

Regular Meeting, Wednesday, August 8, 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
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, August 8, 2012, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 237th year of the Commonwealth....

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Chairman Pyles welcomed the citizens present.

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Anne Bell, led us with the Pledge of Allegiance.

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Tracy C. Pyles, Jr., Supervisor for the Pastures District, delivered invocation.

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HOUSE JOINT RESOLUTIONS FOR PAST BOARD OF SUPERVISORS

Delegates Landes, Cline and Bell presented resolutions to Wendell L. Coleman (former Supervisor for Wayne District), Gerald W. Garber (former Supervisor for Middle River District), Larry C. Howdysell (former Supervisor for North River District), Jeremy L. Shifflett (former Supervisor for Beverley Manor District), and Nancy T. Sorrells (former Supervisor for Riverheads District). The Delegates commended the former Supervisors for their dedication to Augusta County.

Mr. Coleman, personally, and on behalf of the former supervisors, expressed appreciation for the recognition and thanked the Delegates for their continued service.

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OUTDOOR MUSICAL FESTIVAL PERMIT

The Board considered request for programming Outdoor Musical Festival Permit for Black Bear Productions, LLC at Natural Chimneys on July 12, 13, 14, 2013 (North River District).

Andy Wells, Parks and Recreation Director, introduced Michael Weaver and Jeremiah Jenkins, of Black Bear Productions, LLC, who were available to answer any questions that the Board may have. He advised that he had been approached months ago about holding a music festival at Natural Chimneys. He stated that Black Bear Productions is well-background and well-versed in doing such events. A Special Event Application for Parks and Recreation and an Outdoor Musical Festival Application were completed. An aerial was displayed outlining the locations of the camping and parking areas, and festival grounds. The Public Use Overlay for Natural Chimneys Park allows for events and activities similar to this. It will be a private function which will follow the Park rules; however, it will utilize the entire Park.

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OUTDOOR MUSICAL FESTIVAL PERMIT (cont'd)

Jeremiah Jenkins stated that they envisioned the festival to be cultural programming where they can feature bluegrass, folk and acoustic instrument-based music. They will also have arts programming and children activities throughout the day to provide a “family event”. They also plan on having a bike ride. They hoped to have an outdoor recreation celebration. “We want this that would be something that’s good culturally and economically for the community.”

Mr. Pattie felt that this would be a great project. “This is one of the things that we looked at Natural Chimneys to do—is to grow it and to continue its revenue. It is already paying for itself and this is something that we can install. Hopefully, this will become an annual event and help our community continuously.”

Mr. Moore, as a Parks and Recreation liaison, stated that he listened to the presentation at the Parks and Recreation Commission. They were aware of the problems and addressed those issues. “They are looking to focus at the family aspect of it and I think it is a great opportunity for the County.”

It was noted that the documentation would be completed closer to the event.

Mr. Pattie moved, seconded by Mr. Moore that the Board authorized Black Bear Productions to proceed with the event and to provide required documentation.

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

Nays: None

Motion carried.

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MOUNTAIN VIEW DRIVE

The Board considered funding for roads/drainage improvements.

Funding Source: Beverley Manor Infrastructure Account #80000-8011-50 \$25,000

Timmy Fitzgerald, Director of Community Development, advised that this property had been viewed recently and it had been decided to rebuild a short portion of road to enable it to be brought into the VDOT Secondary Road System under the Rural Addition. There had been a disagreement as to the ownership of a power pole. In order to move forward with the project, it has been determined that additional funding is needed to relocate the pole and to finish the road for acceptance into the VDOT system, additional funding not to exceed \$25,000.

Mr. Karaffa noted that this project was a carryover from his predecessor. He did not feel that the power pole relocation should be completely funded by Augusta County, but that the project should be completed.

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

Mr. Wills said that he would support the motion because of it being a “hold-over from a previous Board”. He expressed problems of this Board funding private streets. “It has been the policy of this Board for years that the owners on those streets bring them up to standards at their cost.”

Mr. Beyeler stated that in previous years, there were funds available for these types of projects; however, that no longer is true. He noted that this was not a residential development to be kept as private streets. “This is an old right-of-way that wasn’t taken

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MOUNTAIN VIEW DRIVE (cont'd)

into the system back in the '30's. These used to be funded just like rural additions."

Chairman Pyles echoed Mr. Wills. "I've had many road projects where the people are on private roads and want to have them brought up. We simply don't have enough money for them. Both of the points brought up by Mr. Beyeler and Mr. Wills are germane. This is a carry-over and I think this is somewhat unique in its character." He agreed that it was not good for the Board to get into upgrading private roads.

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

Nays: None

Motion carried.

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V DOT RURAL ADDITION

The Board considered Community Development's and VDOT's recommendation to adopt resolution for acceptance of the following street into the secondary road system in accordance with VDOT request (North River District).

Mr. Fitzgerald reported that this project is on Route 743 and is currently a non-hard-surface road that is a dead-end. For many years, there was a battle in the courts between the property owners about a given portion of Route 743. Some owners thought that it had been abandoned and they installed a fence, which did not allow access to other owners. This caused a court battle for many years to determine whether a section of road was actually in the VDOT system. The County has received a court order stating that the road under consideration was still in the VDOT system and needed to be brought back before the Board for consideration of a resolution under the Rural Addition policy.

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

RESOLUTION

WHEREAS, the Harrisonburg Residency Office of the Virginia Department of Transportation recommends that Route 743 extended 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 Route 743 extended meets current minimum standards, and provides a public service, and

WHEREAS, the Harrisonburg Residency Office of the Virginia Department of Transportation confirms that no Department funds are required to improve Route 743 extended to meet current minimum design or maintenance standards of the Department, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add Route 743 extended from the current end of state maintenance to 0.82 miles North of Route 612, 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, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right of way, 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 Residency Administrator of the Virginia Department of Transportation.

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VDOT RURAL ADDITION (cont'd)

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

Nays: None

Motion carried.

A resident from the North River District thanked Mr. Pattie and the Board for what he called a \$140,000 17-year battle.

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STUARTS DRAFT FIRE DEPARTMENT SEWER RELOCATION

The Board considered request to fund sewer location line.

Funding Source: South River Infrastructure Account #80000-8016-66 \$1,850

Patrick J. Coffield, County Administrator, stated that a problem with a restroom facilities has occurred due to old piping. To replace the lines, a Service Authority estimate of \$2,766 had been received. The Fire Department has received two additional bids with a low bid from H.C. Eavers & Sons, Inc. in the amount of \$1,850. Mr. Beyeler felt that this bid is low because of it being done for a fire company.

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

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

Nays: None

Motion carried.

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SWOOPE FIRE DEPARTMENT

The Board considered request for donation to assist with building improvements.

Funding Source: Pastures Infrastructure Account #80000-8014-82 \$29,500

Mr. Coffield stated that the Board received a request in June for assistance with building improvements in the amount of \$87,000. The Board scheduled a tour. Mr. Fitzgerald also had a building official do a walk-through. A new request has been submitted in the amount of \$29,500 for roof/gutters (\$22,700) and siding, trim, soffits (\$6,800).

Chairman Pyles stated that he had met with Swoope Fire Department and felt that the meeting was successful. Input from the Board was shared with the Swoope Fire Department and the Fire Department was told that only \$29,500 was available out of his infrastructure account. They felt that the roof was the major project and that other improvements would be taken care of by the Fire Department.

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

Mr. Moore expressed concerns of this being approved tonight before the August 29th meeting with Fire and Rescue. One of the purposes of that meeting is to discuss funding for the infrastructure improvements for fire companies.

Mr. Karaffa expressed concerns of the Swoope Fire Department leasing its property from a private owner and using public money to provide improvements. Chairman

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SWOOPE FIRE DEPARTMENT (cont'd)

Pyles said that the lease is continuous as long as it is kept as a fire department. He noted that Swoope has been functional for many years. He felt it commendable for this company being completely volunteer. "I wonder how we evaluate what is good money. These folks are making more calls than Company 10 and many other places. They have invested a lot of their own money into the facility. They have continued to add on to that facility and make it useful for all of us. And they serve part of the Beverley Manor District as well."

Mr. Karaffa wasn't concerned with what Swoope does; he was concerned about it being privately owned and asked if there were others that were privately owned. Mr. Pattie said that Mount Solon was owned by the Ruritans.

Chairman Pyles stated, "When we look at value, it is costing us \$800-\$1 million for each—Preston Yancey and for Company 10 to operate those facilities. We save a lot of money by these volunteers doing it and we save money by somebody giving them the property to use; and \$29,000 in the scope of what they do for us, by not taking a career person, not costing us \$1 million a year to operate, is a great value for the citizens. To see that they don't have a leaking roof, I think that is part of our responsibility to help do that. All departments are stretched. While they have worked hard and have all their equipment paid for, they have very little money in the bank." He noted that Swoope receive approximately \$60,000 a year and their base operating costs is \$70,000. "They do not have any money to set aside for capital improvements." He noted that he has only helped Swoope twice since he has been on this Board. "We are continually helping with fire departments and rescue squads. We are accepting Preston Yancey; we've put money into equipment for New Hope; there was a new vehicle truck bought for Dooms. There's a lot of things that we do; so, \$29,000 for the scope of what they're providing for us for \$70,000 a year; 350 calls a year, that they answer without any other aid; I think it's a good value for the County to do that. When they cease to be a fire department, we're going to have larger problems in filling that void than the loss of this \$29,000, but we will have more value from that in equipment."

Mr. Shull asked for an explanation of the difference in the first request of \$87,000 and now the request of \$29,000. Chairman Pyles said that Swoope Fire Department was going to do the work themselves. When the original request was made, the Board questioned some of the costs and needs; those concerns were brought to the Fire Department and was told what money was available to meet those needs. Mr. Shull asked when these improvements would begin. Chairman Pyles said the Fire Department has already received the quotes. Mr. Shull expressed concerns of proceeding with this before the meeting on the 29th.

Chairman Pyles stated, "I'm really fluxed by this. We've put a little more than \$1 million into the Riverheads Fire Station and much of it not from infrastructure, from the General Funds. We've done this routinely. Whether or not we change our policies, the roof still leaks. The roof still needs to be fixed. This Board can make a decision tonight whether or not they want to fix their leaking roof."

Mr. Beyeler also had hoped to make a decision after the 29th. He stated, "You're correct, we are getting a bargain out there at Swoope; \$29,500 doesn't pay for one paid fireman that we have at a lot of other places. The question is when do we furnish money and when do we not?" He asked if Chairman Pyles opposed tabling this item for two weeks. Chairman Pyles said that he did oppose tabling and further stated, "This is out of infrastructure. This is not asking for General Fund money. If you want to make it \$87,000 out of General Funds in two weeks, that will be great. They came in and make a great presentation. We went and visited the facility. We've come in with a price of \$29,000 to fix a leaking roof in a Fire Department; and, somehow, we can't come up

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SWOOPE FIRE DEPARTMENT (cont'd)

with that and it's coming out of Pastures Infrastructure. I'm not asking for a penny from anybody else."

Mr. Moore asked that this be a topic on August 29th. "It's not Swoope, specifically, it's the whole County going forward. At Weyers Cave, we provided some services and just approved some services for Stuarts Draft. I would have a tough time not supporting this at this point; but, again, I would like to ask that this be a topic for our meeting on the 29th of how we're going to going forward to fund capital improvements to facilities. We need some guidelines in how we're going to do things. I think everyone is well aware that we have absolutely no infrastructure money at all in our budget. If we continue doing like this, I don't think that can be a funding source going forward. I think we need to have some clear guidelines from this Board on how we are going to move forward with improvements."

Mr. Pattie felt that it would be hypocritical, with the Board voting for one fire station tonight and not voting for the other.

Mr. Wills stated that he did not vote for the Riverheads Fire Station or some of the other fire station improvements; that was a previous Board approval. He said that these two items tonight were a little different. He noted that when New Hope Fire Department's request was approved, he had three bids. "I think when we have County dollars, whether it is infrastructure dollars, or regular dollars, we need to have competitive bids before we release funds." He expressed concerns of having the estimate but no bids. "I would hope that this does not continually get thrown up in our face about what past Board's actions are, but only what this Board does."

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

Nays: None

Motion carried.

Mr. Beyeler asked that a copy of the three bids be presented to the Board at its next meeting.

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AID TO COMMONWEALTH

The Board considered election for state reduction and aid to localities per state law.

Jennifer M. Whetzel, Director of Finance, presented the options for sending money back annually, since 2009, to the State in place of revenue reductions. This program is known as the Aid to the Commonwealth. In 2009-2010, \$50 million was shared statewide; \$60 million for 2011-12; and the General Assembly approved to reduce it back to \$50 million for FY2013. Estimated payment for 2013 is \$287,790, which will not change over the course of next year. The locality has to determine how it wishes to make payment to the State before August 30th. The three options are:

- 1. Reduce one line item;
- 2. Reduce multiple line items; and
- 3. Pay a check by January 7, 2013

She noted that, over the last four years, a check was submitted in late December. If revenue reductions are made, it would be taken over the course of a year. This has been budgeted based on the House Budget, which was fairly optimistic as to what the State reductions were going to be. Funds are also available in the CSA reserve, totaling approximately \$108,000. Ms. Whetzel recommended making payment by a check at the end of the year.

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AID TO COMMONWEALTH (cont'd)

Chairman Pyles displayed a huge check to show “the money that is going back to the General Assembly from local taxpayers dollars. This is not the only one we will write. We will write one for about an equal amount for the Middle River Regional Jail. It will be about \$550,000 of checks written by Augusta County.” He noted that this County is operated for about \$1,000 per citizen; Richmond operates at \$5,000 per citizen. “Think about the services you get locally versus the value you get from Richmond. We already give a great value for our money. Now, they have put us in a quandary of either cutting essential services. We need every deputy that is out there. We need a Commonwealth Attorney that is able to prosecute cases. These are Constitutional Officers that are part of the cut. Rather than to make the big boy decisions to cut programs and live with it, or raise taxes to pay for it, it’s called ‘passing the buck’. I thought the went buck went up. In this case, it comes back down.” “Every day we read about some other special interest getting money.” Chairman Pyles noted that billionaire Daniel Snyder is getting millions of dollars to get the training camp of the Redskins from northern Virginia to Richmond; billionaire Donald Trump has access to wine credits; billionaire Stephen Spielberg has movie credits. Over \$100 million is given every year for land preservation tax credits. “Why are they being added to? Why aren’t they being cut? When we lose \$3 million of funding for our schools, why is there money to moving the Redskins for temporary jobs to Richmond? They’re great public relations. The good ‘ole boys can shake each others hands and say what a good job we’ve done, but, in terms of basic needs of the citizens of Augusta County, they dropped the ball and they continue to drop it.”

Mr. Karaffa agreed with Chairman Pyles. He noted that a newspaper article reflected that the State published a surplus of \$129 million. He felt that the surplus that was advertised as ‘good fiscal responsibility’ included about half of it as the checks from all the localities throughout the Commonwealth. The article spoke that the majority of the funds were going to the “Rainy Day Fund”. He stated that “it is raining pretty hard”. “It would be nice to use those funds at this time of need.”

Mr. Wills moved, seconded by Mr. Beyeler, that the Board approve the recommendation to mail the check.

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

Nays: None

Abstained: Karaffa

Motion carried.

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BOARD OF SUPERVISORS STAGGERED TERM

The Board considered ordinance providing for staggered terms for the November 2015 Board of Supervisors election.

Patrick J. Morgan, County Attorney, reminded the Board that he had been asked to put together a memorandum concerning the staggering of terms of Board members. Under the provisions of § 24.2-219 of the Code of Virginia, the Board need only pass an ordinance to provide that the Board be elected biennially for staggered four-year terms.

A draft ordinance was included in the Board Agenda Package. There are three ways of determining the staggered terms:

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BOARD OF SUPERVISORS STAGGERED TERM (cont'd)

1. Members can volunteer to do so.
2. If the requisite number of members do not volunteer to have a two-year term, then the Board of Elections may, the day after the election, determine it by drawing straws.
3. Board may by ordinance or resolution pass at least thirty days before the last day that one can qualify to run as a candidate, the Electoral Board may assign individual terms at a meeting prior to the last day for a candidate to qualify.

Mr. Morgan advised that the next step for the Board is to authorize the advertisement of the ordinance for a public hearing.

Thomas VanPelt asked what the purpose was for staggered terms. Chairman Pyles said that there will be a discussion from the Board tonight and a public hearing for citizens to give their viewpoint. Mr. VanPelt asked if there was an additional cost; Chairman Pyles said there was not.

Mr. Pattie moved, seconded by Mr. Karaffa, that the Board authorize staff to advertise for a public hearing.

Mr. Karaffa made the following comments:

A number of years ago, this came before the last Board of Supervisors, and I was a member of the public that stood up and voiced in favor of doing this. As to our earlier comment, I personally believe that staggered terms for the Board of Supervisors is a good thing. It breaks up a four-year span in time in which the citizens have an opportunity to speak. People speak the loudest when they go to the ballot box. The opportunity to keep this Board accountable and responsible to the people that it serves is a good thing. More than two-thirds of the locality in the Commonwealth have gone to this system. I think it only serves to remind us of our obligations to the people we serve to enact a staggered terms policy. Another good reason for having it is that it doesn't wipe out the entire Board all at once. It has an element of preserving an institutional memory. One thing that I have learned that a past supervisor told me is that the learning curve in this job is amazingly sharp. If you are to flip an entire Board, or more than the majority of it, in one election you run a real risk of doing harm to the projects that need attention to issues that need to be solved and it can run against progress.

Mr. Beyeler made the following comments:

There are pros and cons on this subject. I'm not against taking it to public hearing. If the complete Board turned over, yes, there is a problem. I'm in my seventh term. There is only twice that we lost five. This year, we had an experienced man that had been on before come back as one of the five "new" Board members. I don't see flipping a complete Board happening very often. I also think what happened in a local election here recently where half the board, or part of the Board, took on the other part of the Board that wasn't running. In my opinion, there is damage done to that Board that will never be cured until that Board is replaced, or at least half of them. In saying that, I've talked to a couple of those members. It becomes a political battle sometimes when you have half of the Board running and the other half not. Now, again, if you lost a whole board, I can see the problem. I think one of the other things we need to be discussing is term limits. I said I served seven terms. I served four terms the first time; put twelve years between them; now, I'm back on the third. But, I'm basically for termed limits, also, because I think the Penn State Coach stayed there way too long. That's what happens when somebody becomes an institution rather than a coach. Back to the mechanics of what we're doing. I'm of the opinion that this Board needs to talk to the School Board members because if we change our term, we also change theirs. They ought to have some input on this. I would prefer that we wait until at least the third of our term because none of this is going to happen for another three years. Since, we've jumped the gun, it's before us now. We need to talking to our counterparts on the School Board. Rather than some of us deciding of running or not running for a two or four-year term, or the person that is going to represent that district the next time, that the Board of Elections do their draw thirty days before the close of whether or not you're going to run. To me, that is the fairest way and it takes the Board out of it. Both the School Board and us need to agree to that and then it will be cut and dry. I'm willing to go to a public hearing, but there are both sides of this subject.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Wills:

1. Stormwater Management – enforcement of deadlines will be difficult.
2. Fire and Rescue – right of first refusal – Fire Chief Holloway advised that New Hope has an ambulance in the amount of \$38,000. He noted that it has good mileage but there have been some recalls on the motor. He will have additional information to be discussed at the August 29th meeting. Mr. Wills hoped that the Board could give Chief Holloway direction after further discussion on the 29th. Chairman Pyles thought that the hope of Mr. Wills’ proposal was that it would be offered to all the other agencies in the County as well. What had troubled Mr. Wills before was a good deal went outside the County. Chairman Pyles asked if this has been circulated as available to other companies. Chief Holloway said that was not to his knowledge. Mr. Wills was pleased that New Hope had come to him and did not want to delay them any longer than needed. Mr. Pattie questioned a “fair value” and assurance that it was not sold for more. Chief Holloway said that he is doing further research.

Mr. Shull: Household Hazardous Waste Day – Saturday, September 15th – 8:30 a.m. to 12:00 noon.

Mr. Karaffa:

1. Attended a mandate hearing in Richmond on July 30th. He commended Jane Woods for her assistance and offered information to the Board.
2. Attended Company 10 monthly meeting. In regards to SAFER Grants, there was positive response.
3. Verona Park property – would like to discuss use/development of property.

Mr. Karaffa moved, seconded by Mr. Moore, that the Board authorize staff to begin the process indicating that this property was available to Habitat for Humanity for development.

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

Nays: None

Motion carried.

It was the consensus of the Board to have this placed on the August 20th Staff Briefing Agenda.

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Mr. Moore:

1. Hoy property – Route 636 right-of-way additional funding – additional work in keeping the road open and recording a plat.

Mr. Moore moved, seconded by Mr. Karaffa, that the Board approve the allocation of additional funding in the amount of \$1,010. Funding Source: Wayne Infrastructure Account #80000-8017-77.

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 (cont'd)

- 2. Wilson Elementary School near completion – asked that media do an article.

Chairman Pyles:

- 1. Stormwater problems/Mandates – attended both meetings at VACo.
- 2. EOP presentation by Donna Good – September 12th.
- 3. Broadband meeting – August 20th Staff Briefing
- 4. Annual Leave Status Board – located in County Administrator’s office

Mr. Beyeler: Ordinance Committee met this afternoon. Barking dog ordinance was discussed. Mr. Morgan circulated information regarding the Louisa Noise Ordinance dealing with barking dogs. He proposed an ordinance to determine “Unnecessary Noises Enumerated”. The Ordinance Committee felt that a fine should be added to the wording beginning at \$100 to \$500. Mr. Morgan noted that this should be restricted to residentially zoned neighborhoods (subdivisions) rather than the entire County.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

- 1. Revenue Sharing – needs to be submitted by November 1st. Asked for Board input.
- 2. Department of Social Services – Recognized for Common Help Program
- 3. Sheriff’s Department – Will be sending off-duty Deputies to DNC in Charlotte, N.C.; staff will be receiving valuable training.
- 4. ECC – Major Disaster Declaration was approved by Governor Bob McDonnell.
- 5. VACo Award – Fields of Gold Agritourism
- 6. Legislative Package - Talking Points and modified Legislative Issues distributed to Board.

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- 7. Juvenile Detention Home

Mr. Karaffa moved, seconded by Mr. Wills, that the Board authorize Chairman to sign deed.

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

Nays: None

Motion carried.

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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]:

- A) Boards and Commissions

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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) Preston L. Yancey Fire Department
- B) Greenville Sewer
- C) Beverley Manor District

(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. Wills, seconded by Mr. Moore, the Board came out of closed Session.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler 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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COORDINATED AREA TRANSPORTATION SERVICES BOARD (CATS) - REAPPOINTMENT

Mr. Moore moved, seconded by Mr. Karaffa, that the Board reappoint Jennifer M. Whetzel to serve another two-year term, effective October 1, 2012, to expire September 30, 2014.

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

Nays: None

Motion carried.

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GREENVILLE SEWER EASEMENTS

Mr. Shull moved, seconded by Mr. Wills, that the Board approve funding for the following easements:

Parcel A	\$23,000 to realign
Parcel B	<u>10,500</u> to realign
	\$33,500

Funding Source: Utility Account #80000-8149 \$33,500

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

Nays: None

Motion carried.

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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:8-8min.12

County Administrator