

Regular Meeting, Wednesday, September 11, 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
Timmy Fitzgerald, Director of Community Development
Jennifer M. Whetzel, Director of Finance
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, September 11, 2013, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 238th year of the Commonwealth....

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Chairman Moore welcomed the citizens present.

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Maryanna Turnage, a senior at Buffalo Gap High School, led us with the Pledge of Allegiance.

Maryanna said she belonged to several clubs: Drama Department, National Honor Society (NHS) and National Art Honor Society (NAHS). She also does forensics and soccer. Currently, she is directing the One-Act Competition. After graduation, she hopes to attend the University of Richmond and get her doctorate.

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David A. Karaffa, Supervisor for the Beverley Manor District, delivered invocation.

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9-11 – RECOGNITION

Fire Chief Carson Holloway made the following statement:

I appreciate the thoughts and prayers; and we, all as a nation, look at that. We always welcome our new EMT classes and our new Firefighter I classes with a “challenge”. I was thinking, in preparation for the 9-11 ceremony, what could I say in light of the 9-11 tragedy? So I borrowed from a presentation I made last year. At one of our annual banquets, I gave out a key and I talked about fate and destiny. In light of all the horrific events, and the challenges, and the negative impact 9-11 has on not only the United States, but the world, as well, I thought what can I say to motivate these young recruits? Thank them for being here; thank them for putting lives on the line as firefighters in light of day that we’re not celebrating, but remembering when 23 New York Police Department members, 37 Port Authority officers, 343 firefighters, as well as where 2,996 Americans lost their lives. I thought, well, let me talk about fate and destiny. Fate, you know what, sometimes the cards are dealt in life and things happen that we just can’t explain. We don’t always accept them; we don’t always understand them, but I am a firm believer, and I told them, I’m a firm believer that we can drive our destiny. We can take a negative. We don’t have to become a derelict or a drunk or anything, or become something less that what we can be because of something that happened. We can take it and turn it around. Many firefighters and many Americans, now, have done just that. On this day, I read many articles about people, now, while remembering the tragedy and the events and the heroism, they are now making positives out of it. We’re doing a lot of research on this day, a lot of thankfulness, a lot of fund-drives. I told the group we will always remember the tragedy that day and we can take our destiny and make it better by remembering the lessons we learned and be more forgiving, more humble and understanding, not only firefighters and EMTs, but as humans, life is about what we give not what we take. I do appreciate what everyone, all of America, whether you’re a firefighter, politician, police officer, or what, and how many people give more than they take. That’s what life is all about.

Chairman Moore expressed appreciation for Fire Chief’s Holloway’s words.

September 11, 2013, at 7:00 p.m.

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NORTH RIVER AGRICULTURAL AND FORESTAL DISTRICT

This being the day and time advertised to consider a request to renew the North River Agricultural and Forestal District. The proposed District encompasses approximately 4,500 acres of land generally lying south of Reeves Road (Route 766), east of North River Road (Route 730), west of Spring Hill Road (Route 613) and north of Moffett Branch Road (Route 739) (North River District).

Michele Astarb, Subdivision Administrator, reported that the Board originally discussed this request in April and it was decided that a full review was necessary and it was referred to the Agricultural and Forestal District Committee. After several meetings with the Agricultural and Forestal District Committee, the Planning Commission and property owners, a map was created. She noted that green represented the parcels which wish to remain; blue parcels wish to be added; orange parcels are to be deleted from the District. The Ag & Forestal Committee and Planning Commission recommended approval of the map with the same conditions which were previously approved for a ten-year period.

Mr. Beyeler asked if the Rawleys' property was included. Ms. Astarb said that the Rawleys had initially indicated that they wanted to renew, but Mr. Rawley passed away last week; therefore, it was not included on the map.

Mr. Karaffa referred to the "core" of property and asked for an explanation. Ms. Astarb said that the core is basically in the center of the map. The core has to be 200 acres of adjacent property.

Mr. Wills noted that the Reeves property was included on the map. Ms. Astarb said that a provision in the State Code allows the Reeves' parcel. She noted that in the past it needed to be within a mile of the core, but the State Code has changed since the last district was renewed. The State Code now says if the Board finds that it is "agriculturally significant," that it can remain even though it is not within the mile. In discussion with the County Attorney, it was determined that because of it being originally in the district that should be sufficient justification that it can remain in the district.

The Chairman declared the public hearing open.

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

Mr. Pattie moved, seconded by Mr. Wills, that the Board approve the following ordinance, as presented:

**AN ORDINANCE TO AMEND
§ 3-26. DISTRICT DESCRIBED, and §3-28 PERIOD BEFORE
REVIEW OF DISTRICT FOR THE NORTH RIVER
AGRICULTURAL AND FORESTAL DISTRICT IN THE CODE
OF AUGUSTA COUNTY, VIRGINIA**

WHEREAS, THE North River Agricultural and Forestal District was created on October 22, 2003;

WHEREAS, Section 15.2-4311 of the Code of Virginia requires that a review of each Agricultural and Forestal District be conducted no less than four years nor more than ten years after they are created;

WHEREAS, the Board of Supervisors established the review date for the North River Agricultural and Forestal District to be not later than October 22, 2013. The review having been completed by the Board of Supervisors.

September 11, 2013, at 7:00 p.m.

NORTH RIVER AGRICULTURAL AND FORESTAL DISTRICT (cont'd)

NOW, THEREFORE, be it ordained by the Board of Supervisors of Augusta County, Virginia, that Section 3-26, District Described and Section 3-28, Period before review of District are amended to read as follows:

§ 3-26. District described.

The North River Agricultural and Forestal District shall consist of the following territory:

4,321 acres situated in the North River District of Augusta County, Virginia, lying south of Reeves Road (Route 766), east of North River Road (Route 730), west of Spring Hill Road (Route 613) and north of Moffett Branch Road (Route 739) and including parcels shown on County Real Estate maps as of the effective date of this Article as parcels numbered 10-58, 10-62, 10-64, 10-72, 10-73A, 10-74A, 10-77, 10-78, 10-79, 10-80, 10-92, 10-94D, 10-97B, 10-97C, 10-98, 10-102, 10-104, 10-111, 10-112, 10-112A, 10-113, 10-113C, 10-114, 10-114A, 11-1, 11-2C, 11-2E, 11-2F, 11-3, 11-4A, 11-29, 17-2A, 17-2C, 17-6, 17-7B, 17-10, 17-10A, 17-12, 17-13A, 17-14, 17-14B, 17-15, 17-18, 17-19, 17-21, 17-24B, 17-27E, 17-28, 17-28A, 17-29, 17-29A, 17-30, 17-30A, 17-30B, 17-31, 17-32A, 17-49, 17-49A, 17-51, 17-61J, 17-62, 17-63, 17-64, 17-72, 17-72A, 18-4, 18-6, and 18-16.

§ 3-28. Period before the review of district.

The period before the review of the District shall be ten (10) years and shall expire on October 22, 2023.

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

Nays: None

Motion carried.

Mr. Karaffa thanked staff and Mr. Pattie for their hard work.

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MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

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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:

- Special Meeting, Saturday, August 24, 2013
- Staff Briefing Meeting, Monday, August 26, 2013
- Regular Meeting, Wednesday, August 28, 2013

CLAIMS

Approved claims paid since August 14, 2013.

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

Nays: None

Motion carried.

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September 11, 2013, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pyles: Data/Demographics had been given to the Board regarding growth in the County’s schools and VRS budgeting issues. Noted that information shared at VACo summer legislative meetings was beneficial for decision-making. Chairman Moore thanked Mr. Pyles for providing information in advance to this meeting.

Mr. Pattie:

- 1. Thanked Mr. Pyles for information. “We can’t attend every VACo meeting so it’s nice to receive additional information to help us make better decisions.”
- 2. Water Monitoring – met with Senator Hanger to discuss funding. Hopefully, we will be able to discuss at the Board’s next Staff Briefing (September 23rd).
- 3. Budget cycle – would like to discuss different scenarios to finance local Government operations. Would like to have on agenda for the next Staff Briefing (September 23rd).

Mr. Wills: Boards and Commissions picnic – Tuesday, September 17th, at 5:30 p.m. Noted that this began in 1994.

Mr. Shull: Household Hazardous Waste Collection Day – September 14th, 8:30 a.m. – 12:00 noon (information distributed to Board).

Mr. Karaffa:

- 1. Woodmen of the World – attended 100th anniversary ceremony – “Great event!”
- 2. Mill Place Pavilion – displayed possible location at Mill Place Commerce Park and concept of building for the Board. Mentioned that many citizens/businesses have shown interest. Estimated cost: \$171,705; noted that this did not include real estate cost of property. Chairman Moore asked that the Board, in the future, be provided this type of information prior to a Board meeting. Mr. Pyles applauded Mr. Karaffa’s thinking but asked if this was the best location for Government employees and the Verona community. Mr. Pattie asked who would be responsible for the maintenance. Mr. Karaffa suggested that the tenants at the Mill Place Park should be partially responsible and possibly Parks and Recreation. Mr. Wills said that he has received comments from several interested citizens. Chairman Moore asked what the timeframe was; Mr. Karaffa hoped a decision on how to proceed and finance could be made by the middle, or beginning, of next year.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

- 1. Governance meeting – notes distributed to Board.
 - a. GART Report – Semi-annual report shared with the Board.
- 2. VDOT Exit 91 – News release shared with Board.
- 3. VACo Voting Credentials

Mr. Beyeler moved, seconded by Mr. Karaffa, that Board authorize that the Chairman and Vice-Chairman be certified as the County’s voting members at annual conference in November.

September 11, 2013, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (cont'd)

VACo Voting Credentials (cont'd)

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

Nays: None

Motion carried.

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- 4. Court Security for "Second Judge" – Judge Ricketts will be assisting Judge Ludwig to hear Augusta County cases – Judge Ricketts' schedule distributed to Board. Finance, Human Resources and Sheriff met to discuss part-time responsibilities and costs. Sheriff Fisher has proposed using retired deputies – (approximately \$7,000 per year). County Administrator also indicated that, due to VRS and Health Care regulatory changes, we are addressing workload by bringing in part-time assistance.
- 5. Milk Inspector needed at Shamrock – met with Health Department. State responsible for 55%; Local Jurisdictions responsible for 45% local match (90% Augusta County/10% Rockingham County). Delegate Landes and other General Assembly members were involved. Report distributed to Board. Should be no budget impact on FY14, but would impact FY15 budget.
- 6. Budget – Available on the internet. Noted that format is different to provide a better understanding for the public.

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7. Four-For-Life

Fire Chief Holloway reported that \$4 is collected by the State through the Registration of Motor Vehicles at the time of registration of each passenger vehicle, pickup and panel truck. The funds collected, pursuant to Section 46.2-694, Code of Virginia, are to be used only for emergency medical services. This program allows funding for 1) Training of volunteer or salaried emergency medical service personnel of licensed, nonprofit emergency medical service agencies; or 2) the purchase of necessary equipment and supplies for licensed, nonprofit emergency medical service agencies. The Office of Emergency Medical Service stated that a letter of support from the Board of Supervisors was required so that the request could be considered for funding. He noted that last year's funding was \$78,024.76 for the area. It was disbursed to Churchville, Craigsville, Deerfield, Mt. Solon, New Hope Rescue Squad and Stuarts Draft Rescue Squad. Mr. Wills had previously asked what the impact would be on some of the agencies. Fire Chief Holloway said he did not see a significant impact. He noted that there was a balance of carry-over funds over \$224,000 for forty agencies.

Mr. Wills moved, seconded by Mr. Shull, that the Board authorize the Chairman to sign the letter of support.

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

Nays: None

Motion carried.

September 11, 2013, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (cont'd)

Four-For-Life (cont'd)

Mr. Beyeler asked if this funding was based on calls. Fire Chief Holloway said it was a certain percentage—tax collected by the State of 26% of the amount collected statewide and returned to the localities for distribution.

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CLOSED SESSION

On motion of Mr. Wills , seconded by Mr. Shull, 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) Assignment

(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) Ladd Property
- B) Craigsville-Augusta Springs First Aid Crew

(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) Pending Economic Development Prospect(s)

(4) 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) Claims
- B) ACSA

On motion of Mr. Pattie, seconded by Mr. Beyeler, 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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September 11, 2013, at 7:00 p.m.

CLOSED SESSION (cont'd)

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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RECYCLING COMMITTEE REAPPOINTMENT

Mr. Beyeler moved, seconded by Mr. Karaffa, that the Board reappoint Debbie Botkin to serve another 4-year term on the Recycling Committee, effective September 26, 2013, to expire September 25, 2017.

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

Nays: None

Motion carried.

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RECYCLING COMMITTEE REAPPOINTMENT

Mr. Beyeler moved, seconded by Mr. Karaffa, that the Board reappoint Martin D. Siebken to serve another 4-year term on the Recycling Committee, effective September 26, 2013, to expire September 25, 2017.

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

Nays: None

Motion carried.

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