Regular Meeting, Wednesday, July 25, 2012, at 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

Becky Earhart, Senior Planner Patrick J. Morgan, County Attorney

John C. McGehee, Assistant County Administrator

Patrick J. Coffield, County Administrator Rita R. Austin, CMC, Executive Secretary

ABSENT: Larry J. Wills

VIRGINIA: At a regular meeting of the Augusta County Board of

Supervisors held on Wednesday, July 25, 2012, at 7:00 p.m., at the Government Center, Verona, Virginia, and

in the 237<sup>th</sup> year of the Commonwealth....

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

Chairman Pyles welcomed the citizens present.

Andrew McGehee, led the Pledge of Allegiance. Andrew is John C. McGehee's, Assistant County Administrator, son. Andrew graduated from Virginia Tech and is employed with Hantzmon Wiebel in Charlottesville. He wished the best for his father's retirement. He introduced his mother, Jane, and his Aunt, Janet Parmer.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

David A. Karaffa, Beverley Manor District, delivered invocation.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### RECOGNITION OF JOHN C. MCGEHEE - RESOLUTION

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

#### RESOLUTION

**WHEREAS**, John C. McGehee has spent 33 years serving the citizens of Augusta County and the region in his capacity as Assistant to and Assistant County Administrator; and

**WHEREAS**, John C. McGehee has played an important role in many of the significant projects that have been undertaken during the last 33 years; and

WHEREAS, a partial list of those projects include the Staunton Augusta Waynesboro (SAW) Health Insurance Consortium, the Recycling Committee, Local Emergency Planning Committee, Greater Augusta Regional Tourism Board, Blue Ridge Criminal Justice Board, Middle River Jail Authority, Legislative Coordination, Animal Control, Personnel, Fire and Rescue, Community Policy Management Team, the Valley Community Services Board, the Regional Landfill; and

WHEREAS, John C. McGehee served as principal-in-charge of numerous construction projects including Government Center Renovations, Government Center Expansion, DSS/USDA offices, Sheriff's Department, Regional Jail, Regional Juvenile Detention Home, Augusta County Courts Projects, Food Pantry, Churchville Library, and Fishersville Library renovations and expansion; and

WHEREAS, each one of these Boards and projects have benefited immensely from John C. McGehee's leadership, management, construction management, and financial expertise; and

#### RECOGNITION OF JOHN C. MCGEHEE - RESOLUTION (cont'd)

WHEREAS, his peers in local government and the region have the utmost respect and admiration for his local government knowledge and abilities;

**NOW, THEREFORE, BE IT RESOLVED**, that the Augusta County Board of Supervisors, by their regular meeting in session on July 25, 2012, hereby wishes to recognize John C. McGehee's 33 years of service to the County of Augusta and the entire region.

**BE IT FURTHER RESOLVED** that the Augusta County Board of Supervisors especially recognizes John C. McGehee's contribution and leadership with the creation of the County's Emergency Communications Center as well as serving as Co-Director with the Chairman of the Board of Supervisors for Disaster Management.

**BE IT STILL FURTHER RESOLVED** that the Augusta County Board of Supervisors wishes John C. McGehee a long and healthy retirement and wishes to present him this resolution in person at their July 11, 2012, meeting.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

Mr. McGehee expressed appreciation to the Board of Supervisors for the improvements made within the County and "hope that the citizens benefit from what I have accomplished over my career".

Supervisors Beyeler and Pyles expressed their appreciation for John's hard work and dedication.

\* \* \* \* \* \* \* \* \* \* \* \* \*

#### ECA PROPERTIES, L.L.C. - REZONING

This being the day and time advertised to consider a request to rezone from Single Family Residential to General Business 0.409 acres owned by ECA Properties, L.L.C. located on the east side of Stuarts Draft Highway (Route 340) approximately 0.15 of a mile south of the intersection of Stuarts Draft Highway (Route 340) and Draft Avenue (Route 608) in Stuarts Draft (South River District). The Planning Commission recommends approval.

Becky Earhart, Senior Planner, displayed a map designating the property outlined in blue and stated that the applicant is wishing to expand his business operation to that location. She noted that it is served by public water and public sewer and it is in the Comprehensive Plan for business development.

John Swett, applicant and Chairman of the Board of ECA Properties, stated his son is involved everyday and he is available to answer any questions that the Board may have. He stated their reason for wanting this rezoned to Business is because of not having adequate overflow parking. In addition, they could use more space for various equipment that would normally be at a hardware store.

Mr. Karaffa stated that he has always enjoyed shopping at Ace Hardware especially the one in Stuarts Draft.

Chairman Pyles declared the public hearing open.

William Carter, of Stuarts Draft, stated that they are good neighbors and they really do need the space. He stated this would be good for the community.

#### ECA PROPERTIES, L.L.C. - REZONING (cont'd)

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

Mr. Beyeler moved, seconded by Mr. Shull, that the Board adopt the following ordinance:

A request to rezone from Single Family Residential to General Business 0.409 acres owned by ECA Properties, L.L.C. located on the east side of Stuarts Draft Highway (Route 340) approximately 0.15 of a mile south of the intersection of Stuarts Draft Highway (Route 340) and Draft Avenue (Route 608) in Stuarts Draft in the South 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;

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

Parcel number 7, on tax map number 84D(8), containing a total of approximately 0.409 acres is changed from Single Family Residential to General Business.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

#### SHC DEVELOPERS, INC. - ADD PROFFERS

This being the day and time advertised to consider a request to add proffers to approximately 30.6 acres zoned Single Family Residential and owned by SHC Developers, Inc., and located on the north side of Howardsville Road (Route 701) just west of the Riverheads School Complex (Riverheads District). The Planning Commission recommends approval of the proffers.

Ms. Earhart displayed a map designating the property outlined in blue. She stated when they rezoned the top portion of the property to Attached Residential, proffers were placed on the development that indicated that they would install curb, gutter, and sidewalks, which would qualify them for a smaller side yard setback and would necessitate the need for a larger fire flow requirement. She stated at this location the developer will build a water tank and dedicate it to the Service Authority but that water tank is not in service yet; therefore, they do not have the fire flow necessary to put the buildings closer together. They are coming back to proffer the larger side yard setback, which will allow them to put the buildings further apart and have the fire flow necessary to meet that requirement. She stated it will allow them to start the development and give them the cash-flow needed in order to build the water tank. They have public water and sewer. She noted that it is in the Comprehensive Plan for Residential developers.

#### SHC DEVELOPERS, INC. – ADD PROFFERS (cont'd)

Scotty D. Sipe, applicant, stated he is here representing SHC Developers and was available to answer questions.

Chairman Pyles declared the public hearing open.

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

Mr. Shull added that SHC Developers hoped to get this project started to get the waterline in place before school starts so that there will not be any traffic conflicts.

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

A request to add proffers to approximately 30.6 acres zoned Single Family Residential and owned by SHC Developers, Inc., and located on the north side of Howardsville Road (Route 701) just west of the Riverheads School Complex in the Riverheads 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;

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

Proffers on Parcel numbers 61J (portion), 61H (portion), 61S (portion) and 61 on tax map number 82, containing a total of approximately 30.645 acres are added as follows:

- 1. The developer will build, in a manner and on terms acceptable to the County and the Service Authority, a water tank to serve this development and will dedicate the improvements to the Service Authority upon their completion.
- 2. Prior to the building permit being issued for the 100<sup>th</sup> unit (single family detached or townhouse) in this development, a second access to Route 701 will be constructed.
- 3. All streets in the subdivision will be constructed with curb, gutter, and sidewalks on both sides of the street.
- 4. Public water and sewer will be utilized in the development of all dwellings on this property.
- 5. The minimum side yard setback shall be fifteen feet (15') until such time as the available fire flow has been increased to the fire flow standard established by the Board of Supervisors for dwellings closer together.

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

and Pyles

Nays: None Absent: Wills

Motion carried.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### CONCEALED WEAPONS - ORDINANCE

This being the day and time advertised to consider a request consider an ordinance to repeal Section 11-41 of the Augusta County Code which requires the submission of finger prints as a condition for obtaining a concealed weapon permit.

Patrick J. Morgan, County Attorney, stated the Commonwealth of Virginia has repealed the sections of the State Code that give Counties the authority to require fingerprinting when someone asks for a concealed weapons permit. This ordinance repeals the section of the County Code that required fingerprinting for the concealed weapon permits.

Chairman Pyles declared the public hearing open.

William Carter stated that they moved to Augusta County nine years ago from Vermont, which had no restrictions on firearms. When he moved here, he felt obligated to continue his personal practice of providing for his own self defense and learned that he had to get a concealed weapons permit. In going through the application process, he stated when he got fingerprinted he felt like a criminal. He stated he was treated professionally by the police officers but he thought he should not have to be fingerprinted because he never committed a crime. He added that a criminal would not get fingerprinted because they would not even bother to get a permit. He felt that if the state feels that fingerprinting is unnecessary than it was appropriate for the County to do the same.

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

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

## ORDINANCE OF THE BOARD OF SUPERVISORS OF AUGUSTA COUNTY, VIRGINIA

WHEREAS, the General Assembly has repealed Sections 15.2-915.3 and 18.2-308 D of the Code of Virginia; and

WHEREAS, The Augusta County Board of Supervisors has determined that it no longer has legal authority to require the submission of finger prints as a condition for obtaining a concealed weapon permit;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AUGUSTA COUNTY, VIRGINIA:

That the following Article of Chapter 11 of the County Code is hereby repealed:

ARTICLE IV. Requirements to Carry Concealed Weapon.

#### § 11-41. Fingerprinting.

Any person who applies to the Circuit Court of Augusta County, Virginia, pursuant to the provisions of Virginia Code Section 18.2-308(D) for a permit to carry a concealed handgun shall be required to submit to fingerprinting for purposes of determining the applicant's suitability for such a permit and as a condition for such permit's issuance. The required fingerprints, together with the descriptive information required by Section 18.2-308(D), shall be forwarded through the Virginia State Police to the Federal Bureau of Investigation for a national criminal history record check of the applicant.

This ordinance shall take effect on July 1, 2012.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### MATTERS TO BE PRESENTED BY THE PUBLIC

Tony Motto and Don Smith, of Panorama Estates in the Wayne District, stated for a number of years they have been calling the Sheriff's Department and Animal Control about dogs barking at night after 11:00 p.m. only to be told that there is no such ordinance against dog barking. They felt that Augusta County is not just farmland and that subdivisions needed a dog barking ordinance and that with the influence of the Sheriff's Department, this could be corrected by a visit or two.

Mr. Beyeler stated that he and Mr. Moore are on the Ordinance Committee and asked that a letter, describing what they felt excessive, be submitted to the Board giving the Board some ideas on what would be fair with regard to dog barking.

Mr. Moore mentioned when he spoke on the phone with Mr. Motto he had mentioned the dogs barking at 2:00 a.m. Mr. Motto stated when a dog barks constantly, it is very excessive. He stated one time the dog was barking from 4:00 p.m. until 2:00 a.m. He stated the property owner was not home and that they have been dealing with this issue for years. He stated this is very disruptive and that it is basically one dog.

Mr. Karaffa asked if they have spoken with the neighbor. Mr. Motto stated he has left messages but no phone calls were returned. Mr. Smith said that he personally made phone calls to the property owner and the reply was that "there is not much you can do about it because there are no ordinances".

Mr. Karaffa stated that he appreciates Mr. Motto trying to get in touch with the neighbor. He has also received complaints in his district.

Mr. Morgan stated that he has drafted a similar ordinance previously that applied strictly to residentially zoned subdivisions which could be a template.

Chairman Pyles thanked the citizens for their remarks. He reiterated that Mr. Morgan will create an ordinance and present it to the Ordinance Committee for review. He will wait to receive the written description of the problem with any suggestions that they may have. If the recommendation is to have a public hearing on the ordinance, then the citizens will have an opportunity to speak again.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### LOCAL EMERGENCY TERMINATION

The Board considered resolution to terminate declaration of Local Emergency due to a significant storm event.

Patrick J. Coffield, County Administrator, stated before the Board is a State-required resolution to terminate the declaration of local emergency due to a storm event. He added that Governor Bob McDonnell submitted a request for a Major Disaster Declaration to FEMA Region III for processing and forwarded it to President Obama.

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

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

WHEREAS, due to a derecho passing through virtually all of Augusta County, Virginia (the County) with winds surpassing 80 mph, 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;

#### LOCAL EMERGENCY TERMINATION (cont'd)

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 June 30 2012, by Declaration of Local Emergency ("Declaration"), Tracy C. Pyles, Jr., 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 July 11, 2012, the Board of Supervisors confirmed the Declaration;

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 July 25, 2012.

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

and Pyles

Nays: None Absent: Wills

Motion carried.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### FIRE REVOLVING LOAN FUND PROGRAM

The Board:

- A) Considered revolving loan for Craigsville Volunteer Fire Department to purchase apparatus in an amount not to exceed \$300,000.
- B) Considered Policy modifications.

Chairman Pyles mentioned that the Craigsville Volunteer Fire Department issue had been delayed to obtain clarification on funding.

Jennifer M. Whetzel, Director of Finance, noted that Dun and Bradstreet collects information on companies and creditors and that she did two inquiries. She stated one inquiry was on the vendor that they would buy the apparatus through and the other one was on the manufacturer that actually would produce the product. She reported that the manufacturer business risk was low and they are a billion dollar company. She added that they have been in business for a long time and have a lot of employees. They did not have any bankruptcy, judgment, or any liens on file. When compared with their industry averages, they ranked well as far as their payment and credit terms. The company that the apparatus would be purchased from had a risk of late payments as

#### FIRE REVOLVING LOAN FUND PROGRAM (cont'd)

moderate but she felt that this was due to the fact of it being a newer business. She stated the overall business risk is low. She stated they have 100 employees, no bankruptcy or judgments on file, and scored on average with their competitors. She noted, overall, both companies seem to be in good standing according to the information available on Dun and Bradstreet.

Fire Chief Carson Holloway stated they looked at both companies and they are as financially sound as any.

Chief Martin emphasized that they need the loan to purchase a truck.

Mr. Shull moved, seconded by Mr. Beyeler, that the revolving loan for Craigsville Volunteer Fire Department to purchase apparatus in an amount not to exceed \$300,000.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

Chairman Pyles stated there has been some change to the policy modifications and asked that Chief Holloway clarify.

Chief Holloway stated he has distributed information explaining the ATL funds and the guidelines. He high-lighted the following:

- 1. Minor Revolving Loan Fund for Fire Equipment: <u>Determination of Eligibility</u> (Section 4.2):
  - a. Description of equipment to be purchased: "Specifications" added to be reviewed for informational purposes (to serve as a check and balance).
  - b. Justification for new equipment: "Needs assessment" added in order to provide information to the Board to reinforce the need for the apparatus.
  - c. Amount of note from bank: "Or other source" added because many companies get additional resources such as a fire truck vendor and borrow through them.
- 2. Major Revolving Apparatus and/or Equipment Loan Fund for Augusta County Volunteer Fire Departments:
  - a. <u>Determination of Eligibility</u> (Section 4.2): Same changes were made under Section 4.2 as in Minor Revolving Loan Fund for Fire Equipment.
  - b. Financial stability of vendor validated (Section 4.3) added.
  - c. <u>Statement of outstanding indebtedness</u> (Section 4.4): "Ability to repay" added.

Chief Holloway noted all of the changes are shown in red on the document that the Board received.

- Revolving Apparatus and/or Equipment Loan Fund for Augusta County Volunteer Fire Departments:
  - a. <u>Individual agencies required to validate eligibility requirements</u> (Section 3.3): Language added to help with paperwork
  - b. <u>Regulations: PPE Replacement</u> (Section 4.1): The gear will be inspected "annually" and if excessive wear and tear is indicated, then replacement will be warranted.

#### FIRE REVOLVING LOAN FUND PROGRAM (cont'd)

Chairman Pyles recommended that this be given to the Officers' Association in order for the Board to consider their input with regard to the policy modifications. He added that financial stability concerns will be expressed to the Officers' Association.

Mr. Karaffa stated he had a concern on the major loan policy under Section 1.1 of loans for equipment exceeding \$300,000 requiring no minimum matching funds for the fire company and equipment with a cost less than \$300,000 requiring 20% matching funds from the fire company. He expressed his concern about fire companies not qualifying for loans of equipment exceeding \$300,000. He would like to see some sort of a matching amount or a percentage requirement if it is less than 20%. He stated his main concern is that companies get gear through this program and would possibly "clump" needs to get over the \$300,000 threshold. Supervisors Moore and Pattie noted that this concern had been mentioned a few months ago. Mr. Pattie added that each request would have to be approved by the Board of Supervisors.

Chief Holloway stated he would bring that to their attention.

Chairman Pyles reported that 20% on \$300,000 is \$60,000 and asked if that is too high or too low. Mr. Karaffa stated he would like to see at least 10% if they go over \$300,000.

Supervisors Beyeler and Moore suggested that it be 20% on everything.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

PARKS AND RECREATION MATCHING GRANT - FORT DEFIANCE HIGH SCHOOL

The Board considered (A) recommendation of Parks and Recreation Committee to provide matching grant for High School Gym in an amount not to exceed \$14,483; and (B) approval of Grant Agreement.

Funding Sources: Beverley Manor Recreation Account #80000-8021-47 \$4,827.00 Middle River Recreation Account #80000-8022-45 \$4,828.00

North River Recreation Account #80000-8023-35 \$4,828.00

Andy Wells, Parks and Recreation Director, announced that the Principal of Fort Defiance High School, Larry Landes and the President of the Sportsman Club, Ray Wright (who are the applicants on the grant application) and Larry Curry, Parks and Recreation Commission member for the Beverley Manor District were present tonight.

Mr. Landes thanked Andy Wells for his support and guidance. He also expressed appreciation to the Board for all of their support. He felt this to be a special project with all the partners involved.

Mr. Beyeler stated that all students should be able to have all of the facilities necessary.

Mr. Pattie felt that this is a good project.

Mr. Pattie moved, seconded by Mr. Moore, that the Board approve the request.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### COMPREHENSIVE PLAN REVIEW

The Board considered referring the Plan to the Planning Commission and charging the Planning Commission with the task of reviewing and updating the Comprehensive Plan with those elements required by State Code but not fully covered by the current Plan.

Chairman Pyles noted that this issue had been discussed at the Staff Briefing on Monday.

Ms. Earhart stated the Comprehensive Plan was originally adopted in 2007 and in January 2009 they had a major amendment with the Fishersville Small Area Plan. The State Code requires that the Planning Commission review the document every five years. This would make the County eligible for some kind of a review to be completed in January 2014. Since the plan was originally adopted, the State Code has changed what is now required in the Comprehensive Plan; therefore, there are items that need to be done in order to bring it into compliance with the State Code such as the expanded transportation plan, affordable housing, dam break inundation zones, groundwater protection, designating electric transmission lines, and demographic information that could be added to the plan as well. Ms. Earhart asked for direction from the Board on whether to do a major rewrite or only minor changes.

Mr. Beyeler pointed out that the last couple of years have not changed much.

Mr. Beyeler moved, seconded by Mr. Karaffa, that the Board refer the Plan to the Planning Commission and charge the Planning Commission with the task of reviewing and updating the Comprehensive Plan with those elements required by State Code by 2014.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### WAIVERS/VARIANCES

The Board considered RAHE, Inc. (McDonald's) waiver (Beverley Manor District). This remained on the table since the June 27, 2012 Regular Board meeting (July 11, 2012).

Mr. Karaffa noted that Balzer and Associates has been contracted to work on this project. He would like to leave this issue on the table indefinitely.

Mr. Karaffa moved, seconded by Mr. Shull, that the item be removed from the table.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

\* \*

#### WAIVERS/VARIANCES (cont'd)

Mr. Karaffa moved, seconded by Mr. Moore, that the Board keep this item on the table indefinitely until information has been received.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

\* \* \* \* \* \* \* \* \* \* \* \* \*

#### **CONSENT AGENDA**

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

#### **MINUTES**

Considered minutes of the following meetings:

• Special Meeting, Wednesday, July 11, 2012

#### WWRC - MEMORANDUM OF UNDERSTANDING

Considered Memorandum of Understanding for Cooperative Patrol Agreement.

#### **CROZET TUNNEL**

Considered endorsement of Nelson County's National Park Service grant submittal for proposed tourism project and adopted the following resolution:

# RESOLUTION OF SUPPORT FOR NELSON COUNTY'S 2012 APPLICATION FOR TECHNICAL PROJECT ASSISTANCE THROUGH THE NATIONAL PARK SERVICE "RIVERS, TRAILS AND CONSERVATION ASSISTANCE" PROGRAM FOR THE BLUE RIDGE TUNNEL PROJECT

**WHEREAS**, Nelson County is in the process of completing the final design for the Blue Ridge Tunnel Project; and

**WHEREAS**, upon its completion in 1856, the historic Blue Ridge Tunnel engineered by Claudius Crozet and built using pick axes and black powder, was considered the longest in the world at 4,273 linear feet and is presently considered an engineering marvel; and

**WHEREAS**, the completion of the Blue Ridge Tunnel Project will provide a unique regional attraction with historic, educational, and economic benefits as well as a safe and level trail for hikers, joggers, and bicyclers; and

WHEREAS, Augusta County supports the various ongoing efforts by neighboring Nelson County to rehabilitate the historic Blue Ridge Tunnel. This support stems from the County perspective that considers this effort to be a project not just by and for Nelson County --but a major project of regional significance that can generate significant mutual benefit; and

**WHEREAS,** Augusta County has previously identified the Blue Ridge Tunnel as a desired project. That desire stems from the project's anticipated recreational and fitness benefits, for historic preservation and interpretation, and for tourism and economic development progress; and

WHEREAS, Augusta County acknowledges that this project will require substantial funding to complete the implementation phase of the project. The County also recognizes that the resources necessary to successfully complete the project will require the involvement and support of many stakeholders. The complexity and challenge of successfully coordinating these many stakeholders create great purpose for Nelson County to be seeking expert technical assistance through the RTCA program; and

**WHEREAS**, the Blue Ridge Tunnel extends into Augusta County and is in close proximity to the City of Waynesboro; and

## CONSENT AGENDA (cont'd) CROZET TUNNEL (cont'd)

**WHEREAS**, Augusta County hereby offers its support of Nelson County's application to the National Park Service's Rivers, Trails, and Conservation Assistance program for technical assistance during FY 2013.

**NOW THEREFORE BE IT RESOLVED**, by the Augusta County Board of Supervisors that said Board supports Nelson County's July 2012 application to the National Park Service, for Nelson County's Blue Ridge Tunnel Project.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

(END OF CONSENT AGENDA)

#### MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pattie: Staggered Terms - Had been discussed during the election and felt that it

was a good time to start consideration. Chairman Pyles requested Mr.

Morgan to provide to the Board his research on staggered terms.

Mr. Moore:

1. Wilson property - Agreement has been signed on the waterline.

#### 2. <u>VDOT MPO TECHNICAL ADVISORY COMMITTEE - APPOINTMENT</u>

Mr. Moore moved, seconded by Mr. Karaffa, that the Board appoint Doug Wolfe to serve on the Technical Advisory Committee of the Metropolitan Planning Organization (MPO), (along with Becky Earhart, to represent the County), and Todd Flippen as Mr. Wolfe's alternate.

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

and Pyles

Nays: None

Absent: Wills

Motion carried.

\* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following issues:

- 1. State Mandate Study Information circulated to the Board.
- 2. Shenandoah Valley Airport Press Release and a newspaper article circulated to the Board.
- 3. Extension Service Appointment: Matt Booher has accepted the Augusta Crop and Soil Science position as Unit Coordinator and will start on August 10<sup>th</sup>. Closed the applications today for the Livestock Extension Agent. Mr. Wills will serve as the Board of Supervisors representative on the selection committee for that position.

#### MATTERS TO BE PRESENTED BY STAFF (cont'd)

4. Big Brothers/Big Sisters - Contacted Jackie Bright, Executive Director, who responded that they only had 26 children and volunteers in the service area. If there is renewed interest, they would be glad to reconsider.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### **ADJOURNMENT**

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

Vote was as follows:

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

Nays: None

Absent: Wills

Motion carried.

Chairman County Administrator

H:7-25min.12