

Regular Meeting, Wednesday, June 11, 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
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, June 11, 2014, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 238th year of the Commonwealth....

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Chairman Wills welcomed the citizens present.

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Patrick J. Morgan, County Attorney, led us with the Pledge of Allegiance.

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Marshall W. Pattie, Supervisor for the North River District, delivered invocation.

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MATTERS TO BE PRESENTED BY THE PUBLIC – NONE

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FIRE AND RESCUE EQUIPMENT GRANT PROGRAM

The Board consider Committee's recommendations as it relates to Equipment Grant request from the following agencies (**SEE ATTACHED**):

<u>Agency</u>	<u>Request</u>	<u>Recommendation</u>	<u>Funding Source</u>
Mt. Solon F&R	\$ 24,158.40	\$24,158.40	80000-8152
Middlebrook Vol.	\$ 44,274.45	Not to fund	
Weyers Cave Vol.	\$ 7,673.48	\$ 3,052.13	80000-8152
Churchville Vol.	\$100,900.00	Not to fund	

Fire Chief Carson Holloway discussed the Committee recommendations for the Fire-Rescue Grant funding. He noted that Middlebrook Volunteer Fire Company had filed for a grant through the Community Foundation and has not received a response. At the time, the Committee reviewed the grant request. Churchville Volunteer Fire Company has filed a grant but was unsuccessful.

Mr. Moore asked for further explanation as to why the two companies were not funded. Fire Chief Holloway reiterated that a supplemental grant is still out for Middlebrook when the Committee met; it had not been approved or denied. As far as Churchville, there was some confusion as to filing as 501(C-3) or 501(C-4) if that affected their applying for FEMA grants. At the time, the Committee met, they wanted further clarification. We did look into it and have contacted FEMA and was told that it did not make a difference in grant funding. He said that he had additional information to share with the Committee. He noted that supplemental augmented grant has been applied for but a reason for denial was not given.

Mr. Shull moved, seconded by Mr. Karaffa, that the Board approve the Committee's recommendations.

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FIRE AND RESCUE EQUIPMENT GRANT PROGRAM (cont'd)

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

Nays: None

Motion carried.

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ROUTE 608 (WESTGATE IMPROVEMENTS)

The Board considered options for financing/construction of road improvements.

Timmy Fitzgerald, Director of Community Development, reported that the Board, at its May 27th meeting, had received options for the construction of Route 608. As a result from that meeting, it was requested that staff work with Franklin Federal Bank, the owner of Westgate property, to explore options in which the bank would pay a larger role in the funding of the project. Since the meeting, staff had met with the bank to discuss options. He noted that the estimate for the project is \$3,250,000. Mr. Karaffa currently has \$1.6 million in federal funds that he is willing to place on the project. The remaining needed funds would then be applied for through the VDOT Revenue Sharing Program. The Revenue Sharing Program could provide 50% of the remaining funding, which would be \$825,000. The County's obligation would be to match the \$825,000 as well. Franklin Federal has agreed to provide the County \$400,000 to put toward the Revenue Sharing match requirement. This contribution would be a donation to the project and would not be reimbursed through the TIF. The funding obligation for the Revenue Sharing from the County would be \$425,000. He noted that the \$425,000 Revenue Sharing obligation is not the total cost of the project to the County. At this point, there is approximately \$1 million that has been spent on the project by developers that is due to be reimbursed through the existing TIF. When this funding is taken into consideration, the total funding obligation from the County is approximately \$1,425,000. Mr. Fitzgerald added that the timeframe to complete the Engineering and Environmental permitting would be approximately 18 months. He explained that the Revenue Sharing funding approval would not be until July 2015. He reiterated that it is not an additional 18 months beyond the Revenue Sharing funding approval.

Mr. Karaffa mentioned that he had also met with the Bank and very much understood the value of the project. He felt that the current scenario was the "best".

Mr. Karaffa moved, seconded by Ms. Bragg, that the Board approve staff recommendations.

Ms. Bragg said that, after speaking with staff and Mr. Karaffa, she felt this was the best option to continue with the project.

Mr. Moore questioned what would happen if the cost went up (or down). Mr. Fitzgerald explained that the donation of \$400,000 remained, but the County portion would either increase or decrease according to the cost.

Mr. Pyles expressed his appreciation of staff in having further discussion with the Bank to provide a "better solution".

Mr. Wills asked when the actual \$400,000 had to be paid to the County. Mr. Fitzgerald explained that after approval has been received from the Revenue Sharing Program, he would assume that the County would receive the money from the Bank. He further explained that the costs had to be paid upfront and then requests submitted to VDOT for reimbursement.

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ROUTE 608 (WESTGATE IMPROVEMENTS) (cont'd)

Mr. Pattie appreciated that further discussion was done before making this final decision.

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

Nays: None

Motion carried.

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WAIVERS/VARIANCES

The Board considered the fire flow waiver request for the property, 34A(4)-1, 3742 Churchville Avenue, Churchville (Pastures District).

Mr. Fitzgerald displayed property, outlined in blue to the Board and noted that it is near the Churchville Elementary School and Churchville Library. He added that the property was originally a dental office but that the applicant had received a Special Use Permit so that she could renovate it for a daycare facility. It was noted that the available fire flow is 250 gpm at the location; 1,000 gpm fire flow is required. The building is approximately 1,330 square feet in area. The owner had noted the following:

1. There is an existing fire hydrant within approximately 190 feet of the building.
2. The site is approximately .7 of a mile of the Churchville Fire Department.
3. The County has a tanker strike team which is available if needed with a minimum of 10,000 gallons of water.
4. There is a proposed VDOT commercial entrance and access drive to the site that will accommodate fire protection vehicles.

Mr. Fitzgerald added that there is a river across the street which could be used as a water source.

Mr. Pyles expressed that a first-time venture should be informed of the process before investing a lot of money into a project and, if a fire flow waiver is needed, that Board approval would be required.

Mr. Fitzgerald added that because of the remodeling and its use for Education, the Building Code has additional requirements under the "Education Use". This required her to work with Electrical, Plumbing and Mechanical engineers and these costs were significant. The site plan was required because the property is split-zoned. The parking would be located in Residential zoning and the daycare in Business. Daycare is not a permitted use in Residential; therefore a SUP was required. It is in a Community Development Area because it has water but does not have sewer. She is required to meet the fire flow requirement because of it being Business zoned.

Mr. Wills suggested to Ms. Glover (Economic Development Director) that she suggest that small businesses be directed to Community Development Department prior to selecting a site to locate.

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

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

Nays: None

Motion carried.

June 11, 2014, at 7:00 p.m.

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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, Tuesday, May 27, 2014
- Regular Meeting, Wednesday, May 28, 2014

CLAIMS

Approved claims paid since May 14, 2014.

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 THE BOARD

The Board discussed the following issues:

Ms. Bragg made the following statement:

As you all know, there has been a lot of discussion lately about the School Board’s new school construction initiative – and concern as to whether or not there is a clear, well-thought-out plan or not. Just in the very short time that I have been here, I have heard them say at one point that they wanted to close Verona this year, then the following week they weren’t; they have been looking at closing Beverley Manor, and then not; they were building Riverheads because it was “their turn” and so forth. All of this is very confusing, and does lead one to wonder what the plan actually is.

I have been doing a lot of thinking about the whole situation. I have come to the realization that the people of their respective districts have elected the members of the School Board to do a job; and that it is up to them to evaluate the needs of the schools, and present what they consider to be in the students’ best interest. We have to respect that. We can only hope that any action that they would take, regardless of the topic, has been carefully studied and analyzed and that it is in the best interest of the education of our students.

But, along those same lines, the people of Augusta County have also elected the members of the Board of Supervisors—this Board, and they have entrusted each person here with the task of looking out for their well-being. Additionally, we have been charged with being good stewards of the funds available to us, which are to be used to operate the County in an effective and efficient manner. This responsibility also includes funding that is spent on our schools, and on the construction of new facilities. Members of the School Board need to understand and respect our job.

Last Thursday, I received a phone call informing me that the topic of the Riverheads Elementary School would be discussed at that evening School Board Meeting. Because I have a lot of unanswered questions, I felt that it would be in my best interest to attend. My hope was that I would get a better understanding of the thought process used in determining the need for a new school there, and that I would get an inkling of what lay beyond the construction of the first school. Honestly, I walked away from that meeting with more concerns than I had prior to going into it. I also came to understand that we aren’t just talking about \$15-\$20 million for one elementary school. Actually, this appears to be just “Phase I” of what could be a \$50-\$60 million dollar project, with the construction of several new schools over the next 10 years or so.

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

I really am not opposed to new schools. I believe there are needs. But, before spending that kind of tax payer money, I need to know about the planning and thought process put into the decisions that are being made about new school construction. I need to know about student flow; debt service funding; empty seat management.

I am sure that serving on the School Board and having to get funds to implement their plans from the Board of Supervisors is probably a very frustrating process. And I can understand how our appearance of questioning their decisions can possibly cause some ill feelings. But this isn't about questioning their decision. Truly, this about working together to come up with the best plan for the future of our students. And this is also about fulfilling our duties, and being fiscally responsible to the citizens of Augusta County. To do this, we need to have more information. We need to know and understand where the School Board is going. We need to make sure that everyone is on the same page concerning the future growth of the County and that there is a plan in place to effectively manage enrollment changes, so forth. With that all said, I would like to make the following motion:

Ms. Bragg moved, seconded by Mr. Pyles, that the Board formally request from the Augusta County School Board a detailed, written 10-year plan that would include the infrastructure needs of our schools, the priorities and order of construction for any identified new schools, a listing of schools that they plan to close or cease operations in, a plan for studying redistricting needs, a detailed listing of any current maintenance needs for all of the School buildings, an explanation of how the mentioned needs would be funded—both maintenance requirements and new construction, and a time table detailing the implementation of their overall plan.

Mr. Karaffa said that he would not support Riverheads Elementary School until he learned of the plans of the closing of Verona Elementary School. He would like to hear from the new Superintendent of his plans.

Chairman Wills felt this was the correct way to move forward. He felt it important that the request for the 10-year plan is coming from the entire Board and that the request shows consideration for Superintendent Bond.

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

Nays: None

Motion carried.

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Chairman Wills:

1. Fourth of July Parade – discussed procedure.
2. Economic Development Groundbreaking – hoped that everyone available could attend on June 20th @ 9:00 a.m.
3. Fields of Gold – Amanda Glover, Economic Development Director, announced that this was a regional agritourism event and hoped that the Board could attend the reception held on June 20th at the Frontier Culture Museum.
4. Blue Ridge Food Bank Expansion announcement – June 17th @ 11:00 a.m.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. Courthouse Study – discs distributed to the Board
2. Animal Control Grant – received \$1,200 for vests
3. State Budget Update – distributed to the Board:
 - a. FY2014 Revenue Shortfall Impact the 2014-16 Revenues and Strategies to close the Budget gap
 - b. Preliminary Revenue Update – a briefing for the House Appropriations Committee
4. June 23rd Staff Briefing and June 25th Regular Meeting – Mr. Coffield will be in Italy celebrating his 30th Wedding Anniversary. Timmy Fitzgerald and Jennifer Whetzel will be “leading the show”
5. VRS Employer Retirement Contribution Rate Election – resolutions for Valley Vo-Tech and Augusta County School Board

Mr. Karaffa moved, seconded by Mr. Moore, that the Board approve resolutions confirming that Valley Vo-Tech and Augusta County School Board has made the election for its contribution rate to be based on the employer contribution rates certified by the Virginia Retirement System Board.

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

Nays: None

Motion carried.

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6. Board of Equalization Meetings Status: April 14th - 44; April 22nd – 20; scheduled appointments for June 24th –29; July 22nd – 36; and July 31st – 4. In 2009, 741 hearings were held; 406 assessments were unchanged; 505 were changed; and 426 were decreased; and 75 were increased reflecting a decrease of \$13,398,700.
7. Dominion Power Maintenance Work – Upgrade and installation of equipment within Fishersville, Waynesboro, Stuarts Draft communities from now to Fall 2014 with little impact to the community.
8. VDOT HB1048/SB518 Adjustments for Local Programs distributed to the Board – Noted the change “5 percent to paving unpaved roads carrying more than 50 vehicles per day”.
9. New legislation – “Additional assessment for electronic summons system. Any County or City, through its governing body, may assess an additional sum not in excess of \$5 as part of the costs in each criminal or traffic case in the District or Circuit Courts located within its boundaries in which the defendant is charged with a violation of any statute or ordinance. The imposition of such assessment shall be by ordinance of the governing body, which may provide for different sums in Circuit Courts and District Courts. The assessment shall be collected by the Clerk of the Court in which the action is filed, remitted to the Treasurer of the appropriate County or City, and held by such Treasurer subject to disbursements by the governing body to a local law-enforcement agency solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The County Attorney added that approval could not be made until after July 1st.

Mr. Pyles moved, seconded by Mr. Moore, that the Board authorize the County Attorney prepare ordinance for advertisement.

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

Nays: Karaffa

Motion carried.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

10. Chairman Wills mentioned a conference call from VACo regarding designation for U.S. waterways. Advised the Board to stay alert.

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CLOSED SESSION

On motion of Mr. Shull, 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
 - B) Staff Evaluations

- (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 legal counsel exemption under Virginia Code § 2.2-3711(A)(7)**
 [consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, as permitted under subsection (A) (7)]:
 - A) Reassessment
 - B) Insurance Claims

On motion of Mr. Shull, seconded by Ms. Bragg, the Board came out of Closed Session and adjourned subject to the 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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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.

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CLOSED SESSION (cont'd)

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, Wills, Shull, Moore, Bragg and Pyles
NAY: None

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

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CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION - REAPPOINTMENT

Mr. Shull moved, seconded by Mr. Pyles, that the Board reappoint Joey Colvin to serve another 3-year term on the Central Shenandoah Planning District Commission, effective July 1, 2014, to expire June 30, 2017.

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

Nays: None

Motion carried.

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YOUTH COMMISSION - REAPPOINTMENT

Mr. Pyles moved, seconded by Mr. Shull, that the Board reappoint Devon Hope Boyers to serve another 1-year term on the Youth Commission, effective July 1, 2014, to expire June 30, 2015.

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

Nays: None

Motion carried.

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Chairman Wills announced the cancellation of July 9th meeting upon the call of the call of the Chairman.

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ADJOURNMENT

There being no other business to come before the Board, Mr. Shull moved, seconded by Ms. Bragg, 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
H:6-11min.14

County Administrator