

Regular Meeting, Wednesday, May 9, 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, May 9, 2012, 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 Pyles welcomed the citizens present.

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Chelsey Astrop, a senior of Riverheads High School, led us with the Pledge of Allegiance.

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Larry J. Wills, Supervisor for the Middle River District, delivered invocation.

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**MENTAL HEALTH MONTH – PROCLAMATION**

Chairman Pyles invited G. Leonard Pittman, Jr., President of Mental Health America of Augusta, to comment on Mental Health and receive the proclamation. Mr. Pittman expressed appreciation of the Board of Supervisors' adoption of the Proclamation and recognition of Mental Health Month. He strongly encouraged 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.

Chairman Pyles jokingly asked Mr. Pittman if Senior Citizens Month was a correlation to Mental Health Month. Mr. Pittman stated, "Unfortunately, mental illness does not discriminate with age. It strikes across the spectrum from the very young to the very old."

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

**Mental Health Month Proclamation  
May, 2012  
"Spokes Of Recovery"**

**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 - one in four will have a diagnosable mental illness; and

**WHEREAS**, recovery from mental illness depends on hope, on education, on responsibility, on self-advocacy, and on support - the five Spokes of Recovery; and

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

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**MENTAL HEALTH MONTH – PROCLAMATION** (cont'd)

**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 and recovery efforts.

**THEREFORE** I, Tracy C. Pyles Jr., Augusta County Supervisors Board Chair, do hereby proclaim May 2012 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 the community has readily available support for recovery from mental illness, and to improve the understanding and acceptance of those with mental illness.

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

Nays: None

Motion carried.

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

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**SHENANDOAH NATIONAL PARK – ANNUAL REPORT**

The Board received a PowerPoint presentation of Annual Report.

Martha Bogle, Park Superintendent, gave a PowerPoint presentation to the Board highlighting the success of the 75<sup>th</sup> Anniversary in 2011. She noted that a team made up of Government officials, Tourism professionals from the parks of adjacent counties, representatives from the Park’s partner groups and the Park staff planned a year-long celebration. Ron Sites, Augusta County Parks and Recreation Director, was a member of the committee. “More than 75 years ago, businessmen from the Commonwealth sought to create a national park in Virginia with the hope of creating an economic engine for the Blue Ridge region through tourism. Today, their dream has become a reality. In 2010, visitors to Shenandoah National Park spent more than \$71 million in the local communities and the Park, supporting 1,087 jobs. There is no doubt that the future of Shenandoah National Park and the surrounding region is intertwined.” Superintendent Bogle invited the Board to a one-day workshop, “Connecting for Prosperity – Charting the Future Together” on May 24, 2012, from 9:00 a.m. to 3:00 p.m., at James Madison University. One of its goals is to maintain the character of the communities located near the park.

Chairman Pyles said that there will be staff members present at the workshop and possibly a Board member. “We love our parks and appreciate what you do to keep them up.”

Patrick J. Coffield, County Administrator, added that every time he has gone to a Shenandoah National Park meeting, the people in Madison were still “fighting 1936”. He wanted Superintendent Bogle to know “Augusta County has always loved our relationship. We only see the positives.” Superintendent Bogle added that Madison is disappointed that they do not have a road. “You all are a gateway for two parks. They want to be a gateway, too.”

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May 9, 2012, at 7:00 p.m.

**STREET 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. River Hills, Section 1 (Riverheads District).

Timmy Fitzgerald, Director of Community Development, displayed a map of the location and advised that all inspections have been completed and in order.

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

**RIVER HILLS SUBDIVISION, SECTION 1 - STREET ADDITION**

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 **RIVER HILLS SUBDIVISION, SECTION 1** into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Violet Court

From: Intersection of Route 1196  
To: 0.04 miles east of Route 1196  
Length: 0.04 miles

Riverhead Drive

From: Intersection of Violet Court (Route 1197)  
To: 0.20 miles north of Route 11/End of Construction  
Length: 0.02 miles

Riverhead Drive

From: Intersection of Route 11  
To: Intersection of Violet Court (Route 1197)  
Length: 0.18 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, Instrument 100003185, Page 7758, recorded April 28, 2010.

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: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

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**BERRY FARM TIMBER BIDS**

The Board considered award of bid to Burke Family Logging, Craigsville, VA, for cutting or marketable timber at Berry Farm (North River District). **This item was tabled at the Board of Supervisors Regular Meeting, April 25, 2012.**

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

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BERRY FARM TIMBER BIDS (cont'd)

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

Nays: None

Motion carried.

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Mr. Fitzgerald displayed pictures of the trees to be removed. He stated that he had met with Burke Family Logging to answer questions that the Board had asked at the previous meeting:

1. What size of the trees to be harvested? **Answer:** A tree could be harvested down to three inches in diameter. The pictures indicated rows of trees close together and it was suggested that two rows be removed, leaving one row. The remaining row would be thinned out to allow a steadier growth.
2. Site cleanup guarantee? **Answer:** The logger would drag all the brush down to one central area; limbs would be removed from the trees. The Department of Forestry would inspect the site after the project has been completed to ensure compliance. If not in compliance, the logger will have an opportunity to correct the problem; if not corrected, the logger may be fined.
3. Hardwood? **Answer:** There is a small amount of hardwood mixed in with the pines.
4. Pricing of hardwood? **Answer:** Checked with Fitzgerald Log and Lumber Company to determine if reasonable pricing. The logging company indicated that it was reasonable.

Mr. Fitzgerald added that on the right-hand side going into Berry Farm are some pines that have been infected with pine beetles. Those trees will be removed completely.

Mr. Shull mentioned that Fitzgerald Log and Lumber Company offered to view the property and give a recommendation.

Mr. Fitzgerald noted that this has been sent out to bid twice; the first time, there were no bidders; the second time, there were only two bidders. Jennifer M. Whetzel, Director of Finance, added that the bid was sent out to 15 vendors the second time.

Mr. Pattie confirmed that it has been sent out to bid; he agreed with Mr. Shull that the price should have been a little higher, but if it has been sent out to bid and no one else has responded, "by definition, that is the market price".

Mr. Shull moved, seconded by Mr. Beyeler, that the Board table this item until May 23<sup>rd</sup> meeting to determine if "we're getting the best bang for the buck".

Mr. Beyeler asked how long the bid was good. Ms. Whetzel said that the start date was June 1<sup>st</sup>.

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

Nays: Karaffa, Pattie and Pyles

Motion carried.

Mr. Karaffa expressed appreciation to staff for researching the cleanup process.

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May 9, 2012, at 7:00 p.m.

### ROUTE 636 RIGHT-OF-WAY

The Board considered authorization for surveying services associated with Route 636 relocation project.

Funding Source: Wayne Infrastructure Account #80000-8017-75                      \$4,700

Mr. Fitzgerald gave a PowerPoint presentation to explain the history of this project to the Board with the following highlights were:

#### **Route 636 Relocated**

- On February 11, 2004, the Board approved the alignment for the Route 636 project. The alignment was chosen after a citizens information meeting was held on January 24, 2002.
- Two alternatives were reviewed with alternative A ultimately getting approval.

Possible alignments of Routes 636 and 358 at Route 250 were displayed.

#### **Six-Year Plan**

- Currently, there are two different projects in the six year plan:
  - Bridge project which has funding totaling \$1,206,694.
  - Road project which has funding totaling \$457,287.

#### **Myers Corner**

- In July of 2008, Crescent Development was approved for tax increment financing to complete the northern portion of Route 636. This portion will be built with the development of Myers Corner.

#### **Right-of-Way**

- Right-of-way has been dedicated by Augusta Health to construct Route 636 on its new location.
- The right-of-way on the Skyline property has been set aside for dedication and has now been sold at auction. The new owner has been contacted and is willing to donate the needed right-of-way. A plat and deed is needed to proceed with the donation of right-of-way.
- The Hoy tract has been considered by developers in the past and remains for sale. Route 636 is key to the development of this property as it would provide access. It is important to have a good understanding of where the right-of-way is on this property as we move forward with the potential development of the property.

#### **Mary Baldwin College**

- With the announcement of Mary Baldwin College, a new emphasis has been placed on the new Route 636. Having an entrance into Mary Baldwin College built to the final grade and tied into the ultimate location for Route 636 is key.

Mr. Fitzgerald noted that the grades in this area are significantly different –in excess of 10 feet difference, meaning that they are higher than the existing road is now. Mr. Moore added that it would actually be 16 feet where the turnaround is to be located.

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### ROUTE 636 RIGHT-OF-WAY (cont'd)

- In order to accomplish this, the Route 636 road project would be built from the existing end of pavement just passed the hospital to a point just beyond the entrance to Mary Baldwin College. Completing this section would allow the entrance to the College to be built so that it would not have to relocate in the future.

#### **Proposed Phase 1**

- The current estimate to construct this portion is approximately \$550,000. Currently, there is \$457,287 on the project that can be utilized. Part of the \$457,287 is Revenue Sharing.

Mr. Fitzgerald displayed a map indicating the allocation of the requested survey work on Route 636. The first green area is part of the Phase 1; the orange is the bridge; the last part of green is the VDOT project; and the red area is the Crescent Development – Meyers Corner project.

Mr. Moore emphasized the area to be considered tonight for survey. Mr. Karaffa asked if the other survey work has been done for the Mary Baldwin project. Mr. Fitzgerald said it has been done.

Mr. Karaffa asked what the options were on the existing Route 636 road. Mr. Fitzgerald said, as part of the Phase 1 construction, that part of the existing Route 636 would be a dead-end because of the new road.

#### **Route 636 Discontinuance**

- As part of this project, the existing Route 636 will need to be discontinued from 0.98 miles west of Route 285 to 1.29 miles west of Route 285.
- A new turnaround will need to be built to allow for vehicles to turn at the new end of the state maintenance.
- This discontinuance is needed because of the grade changes where Route 636 would tie into the relocated Route 636.
- There is over 10' of difference in grade and there is no way to tie the old road into the new road.

As you move further out toward the Hospital, that grade gets steeper. There would be a significant amount of fill. Mr. Moore added that the bridge would have to be approximately 20 feet over the rail.

- In order to discontinue a portion of a road, the BOS must pass a resolution asking VDOT to consider removing the section of road from their maintenance responsibility.
- Once a request is made, VDOT will hold a public hearing on the request and will make a recommendation to the Commonwealth Transportation Board. VDOT will need to notify the landowners by certified mailing that a public hearing will take place.

Mr. Fitzgerald displayed a map to indicate the Route 636 discontinuance and relocation. Mr. Fitzgerald stated that the discontinued area was solely for maintenance purposes. The right-of-way would still be there to allow the Hoy property access. This would remain a public right-of-way. In moving forward with the Greenway Plan, this right-of-way would allow excellent opportunity for a Greenway to allow for pedestrian movements along under the railroad and up through the development parcels. Mr. Moore reiterated that the 100 acres that is going to be a green space will be walking



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ROUTE 636 RIGHT-OF-WAY (cont'd)

Chairman Pyles further stated his concerns of closing the road. Patrick J. Morgan, County Attorney, explained that there was a difference between discontinuing and closing a road. Discontinuing means that the State is no longer going to maintain it, but the road is still there. Closing means that the title would go to the adjacent property owners and the road would no longer be there. Chairman Pyles added that it was going to be discontinued as a thoroughfare from Route 250 to the Hospital. Mr. Moore pointed out that the main access, now, is Mule Academy Road. As he understood it, he did not think that road was ever intended to handle the traffic on that road. Route 636 was always intended to be the access to the Hospital. Chairman Pyles disagreed.

Mr. Wills suggested delaying this resolution until the next meeting (May 23<sup>rd</sup>) and asked Mr. Fitzgerald to check the traffic count and available of access through the bridge. Mr. Moore removed his motion. He clarified that the original request was just on the survey but felt that the Board needed an overall review of the project. Mr. Wills appreciated the information, but felt further review was needed.

Mr. Fitzgerald pulled up traffic counts off the internet indicating: from Route 250 to .12 miles – 400 vehicles a day (vhd); from there up to 1.5 miles south of Route 250 (closer to the Hospital) – 280 vhd; 380 vhd; and then by the Hospital – 11,000 vhd.

Mr. Beyeler suggested that while Balzer is doing the survey, that he look and see if a temporary road could be used. Mr. Coffield suggested an additional \$1,000 from Wayne Infrastructure Account. Mr. Karaffa felt this decision should not be made until it was determined if an emergency vehicle could go through the underpass.

Mr. Shull asked Fire Chief Holloway if an emergency vehicle could go through the underpass. Fire Chief Holloway said that you could possibly get an ambulance through it, but not a pumper. It could be used as an emergency road if needed.

Mr. Beyeler did not want to delay the project. Mr. Moore said that the Mary Baldwin entrance is the issue. "If we're not going to discontinue the road, then they are going to have to re-work their whole entrance."

Mr. Beyeler moved, seconded by Mr. Moore, that the Board approve up to \$1,500 out of the Wayne Infrastructure Account. Mr. Beyeler emphasized that the additional \$1,500 would not be spent if it is determined that access is not available.

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

Nays: None

Motion carried.

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WAIVERS/VARIANCES - NONE

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CONSENT AGENDA

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



May 9, 2012, at 7:00 p.m.

CONSENT AGENDA (cont'd)

MINUTES

Approved minutes of the following meetings:

- Budget Hearing, Wednesday, April 18, 2012
- Staff Briefing Meeting, Monday, April 23, 2012
- Regular Meeting, Wednesday, April 25, 2012

CLAIMS

Approved claims paid since April 11, 2012.

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Shull: 4-H & FFA Market Animal Show and Sale event – “Joy to see all these kids working with these animals!” Chairman Pyles suggested that a thank you letter be written to the Hewitts.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. Landfill
  - a. Gas Update and Recommendations distributed to the Board.
  - b. Wind Energy – Public Hearing Notice distributed to the Board.
2. Process for delinquent tax collection – information distributed to the Board.
3. “Paperless” survey given to Mr. Karaffa. Mr. Karaffa challenging the Board and staff to reduce copying.
4. Steve Landes – District has been realigned and he will be using a “virtual” office and will no longer be needing the office at the Government Center. Notice has been received and will be closing August 1<sup>st</sup>.
5. Augusta County Greenways Plan Kickoff Meeting – May 17<sup>th</sup>, 7:00 p.m., at the Government Center
6. Budget – May 2<sup>nd</sup> meeting notes distributed to the Board.
7. Chesapeake Bay Cleanup Plan meeting – May 31, 2012, 9:30 a.m. – 11:30 a.m., at James Madison University.
8. Extended Stay Recreational Vehicles Natural Chimneys – Draft proposal distributed to interested Board members.
9. Lockers – 3 have been installed in closet; if requested, additional lockers can be installed.

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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]:

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CLOSED SESSION (cont'd)

A) Boards and Commissions

**(2) 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. Karaffa, 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.

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

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

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

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

Roll Call Vote was as follows:

AYE: 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.

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ADJOURNMENT

There being no other business to come before the Board, Mr. Beyeler 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.

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Chairman  
h:5-9min.12

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County Administrator