
Regular Meeting, Wednesday, August 22, 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
Larry J. Wills
Timmy Fitzgerald, Director of Community Development
Becky Earhart, Senior Planner
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 22, 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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Eddie Carter led the Pledge of Allegiance.

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Larry J. Wills, Middle River District, delivered invocation.

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COUNTRYSIDE SERVICE COMPANY, LC. - REZONING

This being the day and time advertised to consider a request to rezone from Multi-Family Residential to Attached Residential with proffers approximately 14.3 acres owned by Countryside Service Company, LC, located on the east side of Imperial Drive (Route 1334) just north of the intersection with Jefferson Highway (Route 250) (Wayne District). The Planning Commission recommends approval with proffers.

Becky Earhart, Senior Planner, displayed a map designating the property outlined in pink. The applicant submitted the following proffers:

1. No more than 112 townhouses will be built on the 14.258 acres.
2. Countryside Service Company, LC, or its successors or assigns, shall pay 100% of the cost of a traffic signal, including design, construction, right-of-way, and installation at the intersection of Jefferson Highway (Rt. 250) and Imperial Drive (Rt. 1334) if the VDOT warrants for such signal are reached at any time prior to five years after full build-out of the project.

This property is in an Urban Service Area, slated for Single Family Attached Residential development; public water and sewer are available.

Frank Root, Applicant, reported that this property was purchased eight years ago; since that time, a portion has been sold for Waterford Village. The remainder of the property will be used for 1½ story townhouses, with a garage, at a target price of \$159,900. The request for the density increase is because the current density was established before the new Wilson Elementary School was built and before the current Comp Plan was in place. The request for the increased density is to match what the new Comprehensive Plan allows.

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COUNTRYSIDE SERVICE COMPANY, LC. – REZONING (cont'd)

Two major issues identified by staff were:

1. Fire Flow – Has been addressed and shows adequacy.
2. Traffic Light – There has been a commitment to install traffic light

Stormwater concerns had been mentioned and are being addressed.

Chairman Pyles declared the public hearing open.

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

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

A request to rezone from Multi-Family Residential to Attached Residential with proffers approximately 14.3 acres owned by Countryside Service Company, LC, located on the east side of Imperial Drive (Route 1334) just north of the intersection with Jefferson Highway (Route 250) in the Wayne 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 **4**, on tax map number **66B1(1)**, containing a total of approximately 14.3 acres is changed from Multi-Family Residential to Attached Residential with the following proffers:

1. No more than 112 townhouses will be built on the 14.258 acres.
2. Countryside Service Company, LC, or its successors or assigns, shall pay 100% of the cost of a traffic signal, including design, construction, right-of-way, and installation at the intersection of Jefferson Highway (Rt. 250) and Imperial Drive (Rt. 1334) if the VDOT warrants for such signal are reached at any time prior to five years after full build-out of the project.

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

Nays: None

Motion carried.

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August 22, 2012 at 7:00 p.m.

W. BOUTROS & COMPANY - REZONING

This being the day and time advertised to consider a request to rezone from General Agriculture to Rural Residential approximately 91 acres owned by W. Boutros & Company located on the northeast side of Entry School Road (Route 795) approximately 0.5 of a mile south of the intersection with Old White Bridge Road (Route 640) near the City Limits of Waynesboro (Wayne District). The Planning Commission recommends approval with the proffer.

Ms. Earhart displayed a map designating the property outlined in pink; the green line is the City of Waynesboro city limits. The applicant submitted the following proffer:

1. Initial access to the subdivision will be from a new street connection to Entry School Road (Rt. 795). Streets in the City of Waynesboro will not be extended into this property unless and until the street network connects through to Entry School Road (Rt. 795).

This property is in a Rural Conservation Area, no public water or sewer are available and is not expected to be extended to that area. This development will be on wells and some kind of individual septic system.

Timmy Fitzgerald, Director of Community Development, added that concern with E&S control measures had been discussed at the Staff Briefing on Monday about a different site that Mr. Boutros was working on located on Route 254. At the request of the Board, Mr. Fitzgerald spoke with Mr. Boutros concerning that site and the needs in that area. Mr. Fitzgerald displayed a picture of the site indicating work had started. "Substantial improvement to that site should be shown at the end of this week."

Peter Boutros, Applicant, stated that they would like to develop anywhere from two to fifteen acre lots.

Mr. Wills asked what type of sewer system will be used. Mr. Boutros said that a Soil Engineer has come out and it has been determined that several lots are planned on conventional septic systems; there are three or four lots that may require special engineering.

Chairman Pyles declared the public hearing open.

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

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

A request to rezone from General Agriculture to Rural Residential approximately 91 acres owned by W. Boutros & Company located on the northeast side of Entry School Road (Route 795) approximately 0.5 of a mile south of the intersection with Old White Bridge Road (Route 640) near the City Limits of Waynesboro in the Wayne District.

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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;

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W. BOUTROS & COMPANY – REZONING (cont'd)

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

Parcel number **8**, on tax map number **68**, and parcel number **1A**, on tax map number **67H(1)** containing a total of approximately 91 acres is changed from General Agriculture to Rural Residential with the following proffer:

1. Initial access to the subdivision will be from a new street connection to Entry School Road (Rt. 795). Streets in the City of Waynesboro will not be extended into this property unless and until the street network connects through to Entry School Road (Rt. 795).

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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VALLEY COMMUNITY SERVICES BOARD – PERFORMANCE CONTRACT

The Board considered FY2012-13 State Performance Contract as proposed.

Patrick J. Coffield, County Administrator, advised that this had been discussed at Monday’s Staff Briefing.

Mr. Wills moved, seconded by Mr. Moore, that the Board approve the contract.

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

Nays: None

Motion carried.

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TODD LAKE DAM PROJECT

The Board considered the following:

1. Approval of Upper North River Watershed Agreement
2. Funding for geotechnical studies up to \$50,000 (Funding Source: CIP Flood Control Dams Account #80000-8151)

Mr. Fitzgerald advised that the Upper North River Watershed Agreement reflects the current alternative for the Todd Lake Dam, at an estimated cost of \$5.4 million. It states that the County is in agreement with the funding scenario, but not necessarily being committed to funding.

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

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

Nays: None

Motion carried.

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TODD LAKE DAM PROJECT (cont'd)

Mr. Fitzgerald said that discussion had occurred at Monday's Staff Briefing concerning additional geotechnical work for both Todd Lake Dam and Hearthstone Dam. By doing this work now, additional alternatives can be considered to, hopefully, reduce costs. Headwaters Soil & Water Conservation District has available money also. He noted that this could be considered as part of the County match when moving forward with the dam. He noted that the funding request is not to exceed \$50,000.

Todd Lake	\$45,000
Hearthstone	<u>5,000</u>
	\$50,000

Mr. Karaffa moved, seconded by Mr. Pattie, that the Board approve the request. Funding Source: CUP Flood Control Dams Account #80000-8151.

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

Nays: None

Motion carried.

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BOARD OF ELECTIONS

The Board considered 2012-2013 authorized salaries of General Registrar and Local Electoral Board Members.

Secretary:	\$ 501.00
Chairman:	\$ 250.50
Vice-Chairman:	<u>\$ 250.50</u>
	\$1,002.00

Mr. Coffield advised that this had been discussed at Monday's Staff Briefing. This would be a local supplement to offset costs in state funding.

Mr. Beyeler moved, seconded by Mr. Shull, that the Board approve the request for this year only.

Mr. Karaffa said, "We've all taken our share of cuts. The Aid to the Commonwealth still exists. State showed that it had a surplus on its hands. In my mind, I have a fear that if we start covering a lot of these budgets that are reduced by State cuts, the State will make those cuts permanent. I will be voting against this—not any reflection on our local Registrar or the members of the Electoral Board. I believe they work very hard to do their job; however, I believe if we start, and/or continue, this practice the State will continue to cut funding.

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

Nays: Karaffa

Motion carried.

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LEGISLATIVE PACKAGE

The Board considered 2013 General Assembly Legislative Package, as revised.

Chairman Pyles hoped that the Board had a chance to review it and asked if the Board supported approval, as revised, noting that this could change again.

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LEGISLATIVE PACKAGE (cont'd)

Mr. Karaffa made the following comment:

I would like to add a note that we talked during the Staff Briefing that a comment has been made and it has been talked about a little bit in the papers about term limits for local boards. It has recently come to the attention of this Board that it would take legislative action in the General Assembly to allow local City Councils and Board of Supervisors to put in place term limits.

Mr. Karaffa moved, seconded by Mr. Beyeler, that the Board add language to the Legislative Package indicating that the Board supports an option to localities of term limits, when it chooses how it elects its representatives and how it conducts its business with its representatives.

Chairman Pyles made the following comment:

I don't think that this has been thought out near enough. We don't have any of these in the State of Virginia, now. Term limits are generally seen as a political ploy. You saw it in the '94 Election where people were all for term limits until they got in office and then they didn't want them. Our forefathers only had term limits on the President. They didn't have term limits on the Congressmen or the Senators or anything like that. Once you get in term limits, you're interjecting your legislative authority into the electoral process. Where people, right now, if you have a willing candidate and a willing electorate, the Board of Legislative is going to say 'you can't do it'. You know, they can't have who they want. I don't think that's right. I think that's been the justification Mr. Goodlatte has used for his years that have extended beyond the term limit he was advocating for. That's fair enough. I read a comment that someone said that it needed to be done because we were too powerful. Please, tell me where that power is hidden. Last year, I was one of the senior members of the Board and there was no power. I was passed over from Chairmanship; I was removed from a committee I was Chairman of outside of this; there's no money; there's no seniority power here. When Mr. Karaffa comes on this board, he is equal in every way to every other member. You don't start at the bottom of a list and work your way up. In fact, I would say Mr. Karaffa has more power right now because he has more money in infrastructure. I'm down to a few thousand dollars. So I don't think that is done. Another thing, I think, is that power resides in, say, the Chairmanship. On this Board, we have continued to pass that along. You see in some City Councils where a Mayor will get in and have a great deal of power and he will hold it for a long time. There is power there. I don't know that there is power in that here. But, whenever, you change the power ratio from the people in being able to what they do, someone else fills the power. We have trouble enough getting enough candidates to serve. If you take the School Board, at times, you have to go look in that last weekend to find somebody who will even run. I've done that before. Dr. Ocheltree, it was Friday, before the deadline on Monday, that I went to him and asked if he would run. We had nobody running. We got the names over the weekend. But what are you going to do if there is nobody running? You got a good person who has done the job, the people are pleased with him, and we're going to say, 'No'. It also opens a door to chicanery, you know, you're going to try and do it legislatively what couldn't be done in the polls. Some people asked me if I felt this was directed at me. I said, 'Well, it really wouldn't affect me because you can't make these things retroactive'. You couldn't go back and say, 'Pyles, you're gone'. If it is eight years, by the time this term is over in eight more years, I'll be seventy-five years old. I'll be thinking about ending then. There is term limits by the people. You look at this Board. We have five new members. You know, that is pretty good turnover. We turned over people who have been in office for a while. Mr. Sikes was here two terms, when he was turned over. Mr. Shifflett was voted out. There's no great power; but the power then will come to mass meetings. In our County, we're very heavily Republican, and so you might have mass meetings. Mass meetings are generally a misnomer, you know, for a district. You're not going to have thousands of people showing up. You'll, maybe, have fifty people from a magisterial district. They will decide who is going to run. No one is going to come running against them. Mr. Beyeler, at the South River, hasn't had an opponent; Mr. Kiser didn't have any. The Middle River District never had opponents. Ms. Frye didn't have any. They had a Republican Primary, but they didn't have anybody to run against them. We have enough trouble getting people to run without saying a good person who the people like and they keep sending back. People know us! There's no doubt that people know whether you're a good guy or a bad guy, whether you represent them well or not. And it becomes enabling people to not be involved. If you say, 'Well, if it's a bad

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LEGISLATIVE PACKAGE (cont'd)

person, just wait and he'll be timed out.' People need to take responsibility for who they elect and let them decide. To have anything less than the people deciding who is going to run and who they are going to elect, and leave it to the hands of politicians to say it, I think goes against what is all right and reasonable as far elections in this country. I'm sorry we bring it up. You know we look at term limits on the Governor, one of the biggest mistakes we have, is the Governor only having one term. He is a dead duck, lame duck, from the time he gets in. But it is because the legislature wants to hold greater power than the Governor by being restrained to one term. So people use all this stuff to make things work in their benefit. Just to have things in the benefit of the people; if people are electing a guy, and you think he is a sorry scoundrel, well, that's their issue. That's not for you. I don't think we should do it. I don't think we should put it in our Legislative Package when we have all of these important things that we want to get done and having to do with the real needs of our people, and we're liable to get that! And they'll say, 'Here's what we did for you. We didn't worry about mandates. We didn't worry about funding and all that. Look, what we did for you'. We don't want to use our political collateral to get something as small as this and as unreasonable as this done. I'm sorry; I can't vote for this.

Mr. Beyeler made the following comments:

I appreciate with your comments, but I differ with you a little bit. When I first ran, I said eight years and I would get off. In the eight years, we were right in the middle of annexation—not a good time to get off. I stayed on another term. Then I knew we were going to hire a County Administrator and I stayed on another term. So the first terms I served were sixteen years. I don't know if it made any difference, Mr. Administrator, if I was there when we selected you, but I was there. If you look, and I agree with you, the Governor ought to have a longer term. The legislators in Richmond ought to have a longer term. But if you go to the Federal level, I'm for twelve year terms for everybody maximum. They may run every four years, but I'm for twelve years maximum. You go to Congress—hasn't had a budget for how many years? The reason we haven't had a budget is we don't have term limits. When the Chairman of a committee can hold up a hearing, that's not good. We almost had that problem in Richmond. We all sit around waiting for them to pass the budget. If there were term limits, we would never have had that situation. What happens is a few people get way too much power and they misuse that power. There is nothing wrong with power, but it is when you misuse it, it becomes a real problem for everybody and you serve no one wisely. I am for the motion that is on the floor. Twelve years should be the limit. We talk about this Board, most people don't stay there past twelve years. It puts new blood on the Board. I'm not saying the old Board is bad. I've been there. But it puts new ideas on the Board and we always ought to welcome new ideas.

Chairman Pyles' response:

Mr. Beyeler, you defeat your own argument when you say, 'There were reasons for you to go beyond eight to twelve'. And there were reasons for you to stay another term. In your judgment, you thought the best interest of the County was for you to stay on. Let the people make that decision.

Mr. Beyeler's response:

During annexation, it was not a good time for some of us to get off. At the end of twelve years, I, probably, could have gone off and everything would have been all right.

Mr. Moore asked the County Attorney for clarification of the motion. He understood it to only put "Term Limits" on the Legislative Package for consideration at the State level because, currently, the Board does not have the authority to enact. Patrick J. Morgan, County Attorney, agreed.

Mr. Karaffa's comments:

Mr. Chairman, I have given this a lot of thought, as opposed to your comment that it had not gotten any thought. I do believe new blood is good on a Board. I agree with Mr. Beyeler on that point. In no shape, or way, or form, is my desire to see this placed in a Legislative Package. Additionally, this is not pointed at any specific representative on this Board. I agree, it can not be retroactive. You spoke about what the original founders of this country thought of in terms of term limits. They had no idea that we would ever have a country where people would turn this line of work into a career. If read some of their original writings, you learn that their ideas were that the representatives would come out of the fields and out of the factories and out of the homes; they would serve a couple

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LEGISLATIVE PACKAGE (cont'd)

of terms, at most, and would go home. We see that reflection in the fact that the President of the United States only went two terms until Delanor Roosevelt, out of respect for what George Washington did, it was not enacted into our Constitution until after Delanor Roosevelt passed away. I strongly believe that it is the responsibility of the elected to keep their representatives in check; and if they feel they need to be removed, to vote them out. But I also believe that power and authority can be amassed through tenure. We see that in all levels of government. We've seen time and again where this idea has been sparked from the outside and tried to influenced in and it has failed. It needs to start somewhere. I think that if we are going to be serious about this in our hearts towards what happens at all levels of government, we have to hold ourselves in the same regard. That's why I'm asking for the permission from the State to allow us to choose our own destiny. If Augusta County decides not to enact term limits, so be it, but that is our choice. Let it be a choice at which we guide ourselves, not that we are not allowed. To be limited in our ability to choose our own destiny is wrong.

Chairman Pyles' comments:

Mr. Karaffa, I have read extensively about our forefathers, especially Jefferson and Madison. I have spent a lot of time with those guys. Yes, they envisioned citizen legislators. I think that's what we are. I think that's what we truly are here. So why would we want to do something here? You say, 'Have a choice.' You're taking away a choice. You're saying that if this had been enacted four years ago, I wouldn't have been able to run for office, again. You know the people have elected me by 70%. You would say that you and three other members could say the people of the Pastures District, 'yeah, he has been doing a good job for you, but it is time for him to go; we need some new blood'. We've got five new blood here. The system is working. You're taking away rights from people when you say term limits. That is not a growth of freedom; it's restriction of freedom. Once you start saying who can run and who can't, then you take it away. If you want to do something to those folks who are abusing it, but we're not. And what is to stop it from doing term limits, get Pyles out, and then we'll vote to get rid of term limits. People will be able to play games with this over the years. If you can put it in, you can take it out. It's nothing permanent. Even to ask for it is going to waste time from our legislators. I wish they would there one time and not enact anything; just work on the budget. Everybody's got to come up with something new to do.

Mr. Wills made the following comments:

I have no thought one way or the other in terms of term limits right now; I have not had a chance to think about it enough; but, I do not think it should be in our Legislative Package this year. I think we have too many things in there that are important to us over the next year when we start talking about water quality; when we talk about landuse decisions; when we talk about overtime pay; when we talk about machinery and tools tax, things of this nature that are essential. In general, I would like for the General Assembly to give the local Board a whole lot more decision and power on a lot of things. Term limits is the last one that I would worry about. Under the Dillon Rule of State, we can't do anything unless the State tells us we can. It really restricts our ability to efficiently operate at the local level. I just feel like if we want our Legislative Package to have meaning, and for us to say to our officials, 'this is what is important to this Board', I think we need to leave it as it is.

Mr. Shull made the following comments:

Even if it goes in here, when it gets to the State, do you think they will start something that might snowball in their court? If it started somewhere, they are not going to pass anything to cut themselves out. I think it would get overlooked real quick.

Chairman Pyles clarified that the motion was to add "Term Limits" to the Legislative Package.

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

Nays: Pyles, Wills, Shull, Pattie

Motion failed.

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LEGISLATIVE PACKAGE (cont'd)

Mr. Wills moved, seconded by Mr. Shull, that the Board adopt the Legislative Package, as revised.

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

Nays: None

Motion carried.

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ROUTE 636 RIGHT-OF-WAY

The Board considered additional funding in the amount of \$500 for closing costs.

Funding Source: Wayne Infrastructure Account #80000-8017-77

Mr. Coffield advised that the Board was briefed at Monday's Staff Briefing that the Attorney's office had informed him that there were additional closing cost in the amount of \$500.

Mr. Moore moved, seconded by Mr. Karaffa, that the Board approve allocation of funding to not exceed \$500.

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

Nays: None

Motion carried.

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EMPLOYEE COMPENSATION

The Board considered FY2012-2013 Employee Bonus (\$269,500).

Mr. Coffield stated that this had been discussed at Monday's Staff Briefing and noted that there was a fund balance at year-end. He added that this occurred last year around the same time. He proposed a one-time bonus to coincide at the same time that the State of Virginia will be giving it to their employees. He also indicated that the August payroll would be used to determine eligibility. He noted that State law is specific that, when considering bonuses, an ordinance is required; therefore, an advertisement will be necessary before taking action. A draft ordinance was attached to tonight's agenda for the Board's consideration.

Mr. Beyeler made the following comment:

Mr. Chairman, I am going to make a motion that we not consider bonuses this year. Although, the budget that we have, we did have a balance, but we also went in the red at least \$1.7 million, plus additional money we borrowed for schools. We're spending money just like the Federal and State government that we criticize every day. We're spending more money than we're taking in and this Board has to start abiding by the words that they speak. Everybody knows that our employees have done a great job. I'm not saying they don't deserve a raise or a bonus, but we're still in tough times and it could get tougher. Now is not the time to do it.

Mr. Beyeler moved, seconded by Mr. Moore, that the Board not consider a bonus this year.

Mr. Wills made the following comments:

I will not support the motion. I feel like that, with the money that is extra, that is left over,

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EMPLOYEE COMPENSATION (cont'd)

became not from additional revenues, but it came from our employees' efficiencies in their departments. I feel like, that with what the State has done, what the School Board has done, that we would not be fair to our employees if we did not consider them the bonus, so I will oppose the motion.

Mr. Karaffa made the following comments:

At the Staff Briefing, I talked about putting some of this money into Education. After speaking with schools, I've learned that the money, while not reoccurring, would be difficult to put it into place and then have to take it back out next year and that the money wouldn't really be able to satisfy any real capital need at this point and time. I agree with Mr. Wills that we did get a significant amount of efficiency from our people and a reward is warranted to encourage them to continue in that practice. However, it does not use all of that leftover money. I would, as my comments have been in the past about other surpluses, move that we not put that money aside—that we use that money. We talk about rainy day funds and it is raining pretty hard here in Augusta County. I would like to see these funds used in the best of its ability.

Mr. Pattie made the following comments:

My problem, and I was a minority in this, is that we raised taxes on the public. We said we desperately need this money. We have to provide core services. We raised the taxes and half of that tax money that we raised is sitting there in our account, now. I have a real concern with that. I would prefer to lower the Personal Property Tax rate. I don't mind giving a 1% raise to our employees who have been here longer than two years. That's \$120,000 and I think that is something that could be looked at. I think we should consider our tax cut because we said, 'We need this money. This is money that we have to have'. And then it turns out we didn't really need it because our government did such a good job managing money.

Mr. Moore brought Mr. Pattie to the attention that this was this year's budget, and that he is talking about next year's budget. Mr. Pattie said that next year's budget, the revenues would be higher than this year.

Mr. Shull made the following comments:

I would like to thank all of our departments and the ones who work under them because I think they did a very efficient job and I just wish the State and Federal government would follow suit. The Federal government and the State wouldn't be in the dire straits that they are if they would be as frugal with money as our departments are. You know, we rob Peter to pay Paul; somebody's got to put it back. It is only going to be a short time that the State is not going to give us any money, again, so we're going to be in the same situation, so I would say we need to set this aside in a rainy day fund and keep for our schools.

Mr. Karaffa's comments:

One of the things we talked about was putting in two Sheriff's Deputies. That was a priority that we struck. I don't know if we would have support there.

Mr. Wills' comments:

You're looking at a one-time bonus-type thing and we're using funds that are one time. Funds that are returned are one-time; you don't get them back next year. These are funds that were saved this past fiscal year and they were saved because of the efficiency of our employees. I would hope that our revenues for next year would do what we're talking about. We had an unbalanced budget this past year, if you all recall. We finished up, even with the tax increases, our budget was still not balanced. We were pulling money from reserves. This is money that was not pulled from reserves; this is money that they saved on the prior year's budget because of efficiency of employees. I'm going to say this, again, people ask for Government to be run like a business. In my business, I always thought my employees were the best. When they provided me with money at the end of the year, I shared with them. Timmy will vouch for that (Mr. Fitzgerald worked for Mr. Wills while he was in High School) and I continued to do that. And when you can keep the morale of your employees up by rewarding them when you have an opportunity,

August 22, 2012 at 7:00 p.m.

EMPLOYEE COMPENSATION (cont'd)

then you're doing a great service to the citizens of this County and to our employees.

Mr. Beyeler's question:

Mr. Wills, we're lowering our balance \$1.7 million; now, how is that not taken out of reserves?

Mr. Wills' response:

The extra money you spent had already been assigned from the previous year came out of your other accounts.

Mr. Beyeler's response:

It was the same type of bookkeeping that we did this year.

Chairman Pyles' comments:

Mr. Wills brought up what I was going to attribute to him about here's a man who had a large number of employees over the years, ran a successful business, and for him to bring it up made me think that he would do things like profit sharing. Most of us were at the McKee Bakery ceremony. What did we hear from them? That they had great workers; they improved efficiency; and they were going to have profit sharing. They also had profit sharing. You can be penny-wise and dollar-foolish by trying to cut the people that do the work for you. They're out there making the difference. We didn't have to go through and say, 'All right, everybody, you got to tighten your belts'. They just do it because they know what they're doing. They're out there taking care of their business. And they did it with fewer people. There is hardly a department that we didn't have a reduction of personnel. You don't know how good it is to be a supervisor where your workers don't create problems for you; where things don't happen the way they should; where the public is treated like the enemy instead of the customer. We get that. By and large, I sat on this Board for years and hardly have ever had a complaint about anybody that works for us. They do a good job. They do it with less people. Then they see the State getting the bonuses; the School Board is getting more raises than we have. We went this year over and above for Fire and Rescue Volunteers. We take care of everybody else except the folks that works these halls, cut our grass, the folks that are sitting on this first row here, and I have never had one person who works for us ever come and lobby for more money. They've never said that; they've never complained about anything; they just do their jobs. They bring this back to us. I hate that we continually say to people, 'You're doing a wonderful job. Thanks for not missing any days', and we don't show it. Talk is cheap. They earned this money! I think we would lose money next year if we keep doing this. We find other places to spend it. I see the selective conservatism of Mr. Beyeler and Mr. Shull. We just came up with \$440,000 additional for Greenville. That was half of our tax increase. Had we not approved that, we would have gotten money back that we already allocated. When something comes up, some people lose their conservative management for their own priorities. I have one priority and that is the well-running of this County and it takes good people to help run it. This money, they've earned; they've done us proud. We would only be doing the fair thing to share with them a bonus.

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

Nays: Karaffa, Wills, Pyles and Pattie

Motion failed.

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Mr. Wills moved, seconded by Mr. Karaffa, that the Board authorize staff to advertise ordinance similar to last year.

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

Nays: None

Motion carried.

August 22, 2012 at 7:00 p.m.

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WAIVERS/VARIANCES - NONE

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CONSENT AGENDA

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

MINUTES

Considered minutes of the following meetings:

- Regular Meeting, Wednesday, August 8, 2012

PERSONAL PROPERTY TAX RELIEF PROGRAM – RESOLUTION

Adopted the following resolution:

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

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code §§ 58.1-3523 et seq. ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act).

WHEREAS, by its enactment of an ordinance on December 14, 2005 ("Ordinance"), the Board of Supervisors of Augusta County, Virginia (the "Board of Supervisors") has previously implemented such modifications of the PPTRA.

WHEREAS, the Board of Supervisors now desires to set the rate of tax relief for tax year 2012 for purposes of the Ordinance.

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

1. For purposes of § 3(c) of the Ordinance, the rate of tax relief with respect to qualifying vehicles with assessed values of more than \$1,000, and applied to the first \$20,000 in value of each such qualifying vehicle, shall be forty-five (45%).

2. All other provisions of the Ordinance shall be implemented by the Commissioner of the Revenue or the County Treasurer, as applicable, including, without limitation, those set forth in § 3(b) of the Ordinance, pertaining to the elimination of personal property taxation of each qualifying vehicle with an assessed value of \$1,000 or less, and in § 4, pertaining to liability of taxpayers whose taxes with respect to a qualifying vehicle for tax year 2005 or any prior tax year remain unpaid.

3. This Resolution shall take effect immediately upon its adoption.

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

Nays: None

Motion carried.

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(END OF CONSENT AGENDA)

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