board's resolution be added to the secondary system of state highways as a no cost rural addition pursuant to Section 33.1-229 and Commonwealth Transportation Board policy, because the street(s) meets current minimum standards, the condition of the existing hard surface is serviceable, the street(s) has provided continuous public service since its establishment in Kinmont Subdivision and currently serves four (4) occupied residential dwellings.

**WHEREAS**, the Harrisonburg Residency Office of the Virginia Department of Transportation confirms that no Department funds are required to improve the street(s) described on the attached additions form AM-4.3 to meet current minimum design or maintenance standards of the Department.

**NOW, THEREFORE, BE IT RESOLVED**, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached additions form AM-4.3 to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia and the Rural Addition Policy of the Commonwealth Transportation Board of the Virginia Department of Transportation.

**BE IT FURTHER RESOLVED**, this Board guarantees a clear and unrestricted right of way, as described on the attached form AM-4.3, and any necessary easements for cuts, fills and drainage, and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

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### **VDOT INTERSECTION**

The Board considered reimbursement for Convex Mirror to address traffic concern.

Funding Source: Pastures Infrastructure Account #80000-8014-74 \$383.72

Mr. Coffield advised that there had been a request for capital improvements in Deerfield – a relocation/realignment of a road at the intersection. Because of funding restraints, the project has not been included in the County/VDOT Six-Year Plan. Citizens took it upon themselves to purchase and install the mirror.

Mr. Pyles felt that this would enhance the safety, but said that he would not support replacement should it become damaged or destroyed.

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

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

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### **FIRE EQUIPMENT GRANT**

The Board considered submittal of grant request for equipment replacement/reassignment.

Funding Source (match): Fire & Rescue Equipment Account #80000-8152 \$100,000

Mr. McGehee advised that this request is a federal grant to replace Engine 105 with Company 10 (1999 age). This would be a 80-20 match. The Officers Association is in agreement with this grant request. If successful, the match would be appropriated from the Matching Grant Program Fund Balance. Engine 105 would become a reserve engine for the County and could assist with Company 25 with the equipment that they have currently.

Mr. Beyeler asked if the Emergency Services Committee was in agreement. Ms. Sorrells stated that they were. Mr. McGehee clarified that the Committee discussed it a day before the Officers Association meeting. Mr. Beyeler stated that it was to be placed at a volunteer station so that it will be maintained and questioned why the paid stations were unable to maintain the equipment. Mr. Coffield stated that the equipment was maintained. Mr. Beyeler stated that this engine was sent to Greenville and had a lot of problems. Mr. McGehee said the 1989 engine went to Greenville, not the 1999. Ms. Sorrells said that the '89 engine had some problems. Mr. Beyeler added that the '99 engine went to Greenville and had problems because it was not maintained. Mr. McGehee indicated he would look into the matter.

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

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

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### WAIVERS/VARIANCES - NONE

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### **CONSENT AGENDA**

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

### **MINUTES**

- Staff Briefing Meeting, Monday, August 22, 2011
- Regular Meeting, Wednesday, August 24, 2011

# **CLAIMS**

Approved claims paid since August 10, 2011.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

# MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

# Mr. Pyles:

1. Craigsville Wastewater Treatment Plant (WTP) - \$250,000 had previously been approved out of the Pastures Infrastructure Account to aid the Town of Craigsville in building a WTP. They no longer need this funding; the State will be responsible.

Mr. Pyles moved, seconded by Mr. Coleman, that the Board approve removing appropriation of \$250,000 which was designated for the Craigsville Wastewater Treatment Plant (Account #80000-8014-19) and for the funding to be placed back into the Pastures Infrastructure Account.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

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2. Buffalo Gap High School – School Board has asked for assistance with rebuilding the pressbox and developing a handicap access path from the parking lot to the football/baseball bleachers.

Mr. Pyles moved, seconded by Mr. Garber, that the Board approve the allocation of \$50,000 to assist with the pressbox project (\$30,000) and handicap access path (\$20,000). Funding Source: Pastures Infrastructure Account #80000-8014-75.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

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

Mr. Howdyshell: Mt. Solon Recycling Site – Will be meeting with Mr. McGehee regarding a back-up problem. May be bringing back to the Board for consideration.

#### Mr. Coleman:

- 1. Riverheads Fire Station Grand Opening "Beautiful day; nice event; very well-organized! Well attended!"
- 2. Wilson Memorial High School (last Friday, September 9<sup>th</sup>) JMU Band (Royal Dukes) and all high school bands performance "Very enjoyable evening!"
- 3. Boards and Commissions picnic Tuesday, September 20<sup>th</sup>, at 5:30 p.m.

### Ms. Sorrells:

- 1. Riverheads Fire Station Grand Opening Thank you to Chairman Shifflett and Vice-Chairman Coleman for attending. "Great day!" To date: 350 First-Aid calls; 150 Fire calls.
- Shenandoah Valley Project Impact 1<sup>st</sup> Annual Disaster-Resistant Forum September 20<sup>th</sup>, at 9:00 a.m. – 11:00 a.m. at the Central Shenandoah Planning District Commission office. Circulated flyers to the Board.

Chairman Shifflett: Riverheads Fire Station Grand Opening – hose was cut with scissors! "Nice event!"

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### MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

- 1. Board of Zoning Appeals Proposal from Houff's Feed and Fertilizer for a Special Use Permit for future land application. Was approved with conditions.
- Governance Meeting notes distributed. Highlighted: 1) Regional Emergency Communications (Center Study and narrowbanding/digital upgrade). 2) Fire-Rescue Mutual Aid (working with Waynesboro) Mr. Beyeler felt that this would help with the ISO. Mr. McGehee said that this would be discussed at the next Staff Briefing. 3) Augusta County flood-control dams
- 3. Health Insurance rates less than what was budgeted. Consortium to consider using available funding to establish a self-insured program for Employee Medical Plan.
- 4. Regional Animal Shelter "Now open! All positive!" The three senior Animal Control Officers have been designated as a Management Committee to discuss operational issues. Viewing at the next Staff Briefing.
- 5. VDOT Revenue Sharing –Draft Project list distributed to Board. Will be discussed at next Staff Briefing.
- 6. Office on Youth Grant "Project Grows" handout distributed to Board. Will be discussed at next Staff Briefing.
- 7. Shenandoah Views (Skyline Drive) 75<sup>th</sup> Anniversary function on September 24<sup>th</sup>
- 8. VACo Voting Credentials to be discussed at next Staff Briefing.
- 9. CAP-SAW no federal funds available to date 52.5% cut.
- 10. Back Creek Study e-mail noted that we are to receive \$50,000

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### **CLOSED SESSION**

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

(1) the personnel exemption under Virginia Code § 2.2-3711(A)(1)

[discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:

## CLOSED SESSION (cont'd)

- A) Boards and Commissions
- (2) the legal counsel exemption under Virginia Code § 2.2-3711(A)(7) [consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, as permitted under subsection (A) (7)]:
  - A) Specific legal matters

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

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

The Chairman advised that each member is required to certify that to the best of their knowledge during the closed session only the following was discussed:

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- 1. Public business matters lawfully exempted from statutory open meeting requirements, and
- 2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Roll Call Vote was as follows:

AYE: Coleman, Garber, Howdyshell, Shifflett, Sorrells, Pyles and

Beyeler

NAY: None

The Chairman authorized the County Administrator/Clerk of the Board to record this certification in the minutes.

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# <u>ADJOURNMENT</u>

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

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler,

Shifflett, Pyles and Coleman

Nays: None

Motion carried.

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Chairman County Administrator

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