

Regular Meeting, Wednesday, June 25, 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
Becky Earhart, Senior Planner
Jennifer M. Whetzel, Director of Finance
Patrick J. Morgan, County Attorney
Rita R. Austin, CMC, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, June 25, 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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Becky Earhart, led us with the Pledge of Allegiance.

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

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SPHINX LAND DEVELOPMENT, LLC - REZONING

This being the day and time advertised to consider a request to rezone from Attached Residential to General Business with proffers approximately 4.3 acres and to amend the proffers on approximately 16.5 acres already zoned Attached Residential, owned by Sphinx Land Development, LLC, located on the north side of Goose Creek Road (Route 640), approximately 0.25 of a mile east of the intersection with Tinkling Spring Road (Route 285) in Fishersville (Wayne District). The Planning Commission recommends approval with proffers.

Becky Earhart, Senior Planner, displayed property outlined in pink. Green indicates that it is already zoned Attached Residential and the desire is to rezone it to General Business along with the adjacent property.

The applicant has submitted the following proffers:

1. Ingress to and egress from the site (including the previously subdivided Tax Map 67-84H) will be limited to no more than 4 street connections with Goose Creek Road (Route 640). There will be no individual lot entrances on Route 640.
2. The minimum square footage for single family attached dwellings (townhouses) will be 1300 square feet.
3. There will be no more than 80 single family attached dwellings (townhouses) constructed on the property.
4. A double row of 4' tall arborvitae, planted 8' on center, will be planted in the 25' buffer yard on any business lot(s) adjoining Tax Map 67, Parcel 84C, if that property is still zoned General Agriculture at the time of development. All plantings shall be permanently maintained and replaced, if necessary, unless the adjacent property is rezoned to a business classification, in which event such plantings need not be replaced.

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SPHINX LAND DEVELOPMENT, LLC – REZONING (cont'd)

5. Developer will dedicate for public street purposes up to 45' of right-of-way to the County from the existing center line of Route 640.

Ms. Earhart advised that this is in an Urban Service Area and slated for a Medium Density Residential development, which will be three to four units an acre. Public water and sewer are available and will be extended as part of this project.

Mr. Moore mentioned that there had been discussion at Monday's Staff Briefing regarding the entrance. When he met with Mr. Boutros, his understanding was the entrance entered into the property zoned Attached Residential and then a road into the General Business zoned property. He asked for clarification. Ms. Earhart displayed the existing entrance that has been approved by VDOT. She noted the property shown in pink is the property currently zoned Attached Residential and explained that when you enter the road; one side would have General Business zoning and on the other side will be Attached Residential zoning. The proposed request, if approved tonight, would have Business lots on both sides. She reiterated that it would be the same entrance and noted that the location has been approved by VDOT. Mr. Moore had understood from Mr. Boutros that there was an entrance on the backside off of Route 640 that comes into the Residential zoning. Ms. Earhart further explained that there were some internal roads that dead-ended, but dead-ended prior to connecting with Route 640. Those would not be street connections; they would be internal driveways or private streets; they would not intersect with Route 640. She noted that there was another entrance that would access the Single Family Detached part of the project.

Mr. Karaffa asked for confirmation that you would drive through Business to get to Residential. Ms. Earhart said that was correct.

Chairman Wills noted that, currently, you have Business on one side and Residential on the other.

Mr. Shull asked if VDOT would consider another entrance.

Timmy Fitzgerald, Director of Community Development, said these are the only entrances that meet the sight distance requirements of VDOT.

Mr. Shull felt that there would be a better entrance coming directly through the Single Family Residential. Ms. Earhart suggested that the applicant speak to that question. She noted there is a large drainage ditch that could possibly be a problem. Under the current plan, there is no connection planned between the Attached Residential and Single Family.

Peter Boutros, Applicant, said that they have been working on the project since 1998 with VDOT concerning the entrances and felt that this was the most logical. They did not want to come into a development where residential townhomes were on one side and offices on the other side. They wanted a safe area for children; therefore, they felt it safer for an entrance to come in to the Business zoning first. He noted that they had decreased the number of townhomes and made them larger.

Mr. Moore felt that he had been misrepresented by Mr. Boutros' father. He understood a different entrance was coming first into the Attached Residential and then General Business. He felt the plan discussed tonight was a better solution.

Mr. Boutros explained that the entrance could not be moved because of sight distance issues and the need for property for the expansion of the road and for turn lanes. They

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SPHINX LAND DEVELOPMENT, LLC – REZONING (cont'd)

did not want school buses stopping in the middle of the road in a Business area. They did not want duplex townhouses on the right-hand side and then offices, etc., on the left. They felt it would be a better flow if the two zonings were separated.

Mr. Boutros asked Mr. Moore if he felt it better to enter into Residential first. Mr. Moore felt that the current design was a better design. Business on one side and Attached Residential on the other was better than driving through all Residential.

Mr. Pyles asked for clarification of Mr. Boutros' statement of an area for the children for recreation behind the businesses. Mr. Boutros explained that they wanted a fine line between Business and Residential. He said that the recreation he had mentioned was meant to be children playing on their residential property. Mr. Pyles mentioned that the Board has always encouraged green space for the recreation activity.

Mr. Shull asked what exactly had been proposed. Mr. Boutros said they are decreasing the number of units to 80. Mr. Shull expressed concern of what would happen at the road entrance if a major incident occurred.

Mr. Karaffa said that a reduction in the number of houses and an increase in size had been mentioned tonight. Mr. Boutros explained that the original lot sizes designed did not allow for a two-car garage and a 1300 sq.ft. home. They planned to make the lots larger to accommodate a larger structure.

Chairman Wills asked if the Business (corner) lot was far enough back from the intersection so that it would not create a major traffic problem because of the traffic flow to the townhouses. Mr. Fitzgerald said that would be determined by VDOT. He thought the required clearance would be approximately 225 feet from Route 640.

The Chairman declared the public hearing open.

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

Mr. Moore moved, seconded by Mr. Pyles, that the Board adopt the ordinance, with proffers.

Mr. Pyles expressed disappointment in not having green space for recreation.

Chairman Wills expressed reservations on the concept of traffic coming through the Business area with only one entrance, noting that there has always only been one entrance.

Mr. Karaffa also had reservations with the current plan and would like a clearer definition of the plan.

Ms. Earhart clarified that there was a "Boulevard" entrance planned now so that they could access more than 100 units. When you are below 100, there would not be a requirement to build the entrance as a boulevard entrance.

Chairman Wills asked for a clarification of "boulevard entrance". Ms. Earhart said it would be divided with a raised median; if there was an incident on one side of the road, the other should still be open.

Chairman Wills suggested tabling this item until they received clarification of the planned entrance from the applicant.

Mr. Moore withdrew his motion.

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SPHINX LAND DEVELOPMENT, LLC – REZONING (cont'd)

Mr. Moore moved, seconded by Mr. Shull, that the Board table this request until clarification on the exact type of entrance has been received.

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

Nays: None

Motion carried.

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JAMES BRENNEMAN - REZONING

This being the day and time advertised to consider a request to rezone from Limited Business to General Business approximately 2.4 acres owned by James Brenneman located on the south side of Benz Road (Route 1614) at the intersection with Kolb Circle (Route 1615) in Lyndhurst (South River District). The Planning Commission recommends approval with proffers.

Ms. Earhart displayed property outlined in turquoise. She noted that it is currently zoned Limited Business, which is a district that the County no longer has, but it limited the size of the business operation and restricted everything to be inside. The Applicant submitted the following proffers:

1. The following uses shall be permitted without Administrative or Special Use permit provided they are conducted within an enclosed building and there is no outdoor storage without a Special Use Permit.
 - A. Agriculture related uses, including, but not limited to: plant nurseries, tree farms, greenhouses open to the public, lawn and garden and farm supply centers, feed and fertilizer facilities, and landscape supply center.
 - B. Construction support businesses, including, but not necessarily limited to: sales and storage of building materials, cabinets, carpentry, electrical, plumbing, and similar shops, and contractor offices.
 - C. Government facilities, including, but not necessarily limited to: libraries, post offices, and public safety facilities.
 - D. Meeting places and other facilities of civic, community service, and fraternal organizations.
 - E. Offices, including, but not necessarily limited to: business offices, call centers, professional offices, medical or dental offices or clinics, and real estate offices.
 - F. Active and passive recreational facilities not utilizing outdoor lighting.
 - G. Religious Institutions.
 - H. Retail Sales and Service, including, but not limited to: antique shops, appliance repair, artist studios or galleries, barber or beauty shops, bakeries, clothing stores, convenience stores, coffee shops, drug stores, farmers markets, flea markets or auction houses, florists, funeral homes or mortuaries, furniture stores, grocery stores, gunsmith shops, hair salons, nails, tanning booths, or similar personal services, hardware stores, headstone, monument, or vaults, laundry or dry cleaning pick-up, massage therapy, office machines and supplies, paint and wallpaper stores, pet sales or grooming, private postal services, shopping centers, and upholstery shops.
2. The only uses allowed by Special Use Permit, if granted by the Board of Zoning Appeals, will be General Outdoor Storage.

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JAMES BRENNEMAN – REZONING (cont'd)

3. The following uses will be expressly prohibited on the site:
 - A. Retail sales of gasoline.
 - B. Drive-through facilities.

The property was zoned Limited Business in 1993. It is in a Community Development Area, slated for Low Density Residential development. Public water is available.

James Brenneman, owner, said that in 1993 there was a contractor's yard adjacent to the parcel and he did not feel that the parcel was appropriate for a dwelling. He felt that the property was suitable for a landscape business with buffers between the property and the houses and churches.

The Chairman declared the public hearing open.

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

Ms. Bragg said that she has viewed the property and felt the zoning to be appropriate for that area.

Ms. Bragg moved, seconded by Mr. Moore, that the Board adopt the following ordinance, with proffers:

A REQUEST TO REZONE FROM LIMITED BUSINESS TO GENERAL BUSINESS APPROXIMATELY 2.4 ACRES OWNED BY JAMES BRENNEMAN LOCATED ON THE SOUTH SIDE OF BENZ ROAD (ROUTE 1614) AT THE INTERSECTION WITH KOLB CIRCLE (ROUTE 1615) IN LYNDHURST IN THE (SOUTH 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 7 on tax map number 85A(10), containing a total of approximately 2.4 acres is changed from Limited Business to General Business with the following proffers:

1. The following uses shall be permitted without Administrative or Special Use permit provided they are conducted within an enclosed building and there is no outdoor storage without a Special Use Permit.
 - A. Agriculture related uses, including, but not limited to: plant nurseries, tree farms, greenhouses open to the public, lawn and garden and farm supply centers, feed and fertilizer facilities, and landscape supply center.
 - B. Construction support businesses, including, but not necessarily limited to: sales and storage of building materials, cabinets, carpentry, electrical, plumbing, and similar shops, and contractor offices.
 - C. Government facilities, including, but not necessarily limited to: libraries, post offices, and public safety facilities.
 - D. Meeting places and other facilities of civic, community service, and fraternal organizations.
 - E. Offices, including, but not necessarily limited to: business offices, call centers, professional offices, medical or dental offices or clinics, and real estate offices.
 - F. Active and passive recreational facilities not utilizing outdoor lighting.
 - G. Religious Institutions.

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JAMES BRENNEMAN - REZONING

- H. Retail Sales and Service, including, but not limited to: antique shops, appliance repair, artist studios or galleries, barber or beauty shops, bakeries, clothing stores, convenience stores, coffee shops, drug stores, farmers markets, flea markets or auction houses, florists, funeral homes or mortuaries, furniture stores, grocery stores, gunsmith shops, hair salons, nails, tanning booths, or similar personal services, hardware stores, headstone, monument, or vaults, laundry or dry cleaning pick-up, massage therapy, office machines and supplies, paint and wallpaper stores, pet sales or grooming, private postal services, shopping centers, and upholstery shops.
- 2. The only uses allowed by Special Use Permit, if granted by the Board of Zoning Appeals, will be General Outdoor Storage.
- 3. The following uses will be expressly prohibited on the site:
 - C. Retail sales of gasoline.
 - D. Drive-through facilities.

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

Nays: None

Motion carried.

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Chairman Wills noted that the Bain Family, LLC, Rezoning, public hearing had been withdrawn tonight.

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AUGUSTA COUNTY CODE - AMENDMENT

This being the day and time advertised to consider an amendment to Section 2-13 Emergency Services Department in the Augusta County Code regarding the Line of Duty to clarify that fire and rescue squads located in the County qualify for Virginia Line of Duty coverage as provided for in § 9.1-400 of the Code of Virginia.

Fire Chief Carson Holloway reported that this had been discussed at Monday's Staff Briefing. He noted that this Code revision regarded the Line of Duty deaths and that it has been reviewed by the County Attorney. He said this Code revision identifies what departments in the County are qualified under the Virginia Line of Duty Act. Augusta County Fire & Rescue clarified some name changes (Craigsville-Augusta Springs First Aid Crew Station and Preston L. Yancey Station). It also recognized out-of-County fire companies which would be covered by their jurisdiction where they are geographically located.

The Chairman declared the public hearing open.

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

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

§ 2-13. Emergency Services Department.

A. The administration of county policies and ordinances with respect to fire and rescue services and the operation of the Emergency Communications Center shall be the responsibility of the Emergency Services Departments.

B. The departments shall consist of the Chief of Fire-Rescue, the Director of the Emergency Communications Center, and such additional

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AUGUSTA COUNTY CODE – AMENDMENT (cont'd)

employees as may be necessary to administer fire and rescue services and to operate the Emergency Communications Center. All fire and rescue agencies in Augusta County shall be formed into one large fire/rescue district, forming a partnership in public safety under the jurisdiction of the Chief of Augusta County, in accordance with §27-23.1 and §27-6.1 of the Code of Virginia.

C. The county has recognized the following in county fire companies or departments or rescue squads as an integral part of the official safety program of the county for the purpose of qualifying them under the Virginia Line of Duty Act:

- Augusta County Fire Department Volunteers, Inc.
- Augusta County Fire Rescue (Career)
- Craigsville Volunteer Fire Department, Incorporated.
- Churchville Volunteer Fire Department and First Aid Crew, Incorporated.
- Deerfield Valley Volunteer Fire Department, Inc.
- Dooms Volunteer Fire Company, Incorporated.
- Middlebrook Volunteer Fire Department, Incorporated.
- Stuarts Draft Volunteer Fire Company, Incorporated.
- Verona Volunteer Fire Company, Incorporated.
- Weyers Cave Volunteer Fire Department, Incorporated.
- Stuarts Draft Rescue Squad, Inc.
- ACFR, Inc. (Craigsville-Augusta Springs First Aid Crew Station)
- ACFR, Inc. (Preston L. Yancey Station)
- Swoope Volunteer Fire Company.
- Wilson Volunteer Fire Company.
- Mt. Solon Volunteer Fire Co. & Rescue Squad, Inc.
- New Hope Volunteer Fire Department, Inc.
- Riverheads Volunteer Fire Department, Inc. (Ord. 8/25/10)

D. The county has further recognized the following out of county fire companies or departments or rescue squads as an integral part of the official safety program of the county for the purpose of providing for public safety per individual or jurisdictional mutual aid agreements and having first due response areas within Augusta County. They will be covered by their jurisdiction where they are geographically located for the purpose of the Virginia Line of Duty Act:

- Bridgewater Volunteer Fire Company, Incorporated
- Raphine Volunteer Fire Company, Inc.
- Grottoes Volunteer Fire Department, Incorporated
- Staunton-Augusta Rescue Squad, Inc.
- Waynesboro First Aid Crew, Incorporated
- Grottoes Rescue Squad, Inc.
- Bridgewater Volunteer Rescue Squad, Inc.
- Walkers Creek Fire Department
- Wintergreen Fire and Rescue
- Clover Hill Volunteer Fire Company, Inc.

E. There is hereby established within the departments the Augusta County Emergency Services Officers Association which may adopt policies and procedures governing the operations of its represented organizations consistent with applicable state and county laws and policies and subject to the approval of the Board of Supervisors. The Association shall consist of the Chief Officer, or their designee, of each of the fire companies or departments or rescue squads listed in subparagraph C and D of this section who shall represent their respective organizations within the Association.

(Ord. 02/25/09) REVISED 5/14/14

State law reference—Virginia Code §§ 9.1-400 et seq.

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AUGUSTA COUNTY CODE – AMENDMENT (cont'd)

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 PUBLIC

Kenny Harner, of Lyndhurst, reported that he had lived in Waynesboro, during the time that Greenville Sewer Project began. He is in the process of building a home in Greenville and just learned that he was supposed to have received a letter offering the privilege fee waiver. He noted to the Board that he had not received such correspondence and asked for assistance for the privilege fee and sewer connection fee.

Mr. Fitzgerald displayed an aerial indicating the location of property outlined in blue. Mr. Harner's property is in an Urban Service Area in which the Code requires him to connect to the sewer and water. The ordinance allows for a waiver for existing lots; however, the criteria for those waivers are restricted and, in this case, a sewer line is running across the front of his property on Route 11. He had done some research and determined that a letter had been sent to Mr. Harner regarding the connection fee; however, Mr. Fitzgerald was unable to determine if it had been received by Mr. Harner. At this point, the Board had approved the reduced connection fee of \$1,000 until March 1, 2012. After that date, the citizens would be responsible for a full connection fee, along with the privilege fee, in order to connect to the sewer line. This information was shared with Mr. Harner. When the Greenville Sewer Project was created, the privilege fees that were purchased were on a capacity basis; there is some additional capacity that has already been purchased through the project available for Mr. Harner's connection. If this Board approves this request, the privilege fee is available for Mr. Harner. In regards to the connection fee with the Service Authority, the expectation is that the full connection fee and availability fee are to be paid.

Chairman Wills asked if the sewer line went through Mr. Harner's property. Mr. Fitzgerald said it did. Chairman Wills asked if Mr. Harner had given the County an easement. Mr. Fitzgerald said he did not because it was on a VDOT right-of-way.

Mr. Karaffa asked if there was any kind of precedent on this.

Mr. Fitzgerald noted that this is the first request. As far as a precedent, he felt that the Board decision would affect future decisions as to citizens wanting to continue to connect.

Mr. Karaffa felt that there had been a lot of information given to the public regarding this project. Mr. Harner said he had not received any information and had been trying to sell his house since January 2009.

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MILL PLACE WATER TANK PROJECT

The Board considered A) Authorization for the Augusta County Service Authority to execute the contract and manage the project on behalf of Augusta County; B) To proceed with preparing and submitting applications for VRA financing; and C) Drafting of TIF agreements.

Amanda Glover, Director of Economic Development, reported that this had been discussed at Monday's Staff Briefing, and further stated that she would provide a presentation for the public's benefit. She emphasized, "This is a great example of staff working together across agencies and across departments, both the Augusta County Service Authority and Augusta County staff, including Mr. Fitzgerald, Ms. Whetzel, and myself have worked diligently with Mr. Monroe with the Service Authority. I think you're going to get a really good product because of that. This is really about enabling the continuation of development in Mill Place Commerce Park and, also, encouraging development general in the Verona areas, specifically, thinking about Augusta Marketplace."

PowerPoint presentation highlights:

Presentation Outline:

- ▶ Need for Water Tank
- ▶ Steps completed to date
- ▶ Review of Bids
- ▶ Staff Recommendation
- ▶ Cost & Financing
- ▶ Cost Recovery
- ▶ Timeline

Need for Water Tank:

- ▶ 1992 water purchase agreement with the City of Staunton does not provide for fire flow protection or storage
- ▶ To date, City of Staunton has cooperatively provided water for fire flow protection but current and future development in Mill Place Commerce Park and Augusta Marketplace is dependent upon storage in the ACSA system
- ▶ We have developed an interim solution for Shamrock's facility – but it is not "best case scenario"
- ▶ We can run tests, but given the City controls the system, ACSA cannot say that the system can provide the flow beyond that moment (from the City of Staunton water supply alone)
- ▶ City is not likely to provide written confirmation of County ordinance (2-hour flow test)

Review of Steps Completed to Date:

- ▶ October 9, 2013 - the Board authorized staff to proceed with design and development of cost estimates for the Mill Place Water Tank project.
- ▶ January 16, 2014 - Peed & Bortz, L.L.C completed the Preliminary Engineering Report (PER)
- ▶ February 26, 2014 - the Board authorized the design and bid stages of the project
- ▶ May 1, 2014 – ACSA advertised
- ▶ June 3, 2014 – bids received

Bid Options:

- ▶ Base bid: 500,000 gallon composite elevated water tank
- ▶ Alternate 1: 500,000 gallon spheroid elevated water tank

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MILL PLACE WATER TANK PROJECT (cont'd)

- ▶ Alternate 2: 1,000,000 gallon composite elevated water tank
- ▶ Alternate 3: 1,000,000 gallon spheroid elevated water tank
- ▶ Alternate 4: 750,000 gallon composite elevated water tank
- ▶ Alternate 5: 750,000 gallon spheroid elevated tank
- ▶ Additive bid item #1: all site work
- ▶ Additive bid item #2: antenna mounting provisions
- ▶ Additive bid item #3: corrosion control system

Bid Results:

- ▶ 500,000 gallon composite \$1,564,000 (best value based on life cycle cost analysis)
- ▶ 750,000 gallon composite \$1,768,000 (difference of \$204,000)

	<u>500,000 gallon</u>	<u>750,000 gallon</u>
Cost per gallon	\$3.13	\$2.36
Days of storage now	0.9	1.3
Days of storage 2027 (VDH minimum storage – 0.5)	0.5	0.7

Staff Recommendation:

- ▶ Award bid to Landmark Structures for 750,000 gallon composite elevated tank
- ▶ Award additive bid item #2 for antenna mounting system
- ▶ Award additive bid item #3 for corrosion control system

Cost for Phase A:

▶ 750,000 gallon composite elevated tank	\$1,768,000
▶ Antenna Mounting System	\$ 5,000
▶ Cathodic Protection System	\$ 10,000
▶ Site Work (estimate, could be lower)	\$ 100,000
▶ Water line connection to Staunton system	<u>\$ 261,000</u>
▶ TOTAL for Phase A	\$2,144,000

Ms. Glover displayed an aerial indicating the location of the water tank in Mill Place Commerce Park adjacent to the Shamrock site. Phase A would connect the water tank to the Staunton city line. She mentioned that the Board had authorized staff to design and bid the entire project, which included connection to the Berry Farm system as well as looking at the lines out to the Interstate which would allow connection to the Augusta Marketplace development. She emphasized that Phase A is the only thing to be considered tonight.

Financing:

- ▶ Virginia Resources Authority Loan
- ▶ Preliminary Costs of \$2,144,000
- ▶ Loan Amortization Schedule (4%, 20-year fixed)
- ▶ Annual Payments = \$158,000

Mill Place Water Tank – Potential Cost Recovery Parcels:

- ▶ Mill Place Commerce Park (Shamrock excluded because costs are included in another internal TIF)
- ▶ Augusta Marketplace

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MILL PLACE WATER TANK PROJECT (cont'd)

Preliminary Cost Recovery Estimates:

- ▶ 2015 – 20,000
- ▶ 2016 – 75,000
- ▶ 2017 – 75,000
- ▶ 2018 – 125,000
- ▶ 2019 – 175,000

Ms. Glover advised that this is a conservative estimate, basically, considering actual development at Mill Place, as well as pending projects. Also, incorporated, is development that Augusta Marketplace has indicated would be pursued with when the water tank is online. She noted that the tax generated off of the cost recovery parcels could pay for the debt service on the water tank within a 5-year period.

Proposed Project Schedule (from PER):

Begin Environmental Assessment	03/01/2014
Begin Tank & Pipe Final Design	03/01/2014
Complete Environmental Assessment	05/01/2014
Submit Funding Application	05/01/2014
Complete Tank Design	05/01/2014
Complete Pipe Design	07/15/2014
Obtain all Easements	08/01/2014
Advertise Tank & Pipe Construction Contract	08/01/2014
Open Bids	09/01/2014
Loan Closing/Award Construction Contracts	11/01/2014
Complete Construction	11/01/2015

Motion for consideration:

- A) Authorization for the Augusta County Service Authority to execute the contract and manage the project on behalf of Augusta County;
- B) To proceed with preparing and submitting applications for VRA financing; and
- C) Drafting of TIF agreements.

Chairman Wills mentioned that an item that was discussed with the Service Authority was lettering on the tank. He asked that Ms. Glover provide information about this subject.

Ms. Glover said that when this was first discussed, one option, as part of the design process, was to consider a logo; at that time, the Board had asked that that option be removed as a cost-savings measure. Since then, Mr. Monroe was able to get Landmark Structures to provide additional information regarding a logo. She displayed a few options to the Board. The costs ranged from \$5,000 to \$14,500. She emphasized that the cost is much lower if the logo is applied at grade versus after hoist. She suggested that a balloon test be performed to determine if the logo could be seen from the Interstate and where it should be placed--whether it face towards the Interstate or towards the Mill Place Commerce Park entrance.

Mr. Karaffa felt that this would be a great marketing opportunity. He questioned maintenance with the logo.

Mr. Pyles asked that pricing and a time period be included in the contract as to when a decision was needed to be made about the logo. He suggested that the Economic Development Director determine what is the most useful. He agreed that if it were to be seen from the interstate, it would be great advertising. "I would leave it in the hands of

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MILL PLACE WATER TANK PROJECT (cont'd)

professionals to come back to us and decide whether it says 'Augusta County' or 'Mill Place' or how big it should be." He reiterated that a time frame and cost should be stated in the contract.

Mr. Karaffa moved, seconded by Mr. Pyles, that the Board approve authorization for the Augusta County Service Authority to execute the contract and manage the project on behalf of Augusta County. The Board also asked that a timeframe and cost be included in the contract for a logo on the tank.

Mr. Moore wanted assurance of the visibility of the logo and agreed that a balloon test should be performed.

Chairman Wills felt that if it was not visible to the Interstate, it would still be good for the entrance of Mill Place Commerce Park.

Mr. Shull felt that sight clearance and future grading should be considered.

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

Nays: Pattie

Motion carried.

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Mr. Moore moved, seconded by Mr. Pyles, that the Board authorize staff to proceed with preparing and submitting applications for VRA financing.

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

Nays: None

Motion carried.

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Mr. Karaffa moved, seconded by Mr. Moore, that the Board authorize staff to draft TIF agreements.

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

Nays: None

Motion carried.

Chairman Wills thanked staff for their diligent work on this project.

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PARKS AND RECREATION – MATCHING GRANT – STUARTS DRAFT ELEMENTARY

The Board considered A) recommendation of Parks and Recreation Commission to award a grant in an amount not to exceed \$36,464 to Stuarts Draft Elementary in regard to a new playground at the school; and B) approval of Grant Agreement (Beverly Manor District).

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PARKS AND RECREATION – MATCHING GRANT – STUARTS DRAFT ELEMENTARY (cont'd)

Funding Sources:

Beverly Manor Recreation Account	#80000-8021-51	\$16,193
South River Recreation Account	#80000-8026-31	16,194
Beverly Manor Infrastructure Account	#80000-8011-75	<u>4,077</u>
		\$36,464

Timmy Fitzgerald, Community Development Director, advised that this had been discussed at the Staff Briefing on Monday.

Mr. Karaffa moved, seconded by Ms. Bragg, 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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INFRASTRUCTURE ACCOUNT STATUS

The Board considered Additions/Deletions to Infrastructure Accounts.

Jennifer Whetzel, Director of Finance, reported that this had been discussed at Monday's Staff Briefing. She added that the Year End School Board Carryover and DSS/CSA Year End Carryover amounts are not available at this time. She will provide that information at a later date.

Ms. Bragg moved, seconded by Mr. Shull, that the Board approve the report.

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

Nays: None

Motion carried.

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LADD ELEMENTARY SCHOOL

The Board considered acceptance of the agreement to purchase Ladd Elementary School.

Ms. Glover reported that the purchase agreement has been reviewed by the County Attorney and counsel for the purchaser. The agreement is for the assessed value of the property and is under contract for six months during which the purchaser plans go through a study period as well as rezone the property. It includes two 30-day renewal extensions if they have been unable to proceed with rezoning as planned.

Mr. Moore moved, seconded by Mr. Karaffa, that the Board accept the agreement to purchase Ladd Elementary School and authorize the Chairman to sign the agreement.

Mr. Pyles asked that Ms. Glover provide more information on the agreement. He pointed out that this is "just the beginning of a process; it doesn't mean that we will take down the 'for sale' sign tomorrow".

June 25, 2014, at 7:00 p.m.

LADD ELEMENTARY SCHOOL (cont'd)

Ms. Glover announced that the contract indicates an offer for \$4.4 million and the purchase agreement is between Kenneth H. Michael or assigns (NAI Michael Company) and Augusta County. Mr. Charlie Ward, with Old Dominion Realty, is present to answer any questions.

Mr. Pattie felt that there were better uses, but it is a fair price and he would support it.

Mr. Pyles thanked Ms. Glover, Mr. Morgan, Mr. Fitzgerald and Mr. Coffield for “work on getting this done. When this Board made a commitment to the School Board for funding technology, we were holding our breath that we could get a good price for it. They did it in reasonable time. We thank you, Ms. Glover, for bringing it home.”

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

Nays: None

Motion carried.

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WAIVERS/VARIANCES - NONE

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CONSENT AGENDA

Mr. Moore moved, seconded by Mr. Shull, that the Board approve the consent agenda as follows:

MINUTES

Approved minutes of the following meetings:

- Regular Meeting, Wednesday, June 11, 2014

REVOLVING APPARATUS AND/OR EQUIPMENT LOAN FUND

Considered approval of exception regarding Revolving Apparatus and/or Equipment Loan Fund guidelines.

COURTS ELECTRONIC SUMMONS FEES

Considered advertisement of draft ordinance to enact new fee as permitted by recent General Assembly legislation. Funding to offset cost associated with funding software, hardware and associated equipment costs to implement and maintain system.

OUTDOOR MUSICAL OR ENTERTAINMENT FESTIVAL

Considered application as submitted by Staunton Mall for an outdoor event to be held at the Staunton Mall on June 28, 2014 (Beverley Manor District).

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

Nays: None

Motion carried.

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June 25, 2014, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pyles: Transition Staunton/Augusta Public Hearing tonight in Middlebrook regarding Dominion Power gas line project – poor scheduling – would like to have attended but could not because of Board of Supervisors meeting.

Mr. Shull:

1. YOUTH COMMISSION - APPOINTMENT

Mr. Shull moved, seconded by Mr. Moore, that the Board accept the resignation of Stephen W. Bridge and appoint Chad Ryan Kauffman to serve an unexpired 3-year term on the Youth Commission, effective immediately, 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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2. AUGUSTA COUNTY LIBRARY BOARD - APPOINTMENT

Mr. Shull moved, seconded by Mr. Pyles, that the Board appoint Carol Anne Turrentine to serve a term on the Augusta County Library Board, effective July 1, 2014, to expire June 30, 2016.

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

Nays: None

Motion carried.

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3. Transition Staunton/Augusta Public Hearing – agreed with Mr. Pyles. Was disappointed that it was not scheduled another date.

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Mr. Moore:

1. Route 250/636 – Noticeable site . . . Exciting!
2. Murphy Deming – Beautiful!

* * *

Mr. Wills:

1. TERRY SUMEY – RESOLUTION

Contribution of \$2,500 to the Augusta County Library in memory of Terry Sumey.

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

RESOLUTION

WHEREAS, Wayne Glass would like to contribute \$2,500.00 to the Augusta County Library in memory of Terry Sumey; and

WHEREAS, Wayne Glass is making said contribution of his free will and not to obtain any goods or services in return for making it; and

June 25, 2014, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD (cont'd)
TERRY SUMEY – RESOLUTION (cont'd)

WHEREAS, the contribution is expressly made to support the Augusta County Library and not made to satisfy any tax or other obligation owed to the County; and

WHEREAS, the Board of Supervisors appreciates the charitable contribution of Wayne Glass and his support for the Augusta County Library.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors accepts the \$2,500.00 contribution of Wayne Glass in memory of Terry Sumey on behalf of the Augusta County Library.

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby appropriates the \$2,500.00 contribution to the Augusta County Library to be expended, in memory of Terry Sumey in a manner deemed appropriate by the Library Director.

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

Nays: None

Motion carried.

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- 2. Panhandling Ordinance – Consensus of the Board to refer to Ordinance Review Committee for further review.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following issues:

- 1. Library – received a NACO Achievement Award – “The Job Club”
- 2. Transportation Alternatives Allocations (FY15) Awarded:
 - a. Route 636 – Extension of Shared Use Path at Hospital to Route 285 - \$273,040 allocated
 - b. Scholastic Way Sidewalk Project - \$177,200 allocated
- 3. State Budget – Ms. Whetzel reported that the General Assembly has approved the Budget and the Governor has vetoed a portion of it; General Assembly has gone back to Session to review. According to VACo, “none of these actions significantly affect local governments as they prepare to enter the new fiscal year”. A Budget Summary will be provided to the localities. She has reviewed the Comp Board estimates; they are having a public hearing tomorrow (June 26th) and are currently in line with the budget. Jane Woods, Legislative Liaison, has confirmed that the flood control dam funding (\$400,000) is still available. Will keep the Board updated. Ms. Woods also provided a Legislative Summary for 2014 – will e-mail to the Board.
- 4. Shared Services Meeting – minutes distributed to the Board. Chairman Wills commented “I think the intent of this Board to try to get as much cooperation between our staffs as possible is proceeding forward. I certainly appreciate the efforts of our staff and the efforts of the staffs from the Service Authority and the School Board. There is still room to improve, but I think we have made great stride. They all know that our Boards want cooperation and want as much shared services as we can get.” Mr. Karaffa added that it was a good meeting and, “I think we’re very fortunate here in the County to have staff that share that vision of working efficiently”.

June 25, 2014, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (cont'd)

- 5. VACo County Officials Summit – August 14 – 15 – Noted that it was not included in budget, but felt that it had a good agenda and would be beneficial to the Board. Asked that the Board let Ms. Austin know who was interested in attending so they could be registered.
- 6. July meeting:
 - a. Crimora Community Center Roof Project
 - b. Clymore Elementary Playground Equipment

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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 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) Greenville Sewer

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.

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, Moore, Shull, Bragg and Pyles

 NAY: None

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

June 25, 2014, at 7:00 p.m.

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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

County Administrator