

Regular Meeting, Wednesday, July 10, 2013, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Jeffrey A. Moore, Chairman  
Larry J. Wills, Vice-Chairman  
David R. Beyeler  
David A. Karaffa  
Marshall W. Pattie  
Tracy C. Pyles, Jr.  
Michael L. Shull  
Doug Wolfe, County Engineer  
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, July 10, 2013, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 238<sup>th</sup> year of the Commonwealth....

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Chairman Moore welcomed the citizens present.

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Doug Wolfe, County Engineer, led us with the Pledge of Allegiance.

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

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MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

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SHAMROCK FARMS DAIRY

Dennis Burnett, Economic Development Director, reported that Shamrock was in town last week to finalize their building plans with two days of meetings with utility providers and local service providers. An internal company video "Shamrock Farms Goes National" was shown. Mr. Burnett announced that the closing was completed yesterday and read the following e-mail from Timothy K. Kelly, SVP/General Manager for Shamrock Farms Dairy: "We are really excited. This is a great example of government and business partnering to grow jobs. I wish the rest of the country took a lesson from Augusta County."

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STREET ADDITIONS

The Board considered Community Development's and VDOT's recommendations to adopt resolutions for acceptance of the following streets into the Secondary Road System in accordance with VDOT request:

- 1. Boyington Place (Wayne District)
- 2. Valley College Park (North River District)
- 3. Gateway Business & Professional Park (Wayne District)

Patrick J. Coffield, County Administrator, reported that the streets met VDOT's standards to be accepted into the Secondary Road System.

Mr. Wills moved, seconded by Mr. Shull, that the Board adopt the following resolutions:

BOYINGTON PLACE - STREET ADDITION

WHEREAS, that the County and the Virginia Department of Transportation have entered into an agreement on August 26, 1996,

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### STREET ADDITIONS (cont'd)

for comprehensive stormwater detention which applies to this request for addition.

WHEREAS, VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the following streets in **BOYINGTON PLACE** into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Pratts Run, State Route Number 1029  
 From: Route 250  
 To: 0.07 miles S. of Route 250  
 Length: 0.07 miles

AND FURTHER BE IT RESOLVED, that the Board does guarantee the Commonwealth of Virginia an unrestricted right-of-way of 50 feet with necessary easements for cuts, fills, and drainage as recorded in Plat Book 1, Instrument 110007298, Pages 8098-8099, recorded October 3, 2011.

AND FURTHER BE IT RESOLVED, that the Virginia Department of Transportation will only maintain those facilities located within the dedicated right-of-way. All other facilities outside of the right-of-way will be the responsibility of others.

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### VALLEY COLLEGE PARK - STREET ADDITION

WHEREAS, that the County and the Virginia Department of Transportation have entered into an agreement on August 26, 1996, for comprehensive stormwater detention which applies to this request for addition.

WHEREAS, VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the following streets in **VALLEY COLLEGE PARK** into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Dharti Street, State Route Number 2036  
 From: 0.06 miles north of Route 2035  
 To: 0.06 miles to Route 2035 (Valley College Drive)  
 Length: 0.06 miles

Valley College Drive, State Route Number 2035  
 From: Route 11 (Lee Highway)  
 To: 0.07 miles east of Route 11  
 Length: 0.07 miles

AND FURTHER BE IT RESOLVED, that the Board does guarantee the Commonwealth of Virginia an unrestricted right-of-way of 50 feet with necessary easements for cuts, fills, and drainage as recorded in Plat Book 1, Instrument 100003662, Pages 7770-7772, recorded May 14, 2010.

AND FURTHER BE IT RESOLVED, that the Virginia Department of Transportation will only maintain those facilities located within the dedicated right-of-way. All other facilities outside of the right-of-way will be the responsibility of others.

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### GATEWAY BUSINESS & PROFESSIONAL PARK - STREET ADDITION

WHEREAS, that the County and the Virginia Department of Transportation have entered into an agreement on August 26, 1996, for comprehensive stormwater detention which applies to this request for addition.

WHEREAS, VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

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**STREET ADDITIONS (cont'd)**

BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the following streets in **GATEWAY BUSINESS & PROFESSIONAL PARK** into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Parkway Lane, State Route Number 1288  
From: Intersection of Route 636  
To: 0.19 miles Cul-de-sac (dead end)  
Length: 0.19 miles

Pinnacle Drive, State Route Number 1289  
From: Intersection of Route 636  
To: 0.28 miles Cul-de-sac (dead end)  
Length: 0.28 miles

AND FURTHER BE IT RESOLVED, that the Board does guarantee the Commonwealth of Virginia an unrestricted right-of-way of 50 feet with necessary easements for cuts, fills, and drainage as recorded in Plat Book 1, Instrument 100010318, Pages 7927-7928, recorded December 15, 2010.

AND FURTHER BE IT RESOLVED, that the Virginia Department of Transportation will only maintain those facilities located within the dedicated right-of-way. All other facilities outside of the right-of-way will be the responsibility of others.

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

Nays: None

Motion carried.

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**LADD PROPERTY**

The Board considered survey of former school site.

Funding Source: Contingency Account #92040-9999 \$2,325

Mr. Burnett said that he has been working with his counterpart in Waynesboro to market the Ladd Elementary School property. The original plat has been evaluated and items such as an abandoned easement from the gas company which appeared to run through the center of the property have been addressed. The City of Waynesboro has a prospect that is considering development of the property. An appraisal is underway by the School Board. The prospect has requested a survey of the property.

Mr. Beyeler moved, seconded by Mr. Karaffa, that the Board award EGS to provide a survey of the property at a cost not to exceed \$2,325.

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

Nays: None

Motion carried.

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**MILL PLACE COMMERCE PARK**

The Board considered award of bid for road extension

Funding Source: CIP Economic Development Account #80000-8145-9 \$397,228

Mr. Coffield reported that staff recommends that the County moves forward as part of

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MILL PLACE COMMERCE PARK (cont'd)

the Shamrock package. He noted that there had been a question about the road standard and VDOT staff has assured the County that it is an industrial road and meets VDOT's standards. The Service Authority will be providing a competitive quote for the waterline relocation.

Mr. Wills asked if separate quotes were provided for the sewer and water.

Doug Wolfe, County Engineer, said that it was bid as a lump sum, but any additions/deductions are done on the unit prices; therefore, the unit prices, specifically, for the waterline and sewer line are designated separately. "If we opt to use the Service Authority to do the waterline relocation, we know the amount that would be deducted."

Mr. Karaffa moved, seconded by Mr. Pyles, that the Board approve the bid for road extension.

Mr. Wills expressed concerns on the high bid and suggested that it be bid out again.

Chairman Moore asked the length of the roadway. Mr. Wolfe said it was approximately 1600 feet. Chairman Moore understood that this bid included three main parts: Grading work – 17.5 inches for the sub, base and top. He asked if the water and sewer was shown separately. Mr. Wolfe said it was. He further stated that he compared the unit prices and determined that they were consistent with what has been shown on other recent contracts. He noted that the unit prices, specifically, for water and sewer are considerably less on the order of 10% to 15% less than the unit prices for the Scholastic Way Project, which has recently been awarded to a different contractor.

Mr. Karaffa noted that if this were bid again, other bids could be higher because it would include mobilization.

Mr. Beyeler asked what was not included in the bid (\$876,685.90). Mr. Coffield referred to the aerial in the package and explained that we recommend only Option 1 and not Option 2. Mr. Beyeler inquired about the connection to Green Hills in Staunton. Mr. Coffield said Staunton's road ends next to Diebold's property. Mr. Beyeler asked what the advantage was to include it in the bid. Mr. Coffield said that, if Staunton is not interested in completing their existing road to our property line, he would feel it best not to include it.

Mr. Wolfe said that all of the water and sewer on the entire set of plans is included so that there would be water and sewer connections available to future lots. The storm sewer and the roadway construction for the last stub that would connect to Staunton is included in Option 2. This is not recommended at this time. Mr. Coffield added that the recommendation is only for the base bid by Branch Highways.

Mr. Beyeler asked what it would cost for the waterline and asked if the sewer line was going to be provided on that particular road. Mr. Wolfe said that the sewer line is "down in the hollow" and actually drains the City Industrial Park. What is being done right now is using extensions in different areas.

Chairman Moore had recently expressed concerns about pavement thickness. Mr. Wolfe noted that the pavement design matches what is in the existing Mill Place Parkway. It also matches the design template from VDOT. He stated that staff recommended that the design remain the same.

Mr. Beyeler asked if the County had the option of sewer and water. Mr. Coffield said that if the bid is lower with the Service Authority, they did have the option. Mr. Wolfe said there was not a penalty in the contract for deductions.

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MILL PLACE COMMERCE PARK (cont'd)

Mr. Karaffa moved, seconded by Mr. Pyles, that the Board approve the bid for the road extension and to additionally use the Service Authority for the waterline relocation if their price is competitive with bid quotes (possible change order).

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

Nays: None

Amended motion carried.

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WAIVERS/VARIANCES - NONE

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CONSENT AGENDA

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

MINUTES

Approved minutes of the following meetings:

- Regular Meeting, Wednesday, June 12, 2013
- Staff Briefing Meeting, Monday, June 24, 2013
- Regular Meeting, Wednesday, June 26, 2013

CLAIMS

Approved claims paid since June 12, 2013.

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pattie: EPA letter reviewed by Patrick J. Morgan, County Attorney. – Mr. Morgan’s opinion, as to whether or not data would be accepted from the Board of Supervisors, was that the letter was a little vague; therefore, he contacted the EPA directly and learned that they would accept the information with some minor qualifications. If there were some problem with the methodology or if the tests were not done in accordance with the plan, they might question it. Otherwise, they would accept the information and plug it into the system to determine their figures.

Mr. Beyeler: Stuarts Draft Fire Department – Lawn Party begins tonight through Saturday!

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

- 1. Comp Plan Update distributed to Board.
- 2. Vehicle Surplus – Sheriff’s Department has 7 vehicles available.
- 3. Department of Housing – SERCAP (Region 5 IPR Provider) has asked County Administrator (or designee) to serve on regional Board. Timmy Fitzgerald has volunteered to serve.

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4. Rescue Squad Assistance Fund (RSAF) Grant

On January 23, 2013, the Board of Supervisors approved Fire Administration to apply for grants without Board approval if they would not create a reoccurring expense. On March 7, 2013, the Emergency Committee approved the RSAF Grant for equipment (50/50 local match), which requires Board approval of the grant. Mr. Wills noted that this had been approved in March by the Board that Fire Chief Holloway could apply for the grant.

Mr. Wills moved, seconded by Mr. Shull, that the Board approve the grant, as submitted by Fire Chief Holloway, in the amount of \$4,470.

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

Nays: None

Motion carried.

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Mr. Beyeler asked for confirmation of the amount. Mr. Wills said he believed the total amount should be \$6,839.05. Mr. Morgan suggested that another motion be made.

Mr. Wills moved, seconded by Mr. Karaffa, that the motion be amended to change the amount of the grant from \$4,470 to \$6,839.05.

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

Nays: None

Amended motion carried.

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- 5. VDOT Secondary System Funding Allocation Methodology – Information distributed to the Board for review and will be placed on the July 22<sup>nd</sup> Staff Briefing for consideration.
- 6. Compactor/Recycling Centers – Affordable Care Act may require that we set “fixed schedules” versus a flat amount for monitoring of centers. Health Insurance would not be needed for those who work less than 30 hours.
- 7. Central Accounting Office – “Closeout is underway”
- 8. Augusta County Fair – Sign-up sheet distributed to Board for August 6<sup>th</sup> – 10<sup>th</sup>.

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July 10, 2013, at 7:00 p.m.

CLOSED SESSION

On motion of Mr. Wills , 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  
 B) Economic Development Position
- (2) **the legal counsel exemption under Virginia Code § 2.2-3711(A)(7)**  
 [consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, as permitted under subsection (A) (7)]:
- A) Board of Elections
- (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) Economic Development Prospect(s)

On motion of Mr. Beyeler, seconded by Mr. Karaffa, 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

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CLOSED SESSION (cont'd)

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

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ECONOMIC DEVELOPMENT COMMITTEE

Mr. Beyeler moved, seconded by Mr. Karaffa, that the Board appoint Jeffrey Moore and Larry Wills to serve as the Economic Development Committee. Board noted that Committee appointments be added to list for consideration at annual Organizational meeting. Appointees do not necessarily have to be Chairman and Vice Chairman.

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

Nays: None

Motion carried.

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LIBRARY BOARD APPOINTMENT

Mr. Pattie moved, seconded by Mr. Wills, that the Board accept the resignation of Marcia A. Elliott, and appoint Betsy Curry to serve an unexpired 4-year term on the Library Board, effective immediately, to expire June 30, 2015.

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. Karaffa, 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:7-10min.13

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County Administrator