
Regular Meeting, Wednesday, September 25, 2013, at 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
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, September 25, 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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Anthony Lewis, a junior at Fort Defiance High School, led the Pledge of Allegiance. Anthony participates in Debate and the Marching Band.

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

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TAX RELIEF FOR ELDERLY AND DISABLED

This being the day and time advertised to consider an ordinance to amend the Code of Augusta County, Virginia, to adjust the criteria for exemption from real estate taxation for Elderly and Disabled Persons, including an increase in the amount of the income limit upper range from \$32,000 to \$40,000 and to increase the net worth upper range from \$75,000 to \$100,000. The gross combined income shall not exceed \$40,000 and include all owners of the dwelling using as principal residence; owners' relatives who live in the dwelling and non-relatives of the owners who live in the dwelling.

Jean Shrewsbury, Commissioner of Revenue, reported that every four (or five) years, when the reassessment takes place, it is necessary to review programs for tax relief for the elderly (65 years and older) and disabled. A chart had been provided to the Board previously which was derived with what the State Code requires, which is the median income for Augusta County.

The Chairman declared the public hearing open.

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

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

AN ORDINANCE TO AMEND SECTION 22-12 OF THE CODE OF THE COUNTY OF AUGUSTA, VIRGINIA, TO ADJUST THE CRITERIA FOR EXEMPTION FROM REAL ESTATE TAX FOR THE ELDERLY AND DISABLED

WHEREAS, Chapter 32, Article 2, of Title 58.1 of the Code of Virginia authorizes the Board of Supervisors to establish a program of exemptions and deferrals of real property tax for the elderly and disabled; and

WHEREAS, from time to time the Board of Supervisors finds it desirable to adjust the criteria for determining property owners who are qualified for exemptions or deferrals;

September 25, 2013 at 7:00 p.m.

TAX RELIEF FOR ELDERLY AND DISABLED (cont'd)

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Augusta County, Virginia, that Section 22-12 of the Code of Augusta County is amended to read as follows:

§ 22-12. Exemption for elderly and disabled persons.

A. Definitions. The words and phrases used in this section shall, for the purposes of this section, have the meanings respectively assigned to them in Article 2, Chapter 32, Title 58.1, of the Code of Virginia (1950), as amended.

B. Exemption granted. The following real estate is exempt to the extent provided for in this section from the county real estate tax:

1. Real estate and manufactured homes owned on January first of the taxable year by and occupied as the sole dwelling of anyone at least sixty-five (65) years of age; or

2. Real estate and manufactured homes owned on January first of the taxable year by and occupied as the sole dwelling of anyone found to be permanently and totally disabled; or

3. A dwelling jointly held on January first of the taxable year by a husband and wife if either spouse is sixty-five (65) years of age or over or is permanently and totally disabled.

C. Administration. The exemption shall be administered by the Commissioner of the Revenue according to the general provisions contained in this section. The Commissioner of the Revenue is hereby authorized and empowered to prescribe, adopt, promulgate and enforce rules and regulations in conformity with the general provisions of this section, including the requirements of answers under oath, as may be necessary, to determine qualifications for exemption as specified by this section. The Commissioner of the Revenue may require the production of certified tax returns and appraisal reports to establish income or financial worth.

D. Restrictions and conditions. Any exemption under this section shall be subject to the following restrictions and conditions:

1. The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein, and of the owners' relative living in the dwelling, shall not exceed ~~thirty-two~~ **forty** thousand dollars (\$~~32,400~~**40,000**.00); ~~provided, that the first seven thousand five hundred dollars (\$7,500.00) of income of such relative, other than spouse, of the owner or owners, who is living in the dwelling shall not be included in such total.~~

Gross combined income of applicant during the year immediately preceding the taxable year shall not exceed \$40,000.00. Gross combined income shall include all income for a) owners of the dwelling who use it as their principal residence; b) owner's relatives who live in the dwelling, and c) nonrelatives of the owner who live in the dwelling.

2. The net combined financial worth, including equitable interests, as of the thirty-first day of December of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding five acres, upon which it is situated, shall not exceed ~~seventy-five~~ **one hundred** thousand dollars (\$~~75,000~~**100,000**.00).

E. Application for exemption. The person claiming such exemption shall file annually after January 1 but not later than April 1 with the Commissioner of the Revenue an affidavit setting forth the information required by § 58.1-3213 of the Code of Virginia (1950), as amended.

F. Calculation of amount of exemption. The person or persons qualifying for and claiming exemption shall be relieved of the portion of the real estate tax levied on the qualifying dwelling and land in the amount calculated in accordance with the following schedule:

If gross combined income as described in subsection (1) of paragraph D above is:	Tax exemption or relief that may be claimed:
\$15,000 or less	90%
\$15,001 through \$20,000	80%
\$20,001 through \$22,000	70%
\$22,001 through \$24,000	60%
\$24,001 through \$26,000	50%
\$26,001 through \$28,000	40%
\$28,001 through \$29,000	30%
\$29,001 through \$30,000	20%
\$30,001 through \$31,000	10%
\$31,001 through \$32,000	6%
Over \$32,000	0%

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TAX RELIEF FOR ELDERLY AND DISABLED (cont'd)

\$20,000 or less	100%
\$20,001 through \$24,000	90%
\$24,001 through \$28,000	80%
\$28,001 through \$30,000	70%
\$30,001 through \$32,000	60%
\$32,001 through \$34,000	50%
\$34,001 through \$36,000	40%
\$36,001 through \$38,000	30%
\$38,001 through \$40,000	20%
Over \$40,000	0%

subject to adjustment as follows:

If total combined financial worth as described in subsection (2) of paragraph D above is:	Above tax exemption or relief is reduced by:
\$20,000 or less0%
\$20,001 through \$30,000	10%
\$30,001 through \$40,000	20%
\$40,001 through \$50,000	30%
\$50,001 through \$55,000	40%
\$55,001 through \$60,000	50%
\$60,001 through \$65,000	60%
\$65,001 through \$70,000	70%
\$70,001 through \$75,000	80%
Over \$75,000	No exemption
\$25,000 or less0%
\$25,001 through \$50,000	10%
\$50,001 through \$60,000	20%
\$60,001 through \$70,000	30%
\$70,001 through \$80,000	40%
\$80,001 through \$90,000	50%
\$90,001 through \$100,000	60%
Over \$100,000	No exemption

and the resultant exemption to be allowed shall be:

NET WORTH RANGE

RANGE OF INCOME	20001	30001	40001	50001	55001	60001	65001	70001		
	to	to	to	to	to	to	to	to	to	to
	20000	30000	40000	50000	55000	60000	65000	70000	75000	
0 - 15,000	90%	81%	72%	63%	54%	45%	36%	27%	18%	
15,001 - 20,000	80%	72%	64%	56%	48%	40%	32%	24%	16%	
20,001 - 22,000	70%	63%	56%	49%	42%	35%	28%	21%	14%	
22,001 - 24,000	60%	54%	48%	42%	36%	30%	24%	18%	12%	
24,001 - 26,000	50%	45%	40%	35%	30%	25%	20%	15%	10%	
26,001 - 28,000	40%	36%	32%	28%	24%	20%	16%	12%	8%	
28,001 - 29,000	30%	27%	24%	21%	18%	15%	12%	9%	6%	
29,001 - 30,000	20%	18%	16%	14%	12%	10%	8%	6%	4%	
30,001 - 31,000	10%	9%	8%	7%	6%	5%	4%	3%	2%	
31,001 - 32,000	6%	5%	4%	3%	2%	1%	0%	0%	0%	

RANGE OF INCOME	25001	50001	60001	70001	81001	90001	
	to	to	to	to	to	to	
	25000	50000	60000	70000	80000	90000	100000
0 - 20,000	100%	90%	80%	70%	60%	50%	40%
20,001 - 24,000	90%	80%	70%	60%	50%	40%	30%
24,001 - 28,000	80%	70%	60%	50%	40%	30%	20%
28,001 - 30,000	70%	60%	50%	40%	30%	20%	10%
30,001 - 32,000	60%	50%	40%	30%	20%	10%	---
32,001 - 34,000	50%	40%	30%	20%	10%	-----	---
34,001 - 36,000	40%	30%	20%	10%	---	---	---
36,001 - 38,000	30%	20%	10%	---	---	---	---
38,001 - 40,000	20%	10%	---	---	---	---	---

The above exemption shall be prorated so that one-half of the exemption shall apply to the real estate tax due on June fifth, and one-half of the exemption shall apply to the real estate tax due on December fifth.

G. Determination of exemption. If, after audit and investigation, the Commissioner of the Revenue determines that such person or persons are qualified for exemption, he shall issue to such person a certificate which shall show the amount of the exemption from the claimant's real estate tax liability.

H. Penalties for violation of section.

1. Any person who shall falsely claim the exemption provided for in this section shall pay the Treasurer one hundred ten percent (110%) of such exemption.

2. The willful false claiming of the exemption authorized in this article shall constitute a misdemeanor and shall, upon conviction thereof, be punished in accordance with the

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TAX RELIEF FOR ELDERLY AND DISABLED (cont'd)

provisions of chapter 1 of this code. The exemption herein authorized shall be effective for the tax year commencing January 1, 1993, and for each tax year thereafter until otherwise provided by law or ordinance.

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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AUGUSTA COUNTY SERVICE AUTHORITY

The Board considered legal counsel "scope of work" relating to organizational structure.

Patrick J. Morgan, County Attorney, advised that the Board had expressed an interest in the possibility of combining Augusta County Service Authority into a County utility department. McGuire Woods had provided a "scope of work" proposal at a cost between \$13,000 to \$18,000.

Chairman Moore added that a study had been provided in 1994 and the Board felt that an update was needed.

Mr. Karaffa moved, seconded by Mr. Beyeler that the Board approve the updated study to not exceed \$18,000.

Mr. Wills felt that this study would provide ways in making the government more efficient.

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

Nays: Pattie and Pyles

Motion carried.

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TIME MANAGEMENT SYSTEM

The Board considered a timekeeping system to assist with paperwork as it relates to documenting time of volunteers and career personnel they provide the County.

Funding Source: Fire & Rescue CIP Account #80000-8152 \$71,500

Patrick J. Coffield, County Administrator, advised that this had been discussed at Monday's Staff Briefing. He noted the Augusta County School Board is using this system and Fire and Rescue felt that it could possibly work with the multitude of schedules and jobs performed by Fire and Rescue. In working with the School Board, they will be hosting the software on their server and because of "piggybacking" on their software; Fire and Rescue would not have to purchase the main program and this would reduce the overall cost of the project. The software company will allow for a 45-day trial; at which anytime during the trial phase, the purchase order could be canceled. It was noted that, with the School Board's assistance, the two-day on-site training (at a cost of \$5,500) may not be needed; therefore, lowering the cost to \$66,000.

Mr. Wills added that this program would be first used at the Verona Volunteer Fire Department and Company 10 to determine if it will work countywide. He felt it to be essential to have a timekeeping system and thanked the School Board for its assistance.

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TIME MANAGEMENT SYSTEM (cont'd)

Mr. Wills moved, seconded by Mr. Karaffa, that the Board approve the request in an amount not to exceed \$71,500.

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

Nays: None

Motion carried.

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AUGUSTA COUNTY WILDFIRE PROTECTION PLAN

The Board considered Implementation Phase of the Augusta County Wildfire Protection Plan.

Funding Source: Forestry funds \$40,000

Mr. Coffield advised that this had been discussed at the Staff Briefing on Monday and noted that the funds were provided from Federal funding.

Mr. Pattie moved, seconded by Mr. Shull, that the Board approve the Implementation Phase.

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

Nays: None

Motion carried.

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HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN

The Board considered a resolution approving Local Emergencies Plan Committee's (LEPC-Staunton, Augusta and Waynesboro) updated Plan.

Mr. Coffield advised that Donna Good, ECC Director, gave a thorough presentation at the Staff Briefing on Monday and noted that a resolution of approval was required by each governing body.

Mr. Karaffa moved, seconded by Mr. Shull, that the Board adopt the resolution.

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

Nays: None

Motion carried.

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FISHERSVILLE BASEBALL IMPROVEMENTS

The Board considered funding for Engineering Design Services (structural) related to the project to improve pedestrian access to rear ballfield.

Funding Source: Wayne District Infrastructure Account #80000-8017-83 \$850

Mr. Coffield reported that this had been discussed at Monday's Staff Briefing, noting that the funding was only for structural engineering design services associated with the project.

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FISHERSVILLE BASEBALL IMPROVEMENTS (cont'd)

Mr. Beyeler moved, seconded by Mr. Karaffa, 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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GOOSE CREEK ROAD (ROUTE 636) WATER MAIN

The Board considered installation of a water main along Goose Creek Road (Route 636) of oversizing the pipe in Phase 1 from an 8" to a 12" pipe size.

Funding Source: Wayne District Infrastructure Account #80000-8017-84 \$26,055

Chairman Moore reported that this had been discussed at the last Service Authority meeting and noted that property currently being developed was responsible for installing the required 8" pipe but he felt that it was important to upsize the line to 12". The total cost would be \$52,111 for Phase 1. Service Authority has agreed to fund one-half of the cost and Augusta County, if the Board so approves, would be responsible for the other half (\$26,055).

Mr. Karaffa 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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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

Considered minutes of the following meetings:

- Regular Meeting, Wednesday, September 11, 2013

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(END OF CONSENT AGENDA)

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pyles: Expressed to the public that tonight's meeting seemed to be moving quickly but explained that, at the Staff Briefing on Monday, these items were discussed thoroughly for over 4 hours.

Mr. Wills:

1. Special Staff Briefing – October 9th, at 3:00 p.m., to discuss Fire and Rescue Revenue Recovery sharing formula with Volunteer agencies.
2. Attended Western State Hospital Dedication Ceremony and asked that a letter of endorsement be sent to Jack Barber. Mr. Wills noted felt that this facility was more of a "living facility rather than a prison".

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MATTERS TO BE PRESENTED BY THE BOARD (cont'd)

- 3. Weyers Cave – asked if staff could prepare a report listing pros and cons for adding Weyers Cave to current MPO in order for VDOT Planning funds to be used to look at I-81/Route 256 interchange issues.

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COMMUNITY ACTION PROGRAM – STAUNTON, AUGUSTA, AND WAYNESBORO (CAP-SAW) – APPOINTMENT

Mr. Wills moved, seconded by Mr. Pyles, that the Board appoint John W. Swett to serve a 2-year term on the CAP-SAW Board, effective immediately, to expire September 24, 2015.

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

Nays: None

Motion carried.

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RECYCLING COMMITTEE – APPOINTMENT

Mr. Karaffa moved, seconded by Mr. Beyeler, that the Board accepts the resignation of Thomas J. Kelley and appoint Elizabeth P. Godfrey to serve an unexpired four-year term on the Recycling Committee, effective immediately, to expire September 24, 2015.

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

Nays: None

Motion carried.

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Chairman Moore: Reassessment Update was given at Monday’s Staff Briefing. Noted that notices will be mailed out tomorrow and that a special contact number had been given. The office will be manned from 7:30 a.m. to 5:30 p.m. Monday through Friday. Mr. Karaffa added that information will be posted on the website.

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MATTERS TO BE PRESENTED BY STAFF - NONE

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ADJOURNMENT

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

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

Nays: None

Motion carried.

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Chairman
H9-25min.13

County Administrator