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Regular Meeting, Wednesday, March 26, 2014, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Larry J. Wills, Chairman  
Michael L. Shull, Vice-Chairman  
Carolyn S. Bragg  
David A. Karaffa  
Jeffrey A. Moore  
Marshall W. Pattie  
Tracy C. Pyles, Jr.  
Timmy Fitzgerald, Director of Community Development  
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, March 26, 2014, 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 Wills welcomed the citizens present.

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Jared Miller, Casey Gailey, Jonah Taylor, Mia Windley, Mitchell Whigham, Charley Moody, Tyler Hamrick, Mary Desmond, John Bussard, Taylor Clark, Kelsey Morris, Chapman Earhart and Virginia Cline, seniors from the Riverheads High School, led us with the Pledge of Allegiance.

Mary plans to attend William and Mary and earn a degree in Broadcasting. She participates in soccer, drama and track.

Casey hopes to attend Longwood University as a Biology Major. She is in the National Honor Society, Foreign Language Honor Society and the Drama Club.

Jared plans on attending Virginia Tech and pursue a Civil or Construction Engineering degree. He participates in the Varsity Basketball and Football programs and has been accepted in the National Honor Society.

Kelsey plans on attending Blue Ridge Community College and transferring into James Madison University and going into the ICE program and majoring in Special Education. She volunteers at Stuarts Draft Elementary School in the Head Start program.

Virginia plans on attending Blue Ridge Community College for two years and transferring into George Mason University. She volunteers at Riverheads Elementary School as a student teacher. She hopes to get a degree in teaching and major in Criminology.

Mitchell plays tennis and runs winter track. He is a member of the National Honor Society and will be attending the University of Central Florida to study Biology.

Taylor is a Varsity Cheer Captain, plays Varsity Soccer and plans on attending Blue Ridge Community College and transferring into a program at Piedmont College to study Diagnostic Medical Stenography.

Charley plans on attending Radford University studying Health and Exercise Science. She has been the Captain for Varsity Softball team for two years and ran cross country for three years.

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Chapman plans on attending Virginia Tech for the Ag-Tech program and pursue a career in Agriculture. He is currently the FFA President.

John plans on attending Blue Ridge Community College studying Mechatronics.

Tyler plans on joining the Marine Corps after graduation.

Mia plans on attending Blue Ridge Community College and transferring to Roanoke College into the Medical field. She enjoys playing football.

Jonah attends the Governor's School and plans on attending West Virginia University to major in Petroleum Engineering.

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

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Chairman Wills welcomed Boy Scouts of America Troop 8. Scout Leader Wayne Young introduced the Troop members and reported that they were in attendance for their Citizenship Community Merit Badge.

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**RECOGNITION OF EMPLOYEES' PERFECT ATTENDANCE 2013**

Chairman Wills announced that the following employees achieved perfect attendance for 2013. There are approximately 385 employees currently participating in the County's annual and sick leave program. There were a total of 61 employees who did not miss a day in 2013. For 2012, the total was 38; 2011, the total was 44; 2010 -- 49; 2009 -- 54; and 2008 -- 45. Chairman Wills commended these employees for their outstanding service:

- |                       |                           |                            |
|-----------------------|---------------------------|----------------------------|
| Angela Michael        | John W. Cook (7)          | Christopher Hoover         |
| Derek T. Almarode (4) | Timothy K. Fitzgerald (3) | Amanda Irvine              |
| Linda T. Beathe (5)   | Chris Shaver              | Keith A. Beatty (2)        |
| Benjamin Brown        | James Eavey               | Joe Thomas                 |
| Paul T. Fox (2)       | Anthony Rose              | Michael "Greg" Schacht (5) |
| Jack Holt (2)         | Michael Johnson (2)       | Joyce Johnson (2)          |
| Matthew R. Carter (2) | Bruce A. Hull (3)         | Aaron M. Leveck (4)        |
| Donald L. Smith (3)   | Douglas O. Cole (2)       | Robert E. Hammersberg (2)  |
| Caleb Fine            | Michael Hall              | Nelson A. Ailer (3)        |
| Aaron Fletcher        | Rebekah Hite              | John M. Wieger (2)         |
| Kenneth W. Brown (4)  | Bradley A. Young (6)      | Travis Moyers              |
| Travis Halterman      | Paul "Nathan" Ramsey (11) | Anthony W. Puckett (4)     |
| Phil Sibold, Jr. (7)  | Michael T. Swortzel (4)   | Robert I. Misker (4)       |
| Aaron Bryant          | Charles Earley            | Kevin McWhorter            |
| Chris Potter          | Matthew Vincent           | Lee Gill                   |
| Joy Mauzy             | Larry Wagoner             | Ashley Thorne              |
| Becky Coyner          | Andrew Heizer             | Patrick Fuchs              |
| Eddie Carter          | Kenny Randozzo            | George Cox                 |
| Paul McCormick        | Wayne Surface             | Jerry Shifflett            |
| Don Moran             | Joe Sholes                | David Lotts                |
| Rachel Sexton         |                           |                            |

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**BOARDS AND COMMISSIONS CERTIFICATES OF APPRECIATION**

Chairman Wills recognized the following individuals and expressed his appreciation in their outstanding work to enable the County to be a better place to live:

- |                      |       |         |
|----------------------|-------|---------|
| Melissa Meyerhoeffer | VCSB  | 3 years |
| Kim Hull             | CSPDC | 5 years |
| John McGehee         | CPMT  | 4 years |
| Keith Sprouse        | BRCJB | 2 years |

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BOARDS AND COMMISSIONS CERTIFICATES OF APPRECIATION (cont'd)

Marcia Elliott	Library	6 years
Nicole Medina	VCSB	3 years
Lynn Coyner	VCSB	2 years
Jeremy Shifflett	ACSA	2 years
Kendra Beyeler	Youth	3 years
Thomas J. Kelley	Recycling	1.5 years
Richard Baldwin	CAP-SAW	4 years
Holly Herman	Youth	13 years
Wayne Hite	PC	10 years 4 mos.
Larry Howdyshell	ACSA	11 years 8 mos.

Vice-Chairman Shull presented certificates to those individuals who were present.

Mr. Howdyshell, former Board of Supervisor member, thanked the Board. "I know you all have a tough job and appreciate you putting yourself out in the line of fire." He also commended staff. "I enjoyed my time with the Board. I enjoyed my time with the Service Authority. There's a lot to learn. I wish every citizen could have the opportunity to sit in your chair for a while. Then they would understand all the little nuts and bolts it takes to make this County tick."

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MAVRIC, LLC - REZONING

This being the day and time advertised to consider a request to rezone from Single Family and General Agriculture to Single Family Residential with proffers approximately 25 acres owned by MAVRIC, LLC, located on the east side of East Side Highway (Route 340) approximately 0.4 of a mile north of the intersection of East Side Highway (Route 340) and Turk Mountain Lane (Route 672) and adjacent to Vesper View and Northwood Subdivisions (Middle River District). The Planning Commission recommends approval with proffers.

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

1. No more than 52 lots will be created out of the 25 acre parcel.
2. The minimum square footage for single-family dwellings will be 1200 square feet.
3. A public street connection will be provided to existing Forgotten Lane.

A Concept Plan was displayed indicating a connection made to Forgotten Lane, which is a private road that runs approximately on the line of the property; although, it does weave in and out on adjacent properties.

4. The street system will be in general conformance with the Concept Plan prepared by EGS & Associates and dated February 7, 2014. The initial phase of this development will make the street connections with Lady Slipper Drive and Cedar Crest Drive. Subsequent sections will connect to the initial phase of development. In no case, shall Venus and Viburnum Drives provide the only access to this development.
5. No lot created out of this 25 acres shall have direct lot access to Forgotten Lane.
6. At final plat stage, a determination will be made as to whether or not the lots being created will have sufficient fire flow to meet the current requirements of the Augusta County Code. If it is determined that the section being platted does not meet the fire flow standards, then the plat of such subdivision, every deed of subdivision and every deed of conveyance of any lot or parcel of land not having the required fire flow, shall contain a statement as follows: "It is recognized that as

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MAVRIC, LLC – REZONING (cont'd)

of the recordation date of this plat, there was not adequate fire flow to meet the fire flow requirements of the Augusta County Code”.

Public water and sewer are available. This is in the Urban Service Area and is slated for Medium Density Residential development.

Jeff Gentry, of EGS & Associates, reiterated that before the Board is a Concept Plan that shows approximately 45 lots which are similar to lots in Northwood and Vesper Subdivisions for consistency in terms of lot width. They did provide the four connections to the adjacent streets, which are public; three of those provide access out to Route 340 where there are right and left turn-lanes on Route 340 existing. Water and sewer will be provided to the lots and to the adjacent tracts, which are in the Urban Service Area in the County's Comprehensive Plan; as well as providing another point of access for Forgotten Lane out to the public street. As far as drainage, they will be in compliance with the Augusta County Code. He was available to answer questions the Board may have.

The Chairman declared the public hearing open.

Jay Price, 1449 Eastside Highway, stated that he had no problems with the proposal; however, he expressed concern for drainage runoff. He suggested that adjacent landowners be allowed to express their opinions before additional development is approved.

Tim Hutchinson, representative for his son, who lives in the cul-de-sac off of Venus Drive, expressed drainage concerns in the low lying areas and questioned when to stop development because of road maintenance, school population and water services for fire. He asked if a water tower would be available to provide extra water pressure. He noticed from the Concept Plan that the cul-de-sac would be straightened and asked for an explanation.

Mr. Gentry explained, in regards to the cul-de-sac, that it depended on how it was platted. They could be in right-of-way or in a form of an easement; regardless, it would be straightened out and the turnarounds would be vacated. If there is a right-of-way or easement to be vacated, it would be the Board of Supervisors' decision to vacate and revert that property back to the property owners. Yes, the turnaround would be taken out. In terms of water and sewer, many years ago the County upgraded the Vesper View Treatment Plant, which has ample connections to serve the lots. The fire flow issue is a regional issue for the Dooms and Crimora area and he felt that it would take more than one developer to solve that problem. As far as school impact, with the economy, the subdivision will be gradually phased in and he did not feel it would be a problem. He pointed out that, just because of it being a subdivision, it did not mean that there would be two children per lot. As far as road maintenance, that would be a VDOT issue.

Glenn Royer, 38 Venus Drive, lives beside Forgotten Lane, which is a gravel road. He asked what would happen if improved and expressed concern of heavier traffic. Chairman Wills explained that another connection is proposed that would be paved and, hopefully, be used more than Forgotten Lane near his house and that it would improve the situation.

Mr. Price asked for the timeline of the project before any additional development occurs.

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

Timmy Fitzgerald, Director of Community Development, said that the drainage would be built in accordance with the new Stormwater Management regulations based on the time

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MAVRIC, LLC – REZONING (cont'd)

frame of construction. This will address quality and quantity. The roadside ditches will be up to VDOT for maintenance along with the roadway itself. All of these roads are scheduled to be public streets and when they meet the VDOT requirements, they will be taken into the secondary road system. The existing cul-de-sacs will be removed and the roadway will be straightened. He noted that they are likely in a right-of-way and would not be turned over to the adjacent landowner because of the need for room for maintenance for VDOT. If an easement, it would revert back to the landowners would have use of it.

Chairman Wills reported that the developer has worked well with staff to meet the needs and concerns that have been expressed. He felt that the ordinances are in place to meet the concerns of the residents who have spoken tonight. He realizes that citizens are concerned with additional development but noted that this is in an area designated for development. Chairman Wills also noted that available connections are at the Treatment Plant and the Tanker Strike Force is available to handle the fire flow issues.

Mr. Moore moved, seconded by Mr. Karaffa, that the Board adopt the following Ordinance with proffers:

**ORDINANCE**

A REQUEST TO REZONE FROM SINGLE FAMILY AND GENERAL AGRICULTURE TO SINGLE FAMILY RESIDENTIAL WITH PROFFERS APPROXIMATELY 25 ACRES OWNED BY MAVRIC, LLC, LOCATED ON THE EAST SIDE OF EAST SIDE HIGHWAY (RT. 340) APPROXIMATELY 0.4 OF A MILE NORTH OF THE INTERSECTION OF EAST SIDE HIGHWAY (RT. 340) AND TURK MOUNTAIN LANE (RT. 672) AND ADJACENT TO VESPER VIEW AND NORTHWOOD SUBDIVISIONS IN THE MIDDLE RIVER 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, 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 **80** on tax map number **59** containing a total of approximately 25 acres is changed from Single Family Residential and General Agriculture to Single Family Residential with the following proffers:

1. No more than 52 lots will be created out of the 25 acre parcel.
2. The minimum square footage for single-family dwellings will be 1200 square feet.
3. A public street connection will be provided to existing Forgotten Lane.
4. The street system will be in general conformance with the Concept Plan prepared by EGS & Associates and dated February 7, 2014. The initial phase of this development will make the street connections with Lady Slipper Drive and Cedar Crest Drive. Subsequent sections will connect to the initial phase of development. In no case, shall Venus and Viburnum Drives provide the only access to this development.

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MAVRIC, LLC – REZONING (cont'd)

5. No lot created out of this 25 acres shall have direct lot access to Forgotten Lane.
6. At final plat stage, a determination will be made as to whether or not the lots being created will have sufficient fire flow to meet the current requirements of the Augusta County Code. If it is determined that the section being platted does not meet the fire flow standards, then the plat of such subdivision, every deed of subdivision and every deed of conveyance of any lot or parcel of land not having the required fire flow, shall contain a statement as follows: "It is recognized that as of the recordation date of this plat, there was not adequate fire flow to meet the fire flow requirements of the Augusta County Code".

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

Nays: None

Motion carried.

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KENNETH RAY BRADLEY, JR. – AMEND PROFFERS

The Board considered a request to amend the proffers on approximately 7.6 acres currently zoned General Business owned by Kenneth Ray Bradley, Jr., located on the west side of East Side Highway (Route 340) just north of the City Limits of Waynesboro (Wayne District). The Planning Commission recommends approval of amended proffers.

Ms. Earhart displayed property outlined in blue. She noted that the property shaded in red is already zoned General Business. At the time the property was rezoned to General Business in 1995, it was with the limitation that there would only be one entrance on the property. When it was developed prior to Mr. Bradley's purchase of the property, it was developed with a new commercial entrance, with a residential structure on the property which has been rented for years with a driveway. When Mr. Bradley purchased the property in December, he learned of the problem but asked that the house remain as a residential structure. He did not want the residential traffic mixed with the commercial traffic; therefore, he submitted the following proffers:

1. Access to this property will be limited to a single commercial entrance. At such time as the use of the existing residential dwelling is converted to any other use, the driveway entrance will be closed and CG-6 will be installed to insure adequate drainage for Route 340. As long as the dwelling is used for residential purposes, there will be physical barrier, such as concrete barriers or posts placed 4' apart, between the business use and the driveway for the house.
2. If there is ever a lot created off this property, an access easement will be granted to utilize the northern most entrance on Parcel 68B (1) F.

The property is zoned General Business and is in an Urban Service Area, slated for Business development. Public water and sewer are available.

Tom Shumate, Jr., representative for Mr. Bradley, was available to answer questions.

The Chairman declared the public hearing open.

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

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KENNETH RAY BRADLEY, JR. – AMEND PROFFERS (cont'd)

Mr. Moore moved, seconded by Mr. Karaffa, that the Board adopt the following ordinance:

**ORDINANCE**

A REQUEST TO AMEND THE PROFFERS ON APPROXIMATELY 7.6 ACRES OWNED BY KENNETH RAY BRADLEY, JR. CURRENTLY ZONED GENERAL BUSINESS LOCATED ON THE WEST SIDE OF EAST SIDE HIGHWAY (RT. 340) JUST NORTH OF THE CITY LIMITS OF WAYNESBORO 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:

The proffers on Parcel number **F** on tax map number **68B(1)** containing a total of approximately 7.6 acres are amended as follows:

1. Access to this property will be limited to a single commercial entrance. At such time as the use of the existing residential dwelling is converted to any other use, the driveway entrance will be closed and CG-6 will be installed to insure adequate drainage for Route 340. As long as the dwelling is used for residential purposes, there will be physical barrier, such as concrete barriers or posts placed 4’ apart, between the business use and the driveway for the house.
2. If there is ever a lot created off this property, an access easement will be granted to utilize the northern most entrance on Parcel 68B (1) F.

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

Nays: None

Motion carried.

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ZONING ORDINANCE SECTION 25-664 NONCONFORMING LOTS

The Board considered an amendment to Section 25-664 of the Augusta County Code to allow the boundary lines of a nonconforming lot to be changed provided the resulting lot is a conforming lot or the nonconformity has not been substantially increased, will not be of substantial detriment to adjacent property and will not change the character of the district

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ZONING ORDINANCE SECTION 25-664 NONCONFORMING LOTS (cont'd)

the lot is in. Currently, the boundary lines of a nonconforming lot can only be changed if the resulting lot is a conforming lot or the nonconforming lot is no less conforming than the original lot. The Planning Commission recommends approval of the amendment to the Ordinance.

Ms. Earhart displayed an example which indicated that the existing lot had a diagonal line that the applicant wanted to straighten. In doing so, the straight line was less, resulting to a larger nonconformity. This ordinance would allow such situations to be approved by staff and not require the property owner to come before the Board of Zoning Appeals for approval.

The Chairman declared the public hearing open.

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

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

**AN ORDINANCE TO  
TO AMEND SECTION 25-664  
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend Section 25-664 of the Augusta County Code;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that the Section 25-664 of the Augusta County Code is amended to read as follows:

**§ 25-664. Nonconforming lots.**

A. A nonconforming lot is one of the following:

1. A lot lawfully existing at the time of a change in zoning district or change in district regulations, which is or may hereafter become nonconforming with respect to the applicable district regulations by virtue of said change.

2. A lot lawfully existing at the time of a condemnation or other acquisition by an entity with condemning authority, which becomes nonconforming with respect to the applicable district regulations by virtue of said condemnation or other acquisition.

B. The boundaries of a nonconforming lot shall not be changed so that the resulting lot is anything less than:

1. A conforming lot when a conforming lot is possible; or

2. A nonconforming lot, when a conforming lot is not possible, ~~and the resulting lot is no less conforming than the original lot.~~ **the nonconformity has not been substantially increased, and will not be of substantial detriment to adjacent property and will not change the character of the district the lot is in.**

C. Any new development or use on a nonconforming lot shall comply with all setback and yard requirements applicable in the zoning district in which such lot is located; except that where the nonconforming lot does not have the minimum lot width at the setback line, minimum side yards adjacent to a street shall be not less than twenty feet (20') and all other side yards shall be not less than ten feet (10').

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

Nays: None

Motion carried.



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ZONING ORDINANCE SECTION 25-672 SITE PLAN REQUIREMENTS

The Board considered an amendment to Section 25-672 of the Augusta County Code to provide the Board of Zoning Appeals with discretion whether to require a site plan for any new structure permitted by special use permit. Currently, a site plan is required for all new structures permitted by special use permit. The Planning Commission recommends the site plan provisions in the Zoning Ordinance not be amended.

Ms. Earhart explained that the proposed amendment would require a full site plan for new buildings only if the Board of Zoning Appeals requires them of new businesses in the agricultural areas. The Planning Commission does not recommend approval.

The Chairman declared the public hearing open.

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

Mr. Karaffa stated that this ordinance amendment is suggested in response to a business owner in the rural part of the County who had a separate lot consisting of building storage. The sole purpose of the storage building was for business, not agricultural use. The site plan that would be needed with the current ordinance would be very costly.

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

**AN ORDINANCE TO  
TO AMEND SECTION 25-672  
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend Section 25-672 of the Augusta County Code;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that the Section 25-672 of the Augusta County Code is amended to read as follows:

**§ 25-672. Site plan review required.**

A. Site plan review shall be required, in addition to any other applicable requirements of this chapter, before building permits, occupancy permits, zoning certificates, or zoning permits may be issued in the following cases:

1. Any development or use in any Multiple Residential Dwelling District.
2. Any development or use in any Business District.
3. Any development or use in any Industrial District.
4. Any development or use in any Mixed Use District, except in areas designated for single family dwellings, including duplexes and townhouses.
5. Any development or use in any Public Use Overlay District.
6. All cemeteries, with the exception of cemeteries for family members on private property.
7. All churches and hospitals.
8. Any development or use on a utility lot involving a building.
9. Any enlargement, reduction or reconfiguration of a parking lot unless waived by the Zoning Administrator.
10. Any change or enlargement of a use, or enlargement of a building or structure for which a site plan is required:

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**ZONING ORDINANCE SECTION 25-672 SITE PLAN REQUIREMENTS (cont'd)**

- a. That requires five (5) or more additional parking spaces, or
- b. When a site plan is not currently on file in the office of Community Development.
- 11. Wind energy systems.
- 12. Wireless telecommunication facilities.
- 13. Any new structure permitted by Special Use Permit ~~or~~ **where if** required by the board of zoning appeals **as a condition of the Special Use Permit.**

B. Where a site plan is on file in the Community Development Department and an applicant is applying for a change or enlargement of a use or enlargement of a building that requires less than five (5) parking spaces, a new site plan will not be required, however, the applicant must note the changes on the existing site plan. The Director of Community Development shall consult with applicable agencies for their comments.

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

Nays: None

Motion carried.

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**ORDINANCE AMENDMENT**

The Board considered an amendment to Section 24-2 of the Augusta County Code to further clarify the required water flow requirements for fire protection based on the distance between two structures.

Ms. Earhart advised that this was a housekeeping measure. The current ordinance had some gaps on distances between structures. The amended ordinance established the requirement without gaps.

The Chairman declared the public hearing open.

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

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

**AN ORDINANCE TO  
TO AMEND SECTION 24-2,  
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it necessary to clarify the fire flow requirements as set forth in Section 24-2 of the Augusta County Code;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that the Schedule for fire flow requirements in Paragraph A (1) Section 24-2 of the Augusta County Code is amended to read as follows:

**Schedule for fire flow in residential developments**

Fire flow shall be based on two hour flow duration for all construction projects.

Based on distance between structures:

<u>Distance</u>	<u>Required Flow</u>
Buildings over 100' apart	500 gpm

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ORDINANCE AMENDMENT (cont'd)

30' to 99'	750 gpm
11' to 29.9'	1,000 gpm
10' or less	1,500 gpm

<u>Distance</u>	<u>Required Flow</u>
Buildings 100' apart or greater	500 gpm
30' or more, but less than 100'	750 gpm
More than 10' but less than 30'	1,000 gpm
10' or less	1,500 gpm

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

Nays: None

Motion carried.

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ORDINANCE AMENDMENT

The Board considered an amendment to Section 24-3 of the Augusta County Code to repeal the sewer connection, availability and privilege fees established in the ordinance for the Greenville Service Area and to provide that the fee for connections to the sewer line in the Greenville Service Area shall include the privilege fee applicable to the area and the prevailing rate for connections established by the Augusta County Service Authority at the time of the requested connection.

Ms. Earhart said that the fees are set currently for connection at \$9,700. The amendment will allow connection fees to change as fees charged by the ACSA and the privilege fee, as applicable, are changed. It also deletes the reference to the water and sewer requirements relative to the Urban Service Overlay District, which has been repealed.

The Chairman declared the public hearing open.

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

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

**AN ORDINANCE TO  
TO AMEND SECTION 24-3,  
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it necessary to adjust the connection fees set forth in Section 24-3 of the Augusta County Code;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Paragraph B and Paragraph C of Section 24-3 of the Augusta County Code is amended to read as follows:

**§ 24-3. Sewer Connection fees in Certain Designated Areas of Augusta County**

**B. Connections**

1. The owner of any dwelling or other building in which human beings can live or congregate shall, whenever a trunk line or lateral sewer line is available, connect such dwelling or building with such trunk or lateral line sewer. ~~Sewer lines shall be available if any of the conditions set forth in §25-505 of the County Code are met.~~

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ORDINANCE AMENDMENT (cont'd)

C. Fees

~~1. The Sewer System Construction process shall be divided into two phases. The First Phase shall consist of planning, design and construction of the initial service area. This phase will be financed by several grants and loans made by the Commonwealth of Virginia. These grants and loans were made to minimize the connection costs to the property owners in the service area. The First Phase shall commence on the effective date of this ordinance and shall end March 1, 2012. The Second Phase of the process shall begin at the termination of the First Phase and shall remain in effect until terminated by ordinance or by transfer of the system to the Augusta County Service Authority.~~

~~2. In the First Phase of construction of the Greenville Village Service Area Sewage System, the connection fee shall as follows:~~

a. Availability fee	_____	\$0
b. Hook up fee	_____	\$1,000
c. Privilege fee	_____	\$0
<b>Total</b>	_____	<b>\$1,000</b>

~~During the First Phase of construction, the County will provide a sewer line to connect a building to a trunk or lateral line at no cost to the property owner.~~

~~3. The fee for connections to the sewer line in the Second Phase shall be as follows:~~

a. Availability fee	_____	\$4,900
b. Hook up fee	_____	\$1,000
c. Privilege fee	_____	\$3,800
<b>Total</b>	_____	<b>\$9,700</b>

The fee for connections to the sewer line shall include the privilege fee applicable to the area and the prevailing rate for connections established by the Augusta County Service Authority at the time of the requested connection.

These fees shall not include the costs of providing a sewer line from a building to a trunk or lateral line.

4. The Board of Supervisors shall establish a flat monthly fee for usage of the Greenville Village Service Area sewer system. The fee shall be Fifty-five dollars (\$55.00) a month. In the event that the system is conveyed to the Augusta County Service Authority; the Service Authority shall have authority to set ~~connection fees and~~ usage fees for the system consistent with fees it sets for all of its customers.

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

Nays: None

Motion carried.

\* \* \* \* \*

ORDINANCE AMENDMENT

The Board considered an amendment to Section 1-9 of the Augusta County Code to reduce the number of copies of the County Code required to be kept at the County Administrator's office to one.

Patrick J. Morgan, County Attorney, advised that this was also a housekeeping measure. He noted that, under prior State Code, the County Administrator was required to maintain three copies of the County Code in his office. The State Code has been revised to only require one copy. This amendment would allow the County Code to conform to the State Code.

March 26, 2014, at 7:00 p.m.

ORDINANCE AMENDMENT (cont'd)

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

**AN ORDINANCE TO  
TO AMEND SECTION 1-9  
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend Section 1-9 of the Augusta County Code to make it consistent with the Code of Virginia;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that the Section 1-9 of the Augusta County Code is amended to read as follows:

**§ 1-9 Copies of Code to be available for public inspection.**

At least ~~three (3) copies~~ **one (1) copy** of this Code and every addition or amendment incorporated therein shall be kept in the office of the county administrator and shall be available there for public inspection, during normal business hours.

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

Nays: None

Motion carried.

Chairman Wills explained to the public that these ordinances have been well reviewed by the Board and the Board had full discussion on them at Monday's Staff Briefing.

\* \* \* \* \*

MATTERS TO BE PRESENTED BY THE PUBLIC

Jay Price suggested that budget reports indicate designated funding areas.

Dave Mason thought there would be discussion on schools and declined to speak. Chairman Wills reported that the Board has been in worksession all day and that the budget will be advertised and a public hearing will be held on April 16<sup>th</sup>.

\* \* \* \* \*

WAIVERS/VARIANCES - NONE

\* \* \* \* \*

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, Monday, March 10, 2014
- Regular Meeting, Wednesday, March 12, 2014

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

Nays: None

Motion carried.

\* \* \* \* \*

March 26, 2014, at 7:00 p.m.

Chairman Wills suggested for Mr. Price to come into the County Administrator's office to look at the budget. He noted that it breaks down the funding and designation for the sources. He explained that the districts are noted in the Infrastructure Accounts and that a full accounting is available for his review. That particular funding is approved by the Board. Mr. Pattie added that when more than one district participates in a certain area, than those designated districts share the cost.

\* \* \* \* \*

PRESTON L. YANCEY FIRE DEPARTMENT

The Board considered Beverley Manor Infrastructure Account "advance" to set up a two-year loan that would be extended to Preston L. Yancey Fire Department to purchase a new sign in an amount not to exceed \$23,000 (Wayne District).

Funding Source: Beverley Manor Infrastructure Account #80000-8011-72

Mr. Karaffa reminded the Board that a few years ago, Preston L. Yancey Fire Department had some problems. The new Volunteer company, that has been formed, has been raising money to rebuild the company. They do not have any asset leverage for purchasing big items; therefore, he was asked to provide funding for an LED sign that would be placed on Route 250 that would advertise activities of the department and fundraising opportunities and encourage the public to participate. He said that he was willing to provide a "loan" out of the Beverley Manor Infrastructure Account that would be repaid over a two-year period. If it is not paid within that period, it would be charged against the agency's annual contribution.

Chairman Wills added that Preston Yancey is in the process of paving project on the parking lot and the lines for the sign is needed to be put in place before the project begins.

Mr. Karaffa moved, seconded by Mr. Moore, that the Board approve the request.

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

Nays: None

Motion carried.

\* \* \* \* \*

FIRE REVOLVING LOAN FUND PROGRAM

The Board considered revolving loan for Middlebrook Fire Company to purchase a new brush truck in an amount not to exceed \$56,358.83 (Riverheads District).

Funding Source: Fire Revolving Loan Program Account #50000-5300

Fire Chief Holloway reported that this had been discussed at Monday's Staff Briefing and that the Middlebrook Fire Company has requested assistance to purchase a 2013 F250 Single Rear Wheel 4WD brush truck. The guidelines state the agency is responsible for 20% of the cost of suppression apparatus and equipment, eligible amount of funding is \$56,358.83. He added that this will replace a 40-year old brush truck and would be an asset in that area.

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

March 26, 2014, at 7:00 p.m.

FIRE REVOLVING LOAN FUND PROGRAM (cont'd)

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

Nays: None

Motion carried.

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HEADWATERS CONSERVATION DISTRICT – DAMS

The Board considered two additional projects for NRCS 65% Federal funding and to authorize the Chairman to co-sign Headwaters correspondence:

- Lake Wilda
- Stoney Creek

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

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

Mr. Pyles added: “When we look at what just happened in Washington State, where they had the mudslides, you look at Louisiana when the hurricane came; in both of those cases and others, the governments were told they had a problem. Because of money and determining who was going to pay for it, the needed improvements got pushed aside. It is important, when we’re told something, that we try and fund it when we can. Getting money from the federal government to help do this, often we get matching funds, or a portion of funding from the State, that we get real good value of this. The intent is where dams are likely to fail or to cause problems under new standards, we need to have them fixed. We need to do things to protect our people when warned.”

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

Nays: None

Motion carried.

\* \* \* \* \*

PARKS AND RECREATION – BEVERLEY MANOR ELEMENTARY SCHOOL

The Board considered recommendation of Parks and Recreation Commission to award a grant in an amount not to exceed \$13,950 to Beverley Manor Elementary School for playground installation (Pastures District).

Funding Sources:

Beverley Manor Recreation Account	#80000-8021-49	\$ 3,487.50
Riverheads Recreation Account	#80000-8025-38	\$ 3,487.50
Wayne Recreation Account	#80000-8027-40	\$ 3,487.50
Pastures Infrastructure Account	#80000-8014-88	<u>\$ 3,487.50</u>
		\$13,950.00

Andy Wells, Parks and Recreation Director, stated that this had been discussed at Monday’s Staff Briefing.

Mr. Karaffa moved, seconded by Mr. Moore, that the Board approve the request.

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

Nays: None

Motion carried.

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March 26, 2014, at 7:00 p.m.

PARKS AND RECREATION – FORT DEFIANCE HIGH SCHOOL

The Board considered recommendation of Parks and Recreation Commission to award a grant in the amount of \$50,000 to Fort Defiance High School for project to build new stadium restrooms, storage and concessions facilities (North River District).

Funding Sources:

North River Recreation Account	#80000-8023-38	\$16,666.67
Beverley Manor Recreation Account	#80000-8021-50	\$16,666.66
Middle River Infrastructure Account	#80000-8012-84	<u>\$16,666.67</u>
		\$50,000.00

Mr. Wells stated that this had been discussed at the Staff Briefing on Monday.

Mr. Pattie moved, seconded by Mr. Karaffa, that the Board approve the request.

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

Nays: None

Motion carried.

Chairman Wills noted that this will be approximately a \$400,000 project.

Mr. Shull added that the equipment for Beverley Manor was surplus playground equipment obtained from Ladd. It is not a purchase of equipment but re-installation of equipment.

Mr. Wells added that the expenses also included the removal of the old equipment and preparation of the ground for the installation of the used equipment from Ladd Elementary.

\* \* \* \* \*

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Shull:

1. Emergency Services Officers Association meeting – approved new Standard Operating Guideline (SOG) and asked that it be presented to the Board.

Chairman Wills noted that on Page 2, #3, 5<sup>th</sup> bullet “Any SOG approved by the ACESOA will be forwarded to the County Attorney and Board of Supervisors for final review and any further recommendations. This does not take action; it is just for information purposes.

2. SOG Committee Responsibilities – This was put in place during the recent snow storm and felt that it needed to be approved by the Board.

Chairman Wills added that this had been recommended by ECC after reviewing the incident.

Messrs. Pyles and Mr. Karaffa felt that both SOGs needed to be deferred to the next Board meeting (April 9<sup>th</sup>).



March 26, 2014, at 7:00 p.m.

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

Mr. Moore: Fishersville Ballfield retaining wall improvement had been approved February 26<sup>th</sup>. Part of this improvement was to fix the rear left corner of the ballfield including a "portion" of outfield fence. Received a call from the Little League Baseball Commissioner requesting funding for replacing the remaining section of outfield fence at a cost of approximately \$5,000. Because of it being a matching grant, Augusta County would be responsible for \$2,500. Mr. Wells had informed him that, in the past, anything less than \$2,500 could go through the administrative review process. He wanted to alert the Board of this action.

Chairman Wills asked the County Administrator to explain the administrative procedure. Mr. Coffield said that the Parks and Recreation Matching Grant allows administrative approval for anything under \$2,500.

Mr. Karaffa asked why this was not included in the original request.

Chairman Wills stated that it was mentioned at that time for the League to speak with the contractor about doing the balance of the improvement.

Chairman Wills:

1. Attended the banquet at Blue Ridge Community College in which they honored their scholarship recipients and donors for those scholarships. Blue Ridge, this past year, gave out \$285,000 in scholarships. "It's a great testament both to our community and to that school. I was very proud to be there and see the quality of the student that was receiving those scholarships. I wanted to make a note of appreciation from the County in regard to the participation of our citizens in these scholarship funds. Without the individuals and the trust funds, that are administered locally, these scholarships would not be available. I think they're invaluable to our youth."
2. Asked Board approval to send a letter of condolence to Delegate Steve Landes on the death of his father.

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SHENANDOAH NATIONAL PARK – CELEBRATE SHENANDOAH GROUP

Mr. Shull moved, seconded by Mr. Karaffa, that the Board appoint Carolyn S. Bragg and Rebekah Castle to serve as liaisons on the Shenandoah National Park – Celebrate Shenandoah Group, effective immediately.

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY STAFF

1. Jennifer Whetzel informed the Board that a new picture of the Board will be taken on April 21<sup>st</sup>.

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March 26, 2014, at 7:00 p.m.

ADJOURNMENT

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

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

                                      Nays: None

Motion carried.

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Chairman

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County Administrator