

Regular Meeting, Wednesday, April 11, 2012, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Tracy C. Pyles, Jr., Chairman  
Jeffrey A. Moore, Vice-Chairman  
David R. Beyeler  
David A. Karaffa  
Marshall W. Pattie  
Michael L. Shull  
Larry J. Wills  
Timmy Fitzgerald, Director of Community Development  
Jennifer M. Whetzel, Director of Finance  
Patrick J. Morgan, County Attorney  
John C. McGehee, Assistant County Administrator  
Patrick J. Coffield, County Administrator  
Rita R. Austin, CMC, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, April 11, 2012, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 236<sup>th</sup> year of the Commonwealth....

\* \* \* \* \*

Chairman Pyles welcomed the citizens present.

\* \* \* \* \*

Kayla Lowe and Heather Campbell, Seniors, and Kalee Stevenson, a Junior, at Stuarts Draft High School, led us with the Pledge of Allegiance. Kayla participates in Students Against Destructive Decisions (SADD), and hopes to attend Jefferson College in Roanoke and major in Nursing. Heather also participates in SADD, and plans on attending James Madison University and major in Pre-Med. Kalee is also involved with SADD, and plans on attending Virginia Wesleyan, in the field of Radiology.

\* \* \* \* \*

David A. Karaffa, Supervisor for the Beverley Manor District, delivered invocation.

\* \* \* \* \*

MATTERS TO BE PRESENTED BY THE PUBLIC

Edward Carter expressed his concerns on law enforcement and the Commonwealth Attorney's office and asked for a written response from either Mr. Beyeler or Mr. Pyles and a taped recording of tonight's meeting. Information was distributed to the Board.

Teresa Smith expressed concern of a drainage ditch problem on Kensington Drive. She noted that Supervisor Moore, Past Supervisor Coleman, and others, have investigated the problem. She had been told that the Board would need to approve the improvement. Pictures and a petition of sixty homeowners were distributed to the Board. She noted that it has been a "water-control issue" for several years. Mr. Moore updated the Board that Ms. Smith lives next to one of the lower stormwater detention ponds. Pictures had been presented to him of water running over across Kensington Road and over the bank like a waterfall. He has spoken with Timmy Fitzgerald, Director of Community Development, and Mr. Fitzgerald has stated that it is being evaluated. Mr. Moore noted that since the original development, an additional development has occurred with a secondary detention pond upstream in place. Mr. Fitzgerald said that they have the as-built drawings of the subdivision. Additional survey work was done last week to get some needed elevations to do the hydraulic analysis to ensure that the ponds are as they were when originally designed to determine if there are issues. Once evaluation is completed, corrective measures can be determined and estimates presented to the Board for its consideration.

Chairman Pyles told Mr. Carter that the minutes will be prepared and the audio will be placed on the web. If he desires, a recording can be made available at his cost.

April 11, 2012, at 7:00 p.m.

\* \* \* \* \*

UNWANTED OR EXPIRED MEDICATIONS DISPOSAL - RESOLUTION

The Board considered resolution for the disposal of unwanted or expired medications.

Chairman Pyles presented the resolution to Jim Halasz, Rotary Club President for Staunton-Augusta County. Mr. Halasz reported that they are sponsoring a community service project – Operation Medicine Cabinet for Staunton, Augusta County, Waynesboro and surrounding areas for disposal of prescription, non-prescription legal or illegal drug with no questions asked on April 28<sup>th</sup> at Augusta Health Center. Financial support is not needed.

Chairman Pyles added that this is a reminder to go through the medicine cabinet and discard outdated medication.

Mr. Moore moved, seconded by Mr. Karaffa, that the Board adopt the following resolution:

**RESOLUTION**

**WHEREAS** we, the Augusta County Board of Supervisors, recognize that the preservation of our environment and natural resources is of the utmost importance to the citizens of our community; and

**WHEREAS** the preservation of our water supply, both surface and ground, is imperative to the health and well-being of our citizens; and

**WHEREAS** contamination of our water supply can come from many sources, and as such, innovative solutions are necessary and desired to prevent the contamination of our water supply; and

**WHEREAS** one source of possible contamination has come to the attention of members of this Board, that being the proper disposal of unwanted or expired medications, for which there is now a local, proper procedure in place under the auspices of the Drug Enforcement Agency; and

**WHEREAS** the proper disposal of unwanted or expired medications, in addition to preventing the potential contamination of our water supply, would also minimize the storage and amount of unwanted medications in households, thereby preventing accidental poisonings and potential clandestine distribution and use of unwanted medications; and

**WHEREAS** after research, members of this Board have collaboratively developed a procedure for the proper disposal of unwanted and expired medications; and

**WHEREAS** members of this Board, recognizing that this issue is regional in nature and can benefit not only the citizens of Augusta County, but also those of the Cities of Staunton and Waynesboro, partnered with the Rotary Club of Staunton-Augusta County and officials at Augusta Health, who have graciously agreed to host a Drug Take Back Day, which is to occur on April 28, 2012; and

**WHEREAS** the members of the Augusta County Board of Supervisors wish to extend an invitation to the members of the City Council of the City of Staunton, Virginia, and the members of the City Council of the City of Waynesboro, Virginia, to join them in endorsing a Drug Take Back Day;

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Augusta County Board of Supervisors, heartily endorse, and urge the citizens of our community to participate in the upcoming Drug Take Back Day to further the goals of water supply protection, as well as the prevention of accidental poisonings and inappropriate distribution and use of unwanted medications; and

**BE IT FURTHER RESOLVED** that we, the Augusta County Board of Supervisors, wish to thank the Rotary Club of Staunton-Augusta County and the officials and administration of Augusta Health for their commitment to host the Drug Take Back Day, and wish them success for this event, as well as all subsequent such events.

April 11, 2012, at 7:00 p.m.

UNWANTED OR EXPIRED MEDICATIONS DISPOSAL – RESOLUTION (cont'd)

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

\* \* \* \* \*

FIRE REVOLVING LOAN PROGRAM

The Board considered revisions to Fire Program Policy as recommended by Fire Chief Holloway.

Fire Chief Carson Holloway introduced Greg Lambert, President of the Augusta County Emergency Services Officers Association, to discuss the proposed revisions to the Revolving Loan Program.

Greg Lambert reported that the Major Revolving Loan Fund was adopted by the Board of Supervisors in 1988. Changes requested through the Association are as follows:

1. Eliminate last sentence in Section 1.1 – “maximum of two-thirds percent matching (\$200,000)” to \$300,000 to cover the increasing cost of apparatus.
2. Add in Section 1.6 “apparatus must meet NFPA 1901 Standard and ISO Regulations”.
3. Section 4.4.6, in regards of determining eligibility for loans, would like to eliminate “number of alarms answered in Augusta County”. Formula should be reviewed each year for update. Determination should be between the age of the current apparatus as well as the need in that given area.

Fire Chief Holloway added that it came before the Committee with thorough discussion. This is the final proposal from the Emergency Services Officers Association. Out of this funding, there are three loans: minor, major and gear. The figures will sustain itself up to 2019. In 2020, it will start building up. The minor loan was not figured because there has only been four minor loans in the last ten years. The minor loans are \$10,000 annually per agency (\$10,000 x 15).

Mr. Shull advised that he had spoken with some firefighters who felt that “they should keep some kind of accountability; if we leave this as an open loan, we will not have any accountability. These fire trucks could get ordered with maximum amount on it. If they put up some of the money, there would be accountability and still meet the needs of the company.” As far as the alarms, the company should not be hindered by the number of calls. The recommendation is to keep it at 2/3 matching and increase it up to \$300,000.

Mr. Pattie asked if there was a vote of the Officers’ Association. Mr. Lambert said the vote was 6 to 3. Fifteen fire departments are eligible to apply for the revolving loan and were eligible to vote. Six agencies were either not present or did not vote.

Mr. Karaffa indicated that fire companies need to have “discipline in purchasing” and agreed with Mr. Shull’s recommendation.

Mr. Wills agreed and felt that the companies needed to be responsible for a portion of the cost. He was unsure of the amount. “The company needs to have something raised up front, and when they’re raising it for that, they also know, then, that they have to have the ability to make that payment each year.”

April 11, 2012, at 7:00 p.m.

FIRE REVOLVING LOAN PROGRAM (cont'd)

Mr. Karaffa moved, seconded by Mr. Beyeler, that the Board table this issue and refer it back to the Augusta County Emergency Services Officers Association to review the percentage cost of the equipment. The fifteen fire companies need to be represented and participate in the vote.

Chief Wayne Martin, of Craigsville Volunteer Fire Company, reported that he is already in the process of purchasing an engine in the amount of \$403,000. If 2/3 is used, he will be unable to purchase the engine. Chairman Pyles asked if Chief Martin was able to provide \$103,000 toward this loan. Chief Martin said he was. Chairman Pyles clarified that the Board is asking that the fire companies provide a commitment. Chief Martin said 20% could be considered. Smaller companies could be put in a bind if it were higher. Chief Martin said if this plan was used, every company could get a new truck every seven years. He felt that if a fire truck is maintained, it can last longer. He reiterated that it needed to meet the NFPA 1901 Standard and ISO Regulations.

Mr. Beyeler asked if Chief Martin could provide a base unit price versus a "wish" unit. Chief Martin said this was a base unit price and would meet the need of the County.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

\* \* \* \* \*

2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

The Board considered the submission of application for 2012 Edward Byrne Memorial Justice Assistance Grant funding.

Investigator Brian Jenkins, of the Augusta County Sheriff's Department, advised that this is a federal grant with no matching funds required from the local jurisdiction. The amount of \$10,291 is planned to be applied toward equipment and supplies for the Investigations Unit as well as digital voice recorders for the Patrol Division.

Patrick J. Coffield, County Administrator, commended Investigator Jenkins in his excellent grant writing and noted that he is excellent meeting the procurement requirements.

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

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

\* \* \* \* \*

WAIVERS/VARIANCES - NONE

\* \* \* \* \*

CONSENT AGENDA

Mr. Wills moved, seconded by Mr. Moore, that the Board approve the consent agenda as follows:

April 11, 2012, at 7:00 p.m.

CONSENT AGENDA (cont'd)

MINUTES

Approved minutes of the following meetings:

- Budget Work Session Meeting, Monday, March 26, 2012
- Staff Briefing Meeting, Monday, March 26, 2012
- Budget Work Session Meeting, Wednesday, March 28, 2012
- Regular Meeting, Wednesday, March 28, 2012

CLAIMS

Approved claims paid since March 14, 2012.

Vote was as follows:           Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

                                      Nays: None

Motion carried.

\* \* \* \* \*

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Karaffa:

1. Blue Ridge Community College – have had a discussion regarding incentive for volunteers and will give an update in the near future.
2. Company 10 has expressed some equipment needs that will be discussed at the next Staff Briefing.

Mr. Moore:   ACSA – Wilson Trucking Complex – agreement to complete loop for water is in the final stages. Will need Board consideration in the near future.

Chairman Pyles: Town of Craigsville – Police surplus vehicle will be discussed at the next Staff Briefing. He noted that he had earmarked money out of his infrastructure account to Craigsville to finish their Townhall. They have been paying it back with their meals tax money (\$25,000 annually).

Mr. Wills:    Reassessment Committee Meeting – Wingate will be here April 23<sup>rd</sup> at 11:00 a.m. to meet with the Board to discuss how project will proceed . . . specifically public relations and the definition of a building lot. They will be asking for the Board's direction.

\* \* \* \* \*

MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. USDA –New lease being negotiated. A public hearing will be required – will be put on a future agenda.
2. Timber Bid – 2 bids received – will be placed on next Staff Briefing.
3. Barking Dogs – Information placed in Board's mail slots. Inquired if Board wanted to revisit.
4. USDA –
  - a. Todd Lake Public Meeting – Thursday, April 12<sup>th</sup> @ 6:30 p.m.
  - b. Mills Creek – information distributed – will be put on a future agenda.
  - c. Watershed Rehabilitation – may not be future federal funding. Draft letter to regional USDA office distributed to Board.

April 11, 2012, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (cont'd)

- d. Water Resources Field Study Tour for key staff of the Administration and Congress – April 27<sup>th</sup>. Information distributed to Board.
5. General Assembly – VRS – Recap from Finance Department (Information distributed to Board):
  - a. Phase in option of 1% pay raise and 1% member pay per year for 5 years will save localities now, but increase VRS rates in future (starting in year 3 of phase in). Budget reflects full 5/5.7% proposal.
  - b. Phase in option of discounting up to 70% year 1 rate, 80% year 2, etc., would save now, but increase VRS rates in future (starting with year 3 of phase in). State opened up this option to localities by amending SB497.
  - c. Constitutional officers would be included in raise/member pay calculation. Budget language allows for local supplement. Considered local employees and part of local VRS plan.
  - d. Governor signed HB1130 which establishes a base line in law, made amendments to SB497, 498.
  - e. Mention of new disability program created for local employees enrolled in new hybrid program (2014).
  - f. Changes in non-vested and new employee benefit (rule of 90, 1.65% multiplier, 3% COLA cap, etc.). Deferred COLA for employees less than 20 years of service. New employees will have hybrid plan beginning 2014 (excluding hazardous pay).

Mr. Karaffa asked if employees' retirement benefits are based on the last three years of their employment. Mr. Coffield said it was based on the "highest" three years. Mr. Karaffa was concerned that some people would not get the benefit of the retirement system if the "phasing in" was done.

6. Proposed MPO map is available in Community Development.
7. Budget Agenda – April 18<sup>th</sup> – attachments distributed to Board. Jennifer M. Whetzel, Director of Finance, noted that the ad was included with the attachment. This is a synopsis of the revenues and expenditures advertised. Assessed values and tax rates were also included. This information will be available on the web and will be distributed at the public hearing.
8. School Superintendent – 2012-2013 Salary versus VRS Analysis – information distributed to the Board.
9. Propane savings (Autogas)– information distributed to the Board.
10. VDOT-I-81 letter - Timmy Fitzgerald, Director of Community Development, advised that in the summer 2011, VDOT did an innovative recycling project south of Mint Spring. VDOT is applying for an award and has asked that a letter be drafted indicating the success of the project. Draft letter was distributed to the Board. It was the consensus of the Board to submit the letter.

\* \* \* \* \*

CLOSED SESSION

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

- (1) **the personnel exemption under Virginia Code § 2.2-3711(A)(1)**  
[discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:

A) Boards and Commissions

April 11, 2012, at 7:00 p.m.

CLOSED SESSION (cont'd)

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

- A) Weyers Cave Drainage Easement
- B) Government Center Parcel

**(3) the economic development exemption under Virginia Code § 2.2-3711(A)(5)**  
[discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of its interest in locating or expanding its facilities in the county]:

- A) Industrial Prospect

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

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Beyeler, Moore and Pyles

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:

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: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles  
NAY: None

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

\* \* \* \* \*

April 11, 2012, at 7:00 p.m.

AUGUSTA COUNTY SERVICE AUTHORITY APPOINTMENT

Mr. Moore moved, seconded by Mr. Karaffa, that the Board accept the resignation of Gerald W. Garber and appoint Larry J. Wills to serve an unexpired four-year term effective June 1, 2012 to expire March 15, 2014.

Vote was as follows: Yeas: Karaffa, Shull, Wills, Moore, Pattie, Beyeler and Pyles

Nays: None

Motion carried.

\* \* \* \* \*

WEYERS CAVE DRAINAGE EASEMENT

Mr. Wills moved, seconded by Mr. Beyeler, that the Board authorize the expenditure of \$5,800 for the purchase of an easement associated with the Weyers Cave drainage project.

Funding Source: Middle River Infrastructure Account #80000-8012-63

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

\* \* \* \* \*

JUVENILE DETENTION HOME PARCEL

Mr. Karaffa moved, seconded by Mr. Wills, that the Board authorize the County Attorney to work with his counterpart for the sale of approximately 1.12 acres to the Juvenile Detention Home.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

\* \* \* \* \*

ADJOURNMENT

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

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

\* \* \* \* \*

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
County Administrator