

Regular Meeting, Wednesday, December 11, 2013, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Jeffrey A. Moore, Chairman
Larry J. Wills, Vice-Chairman
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

ABSENT: David R. Beyeler

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, December 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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Joseph Reilly, an eighth grader at S. Gordon Stewart Middle School, led us with the Pledge of Allegiance. Joseph loves Spanish, plays basketball, now, used to play football and may start soccer during the spring.

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

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VALLEY ALCOHOL SAFETY ACTION PROGRAM (VASAP) – ORDINANCE

This being the day and time advertised to consider AN ORDINANCE TO ADOPT Section 2-47 to the Augusta County Code, creating a new VASAP Policy Board with the addition of Lexington and the County of Rockbridge to the Valley Alcohol Safety Action Program.

Patrick J. Coffield, County Administrator, advised that a regional judge in the 25th Circuit has been traveling back and forth from Lexington, Staunton, and Augusta County Courts and proposed that the jurisdictions of Rockbridge County and Cities of Lexington and Buena Vista join our local agency versus being with Roanoke system. Miles Bobbitt, Executive Director, of VASAP distributed the Annual Report to the Board and was available to answer questions.

The Chairman declared the public hearing open.

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

Mr. Pyles moved, seconded by Mr. Pattie, that the Board adopt the following ordinance:

**AN ORDINANCE TO
ADOPT SECTION 2-47 TO THE AUGUSTA COUNTY CODE,
CREATING A NEW VASAP POLICY BOARD WITH THE ADDITION OF
LEXINGTON AND THE COUNTY OF ROCKBRIDGE TO
THE VALLEY ALCOHOL SAFETY ACTION PROGRAM**

WHEREAS, the Commonwealth of Virginia in the interest of highway safety has provided by law, programs for probation, education, and rehabilitation of persons charged with driving motor vehicles under the influence of alcoholic beverages and other self-

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VALLEY ALCOHOL SAFETY ACTION PROGRAM (VASAP) – ORDINANCE
(cont'd)

administered drugs, such programs being collectively known as Virginia Alcohol Safety Program or VASAP; and

WHEREAS, § 15.2-1300 of the Code of Virginia, as amended, authorizes local units of government to exercise their powers, privileges and authorities under a joint exercise of powers for the operation of a multi-jurisdictional venture; and

WHEREAS, § 18.2-271.2 of the Code of Virginia requires the establishment of a VASAP Commission and the Commission shall establish procedures for the operation of local Alcohol Safety Action Programs; and

WHEREAS, one of those programs known as Valley ASAP has been serving the City of Staunton, the City of Waynesboro, and the County of Augusta, providing probationer monitoring, education and treatment of persons charged with alcohol and drug offenses with all powers and duties granted to it by the laws of Virginia, and

WHEREAS, the program known as Valley ASAP will begin providing services to the City of Lexington, the City of Buena Vista, and the County of Rockbridge, providing probationer monitoring, education and treatment of persons charged with alcohol and drug offenses with all powers and duties granted to it by the laws of Virginia, and

WHEREAS, the City of Staunton, the City of Waynesboro, the County of Augusta, the City of Lexington, the City of Buena Vista, and the County of Rockbridge desire to establish jointly, said Policy Board.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS FOR THE COUNTY OF AUGUSTA that the County of Augusta does hereby join the City of Staunton, the City of Waynesboro, the City of Buena Vista, the County of Rockbridge, and the City of Lexington, to establish said Policy Board as administrative agent by adopting Section 2-47 to the Augusta County Code to read as follows:

§2-47. VALLEY ASAP POLICY BOARD

A. The board shall consist of not more than twelve (12) members. Two persons shall be appointed by the governing body of each participating locality and will serve for a term of three (3) years.

B. The officers of the Board shall consist of a Chairman, a Vice-Chairman, a Secretary-Treasurer, and such subordinate officers as may from time to time be elected or appointed by the Board. Each of said officers shall serve without compensation. The officer of Chairman and Vice-Chairman shall be held by members from different participating localities. Each officer shall be elected at the annual meeting of the Board to serve for a term of one (1) year unless sooner removed by the Board, or until his successor be elected and qualify.

C. The Board shall be responsible for the operation of the program within the participating localities, and shall hire and supervise an Executive Director who shall be responsible for implementing operational policies for the Program, hiring and supervising the staff of the Program, and controlling all revenue and expenditures of the Program.

D. Regular meetings of the Board shall be held quarterly and are open to the public. Special meetings may be called by the Chairman at his or her discretion or by any seven (7) board members upon five (5) days notice to all members in writing or by telephone of the time, place, and purpose of the special meeting. A simple majority of members of the Board shall constitute a quorum for transaction of any and all business.

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(cont'd)

E. The Executive Director shall prepare and submit a operating budget for approval by the Board each fiscal year. The budget shall include projected revenue from client fees and other available funds as deemed appropriate by the Board and operating expenses. The participating localities will at no time incur any costs for the operation of the Program. The Commission on VASAP shall be responsible for funding any deficit occurring in the operation of the Program.

F. The Commission on VASAP shall be responsible for conducting financial audits of the Program at such times as determined by the Commission.

G. The Executive Director shall prepare and submit an annual report for approval by the Board within ninety (90) days of the close of the fiscal year. The annual report shall be presented to the governing body of each participating locality after approval by the Board.

H. The Program shall be operated by the Board in compliance with the Commission on VASAP Policies and Procedures.

I. Title to all property acquired by Valley ASAP shall be vested within the Alcohol Safety Action Program so long as two (2) or more localities continue to participate in its operation. In the event that all localities withdraw and the Commission on VASAP withdraws its endorsement, the property owned by the Program shall be disposed of in accordance with the then applicable provisions of the Code of Virginia.

J. This agreement shall remain in effect continuously from year to year until termination. Participating localities may withdraw at any time by official action of the governing body and after ninety (90) days written notice to the Board. If a locality withdraws, its representative shall no longer serve on the Board.

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

Nays: None

Absent: Beyeler

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Edward Carter, of Craigsville, expressed dissatisfaction of Law Enforcement in regards to problems he has been experiencing on his property and asked that the Sheriff come before the Board to say the Pledge of Allegiance expressing "Justice for All". Chairman Moore expressed that the Board did not have authority to instruct the Sheriff in how to run his department. Patrick Morgan, County Attorney, confirmed that the Sheriff is an independent constitutional officer and the State Code reflects that the Board does not have authority over the Sheriff. Chairman Moore suggested that Mr. Morgan provide the State Code that reflects that information.

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ROBINSON, FARMER, COX ASSOCIATES – AUDIT

The Board Received a presentation of 2013 Augusta County Comprehensive Annual Report.

Jennifer M. Whetzel, Director of Finance, introduced James Kelly, of Robinson, Farmer, Cox Associates.

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ROBINSON, FARMER, COX ASSOCIATES – AUDIT (cont'd)

Mr. Kelly gave a PowerPoint presentation with the following highlights:

Summary of Audit Results

- Type of Opinion Received
 - Unmodified
 - No significant deficiencies in the internal control system and no Single Audit Findings
 - Management letter issued to document our recommendations; majority of comments were implemented before final field work
- Highlights of Financial Statements
 - Management's Discussion and Analysis
 - General Fund balance increased \$774,005 to over \$15 million
 - \$12.3 million of fund balance is unrestricted
 - Over \$12 million transferred out for capital projects and debt service
 - The Governmental Funds ended year with over \$45 million in cash and investments
 - GFOA Certificate for Excellence in Financial Reporting for 15th consecutive year

Financial Trends

- Summary Financial Data
 - Select Historical Financial Data – Fund Balance for the last 5 years is shown. Unreserved and Unassigned Fund Balance has remained constant for the last 5 years. Noted debt per capita of the County is \$869; State average \$2,700.
- Charts and Graphs (red: amount of debt County had at end of year; blue: amount of unassigned fund balance, which is basically 20% of the debt that the County had outstanding)
 - General Government Fund Balance and Debt
 - Revenue Sources (property taxes is largest revenue of the County and has increased approximately \$5 million in the last 5 years; funding from the Commonwealth has decreased over the past 5 years)
 - Functional Expenditures (Education is the highest expenditure, followed by Public Safety and Health and Welfare. Public Safety has increased due to grant funding.)
 - Revenue Source Percentages 2009 & 2013 (In 2013, 49% of County revenue is from Property Taxes and 17% is from the Commonwealth. In 2009, over 20% was from the Commonwealth and 48% from Property Taxes. Other sources remain fairly constant from year-to-year.)
 - Original Tax Assessments (Personal Property Machinery & Tools is constant for the last 5 years with a slight increase in the real estate assessment.)
 - Augusta Co. Schools – Revenue Sources (VRS Pension Funding, as of June 30, 2012, yellow: estimated liability for the County; green: value of the investments with VRS.) Mr. Kelly added that, in two years, there is a new standard that a liability for the difference between the yellow line and green line will have to be reported.

Mr. Pyles questioned the “collected taxes for one-half of a year”. He did not remember seeing this reported in the past. Mr. Kelly said there had been a discussion before issuing the report. The reviewers for the GFOA have commented for the last two years about having the tax years on the calendar year even though the revenues are fiscal year (second half of 2012, first half of 2013 for FY2013). The decision was made to show the table that way to receive comments. Mr. Pyles felt it to be a little confusing.

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ROBINSON, FARMER, COX ASSOCIATES – AUDIT (cont'd)

Ms. Whetzel said it had been changed to calendar year. It had been on a fiscal year. It does change the presentation that what was assessed and billed in 2013. “Technically, by June 30th, we’ve only collected the first half.”

Patrick J. Coffield, County Administrator, explained that the actual cash fund balance is closer to \$6 million; the \$15 million referenced is correct, by auditing standards, but it includes tax receivables.

Mr. Pyles added, “We’ve set a standard at which we want to hold our reserves 15%. I don’t think that’s an overly conservative amount. It’s a fair amount. What we don’t do is what the State does with their rainy day fund – up and down like crazy. We have a good stable way of doing our business.” Ms. Whetzel noted that the fund balance is approaching the 15% threshold so we need to be mindful of this in the future.

Mr. Kelly introduced Saidee Begoon, his assistant, who helped with the presentation.

Mr. Karaffa felt it significant that the debt per capita shows “how much we do focus on making sure our debt stays low”.

Mr. Wills moved, seconded by Mr. Pattie, that the Board accept the 2013 Augusta County Comprehensive Annual Financial Report as presented.

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

 Nays: None

 Absent: Beyeler

Motion carried.

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MILL PLACE BUSH HOGGING

The Board considered bush hogging for Mill Place Commerce Park.

Timmy Fitzgerald, Director of Community Development, said there has been many discussions about the maintenance of Mill Place property. The lease was terminated on November 30, 2013. Bush hogging is needed. A memorandum was distributed to the Board indicating the lowest bid was from Pleasant View Lawn in the amount of \$6,240. He indicated it would take approximately 11 days for completion of bush hogging 184.7 acres. Funding for this work can come from the budget line-item for County Farm Ag Supplies and Maintenance (#83050-6003).

Mr. Shull moved, seconded by Mr. Wills, that the Board award the bid to Pleasant View Lawn in an amount not to exceed \$6,240.

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

 Nays: None

 Absent: Beyeler

Motion carried.

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WILSON SCHOOL COMPLEX

The Board considered acceptance of surplus parcel.

Mr. Fitzgerald advised that this was discussed at the last Board meeting as a request from the School Board to accept Buildings 1 through 6 at the Woodrow Wilson Complex. There had been some questions regarding Brownfield grants. Staff looked at the grant and learned that approximately 61 clean-up Brownfield grants are going to be issued totaling approximately \$14 million. Another question was as to who it would be more beneficial (either the County or the School Board) to submit an application for funding. The Brownfield grant guidelines defines applicants as a “general purpose unit for local government”. It was determined that there would be no difference between the School Board or the County being the applicant. It is all considered as local government; therefore, the scoring criteria is no different between the two. Regarding a separate question, staff looked at the option of expanding the parcel into the parking lot next door and it was determined they could not because of the current Zoning Ordinance.

Mr. Pattie asked if the County had any parking rights on that property. Mr. Fitzgerald said the School Board would continue to own that property. Mr. Coffield said there was some parking between the buildings.

Mr. Pyles asked what can be done with the land. Mr. Coffield said that private-sector use of the property was not likely, that a number of possibilities for future use existed. Among the parties interested in the property could be the nearby Woodrow Wilson Rehabilitation Center, Parks and Recreation, and Shenandoah Valley Social Services. Mr. Pyles asked what the cost would be for the demolition of the buildings. Mr. Coffield said that he has asked staff to research that issue. Mr. Pattie asked if it was going to be boarded up or if the County was committed to tear it down. Mr. Coffield said that recommendations will be forthcoming and submitted to the Board for guidance.

Mr. Pyles moved, seconded by Mr. Karaffa, that the Board approve the acceptance of surplus parcel.

Mr. Pyles said that it was more appropriate for the Board to deal with this than an Education group. “The funding all comes from the same people.”

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

Nays: None

Absent: Beyeler

Motion carried.

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BOARDS AND COMMISSIONS APPOINTEES

The Board considered appointment/reappointment dates to coincide with staggered terms.

Patrick J. Morgan, County Attorney, advised that he had been asked by the Board to research the various Boards and Commissions that the Supervisors have appointment power over to see if they could adjust the terms so that they could either coincide with the Board terms or, perhaps, six months offset the four-year terms. He learned that the State allows for the terms associated with the following appointments can be adjusted:

1. **Agricultural & Forestal District Advisory Committee** (consisted of 4 landowners engaged in agricultural or forestall production, 4 other land owners, 1 member of the Governing Body, and the Commissioner of Revenue) – **Term:** At the pleasure of the Board of Supervisors.

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BOARDS AND COMMISSIONS APPOINTEES (cont'd)

2. **Agricultural Industry Board** (membership was established by the Board of Supervisors as an advisory group) – **Term:** It appears that the Board of Supervisors could adjust this any way it wants, but he recommended an ordinance change to accomplish it.
3. **Building Code Appeals Board** (5 members whose qualifications are set forth in the Statewide Building Code) – **Term:** Staggered 5-year terms as established in the Statewide Building Code. Board of Supervisors cannot adjust.
4. **Economic Development Authority** – (7 Directors, no provision that they come from a particular magisterial district) – **Term:** Staggered 4-year terms from date the EDA was established, set out in State Code. Board of Supervisors cannot adjust.
5. **Planning Commission** – (No less than 5 or more than 15 members whom are residents of the locality qualified by knowledge and experience to make decisions concerning community growth no provision that they come from a particular magisterial district ½ of the membership must be landowners) – **Term:** 4 years staggered; however, the Board of Supervisors may establish different terms of office for subsequent appointments including concurrent terms with the Board members.
6. **Service Authority** – (7 member Board) – **Term:** Up to 4 years. Nothing in the Articles of Incorporation or the Bylaws suggests that the Board of Supervisors cannot stagger the terms of Service Authority Members to accommodate the Board of Supervisors staggering its terms. Bylaws state that members of the Service Authority are appointed to four-year terms, but do not state specific timing of the terms. If the Board of Supervisors adjusts the terms of the Service Authority members, the Service Authority should probably amend their Bylaws.

Mr. Wills clarified that Planning Commission, Service Authority, Agriculture Industry Board, Library Board, Parks and Recreation, and Recycling Committee are appointed by Magisterial Districts. He noted that Economic Development Authority is also appointed by Magisterial Districts but that adjustment cannot be made on that particular board. Mr. Wills felt that these appointments should coincide six months from the beginning of the fiscal year immediately following the election of that supervisor. That would give six months leeway for the Supervisor to “get a feel for the individual that is on the Board, but it also gives the Board member time to find someone new to replace that individual if he/she so desires”.

Mr. Wills moved, seconded by Mr. Karaffa, that the Board approve modifying the terms for appointees that are by Magisterial Districts to begin six months following the election of that particular supervisor (June 30, 2016).

Chairman Moore said that the Service Authority is one board, in terms of economic development and growth opportunities, that it is important that both boards be on the same “thinking path”. He understood the thought of the “six-months” following the election.

Mr. Pyles felt that this was a good policy on things that are particular to the Magisterial District “to have a sympathetic person it is understood that Elections can, and often do, have consequences.” He asked for clarification on how to move forward given how the staggered terms are going to occur and how to replace people to make it effective.

Mr. Wills suggested that any appointment made hereafter that the term be set to coincide with that particular date of that supervisor. Mr. Pyles expressed problems with a four-year term. Mr. Wills explained that it would be “up to four years”. Mr. Coffield

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BOARDS AND COMMISSIONS APPOINTEES (cont'd)

distributed information to the Board reflecting staggered terms for Beverley Manor, Middle River and Pastures. Mr. Pyles asked that the motion be changed to reflect that any appointments made from this point on can be done in a manner that makes this effective.

Mr. Karaffa explained to the audience that at the time of the election of the current Board, one of the points that was brought up at many campaigns was to bring staggered terms for the Board of Supervisors so that an entire new board is not elected all at once. The Board changed it so that when a new supervisor is elected, six months after that election occurs, all of the Boards and Commissions appointees are up for either reappointment or replacement so that it allows the new supervisor, who is elected, to make that determination.

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

Nays: None

Absent: Beyeler

Motion carried.

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WATER AND SEWER – POLICY

The Board considered water/sewer waiver policy.

It was the consensus of the Board to defer this item to January 8, 2014 meeting.

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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:

- Staff Briefing Meeting, Monday, November 25, 2013
- Regular Meeting, Tuesday, November 26, 2013

CLAIMS

Approved claims paid since November 13, 2013.

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

Nays: None

Absent: Beyeler

Motion carried.

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

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pyles:

1. Thankful for many things, especially, as a Supervisor, thankful for the employees of the County. "They do a heck of a job; they do it quietly; they do it professionally."
2. Board of Supervisors has done an "adequate job" this year. "County has been well-served." Commended the Chairman for "doing a great job this year".
3. Merry Christmas!

Mr. Wills:

AUGUSTA COUNTY SERVICE AUTHORITY - REAPPOINTMENT

Mr. Wills moved, seconded by Mr. Shull, that the Board reappoint Tracy C. Pyles, Jr. to serve a term on the Augusta County Service Authority, effective January 1, 2014, to expire June 30, 2016.

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

Nays: None

Absent: Beyeler

Motion carried.

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AUGUSTA COUNTY PLANNING COMMISSION - REAPPOINTMENT

Mr. Pattie moved, seconded by Mr. Karaffa, that the Board reappoint Eric M. Shipplett to serve a term on the Planning Commission, effective January 1, 2014, to expire June 30, 2016.

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

Nays: None

Absent: Beyeler

Motion carried.

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AUGUSTA COUNTY SERVICE AUTHORITY - REAPPOINTMENT

Mr. Pattie moved, seconded by Mr. Shull, that the Board reappoint Larry J. Wills to serve a term on the Augusta County Service Authority, effective January 1, 2014, to expire June 30, 2016.

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

Nays: None

Absent: Beyeler

Motion carried.

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

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

Mr. Wills: Organizational Meeting, January 2, 2014 is the same date and time as School Board regular meeting. He asked the Board for input as to either changing date, time, or location of meeting.

Information was distributed to the Board of how organizational meetings had been handled previously.

Mr. Pyles moved, seconded by Mr. Karaffa, that the Organizational meeting be changed to January 8th at 7:00 p.m. to precede the regular meeting. Mr. Shull notified the Board that he would not be present at that meeting.

Mr. Pyles withdrew the motion.

Mr. Pyles moved, seconded by Mr. Shull, that the Organizational meeting time be changed to 6:00 p.m. on January 2nd and adopt the following resolution:

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

WHEREAS, by resolution adopted at its organizational meeting on January 2, 2013, the Board of Supervisors of Augusta County, Virginia established a schedule for its meetings during 2013 and the Board's 2014 organizational meeting.

WHEREAS, pursuant to the established schedule, the Board of Supervisors is scheduled to conduct an organizational meeting on Thursday, January 2, 2014, at 7:00 p.m.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AUGUSTA COUNTY, VIRGINIA that its organizational meeting scheduled on Thursday, January 2, 2014, at 7:00 p.m. be, and hereby is rescheduled for Wednesday, January 2, 2014, at 6:00 p.m.

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

Nays: None

Absent: Beyeler

Motion carried.

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Mr. Shull:

1. Welcomed Riverheads students present tonight.
2. Echoed Mr. Pyles' remarks about staff – "Appreciate the things that they do. Merry Christmas and a Happy New Year!"
3. Problem of Wildlife not returning to its native habitat – asked if this could be looked into and have as a topic for a future Staff Briefing meeting.
4. Mr. Beyeler – thoughts and prayers with him for a full recovery.
5. Merry Christmas!

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Mr. Karaffa:

AUGUSTA COUNTY PLANNING COMMISSION - APPOINTMENT

Mr. Karaffa moved, seconded by Mr. Pyles, that the Board appoint Christopher M. Foschini to serve a term on the Augusta County Planning Commission, effective January 1, 2014, to expire June 30, 2016.

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

AUGUSTA COUNTY PLANNING COMMISSION – APPOINTMENT (cont'd)

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

Nays: None

Absent: Beyeler

Motion carried.

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1. Reiterated Mr. Shull's comments. "We appreciate Mr. Beyeler's comments to this Board."
2. Thank you Mr. Chairman for your service this year.
3. Merry Christmas

Chairman Moore: As Chairman, has enjoyed serving the community and this Board in this position.

AUGUSTA COUNTY SERVICE AUTHORITY - APPOINTMENT

Mr. Karaffa moved, seconded by Mr. Pyles, that the Board appoint Marshall W. Pattie to serve a term on the Augusta County Service Authority, effective January 1, 2014, to expire June 30, 2016.

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

Nays: None

Absent: Beyeler

Motion carried.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. Fire and Staff – Christmas Open House on December 19th from 10:00 a.m. to 4:00 p.m. – Board is invited.
2. VRS Audit – "rates will be published"
3. Virginia Judicial Workload Assessment Report available. Summary: Augusta County, Circuit Court "currently working 1.3 positions less than recommended standard; General District .8 position over standard; J&D Court is 1.3 over the standard. Hopes that General Assembly will address the needs.

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CLOSED SESSION

On motion of Mr. Wills, seconded by Mr. Pyles, the Board went into closed session pursuant to:

- (1) **the personnel exemption under Virginia Code § 2.2-3711(A)(1)** [discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:

A) Boards and Commissions

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CLOSED SESSION (cont'd)

(2) the 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)

(3) 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) Middle River Regional Jail
- B) Rt. 636 railroad crossing easement

On motion of Mr. Wills, seconded by Mr. Shull, the Board came out of closed Session.

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

 Nays: None

 Absent: Beyeler

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 and Pyles

NAY: None

ABSENT: Beyeler

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

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ADJOURNMENT

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

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

 Nays: None

 Absent: Beyeler

Motion carried.

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Chairman

County Administrator