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Regular Meeting, Wednesday, July 23, 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.  
Patrick J. Coffield, County Administrator  
Becky Earhart, Senior Planner  
Melissa Meyerhoeffer, Assistant Director of Finance  
Candy Hensley, Assistant to the County Administrator  
Patrick J. Morgan, County Attorney  
Beatrice B. Cardellicchio-Weber, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, July 23, 2014, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 239<sup>th</sup> year of the Commonwealth....

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Chairman Wills welcomed the citizens present.

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Mr. Wills, led us with the Pledge of Allegiance.

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Mr. Karaffa, Supervisor for the Beverley Manor District, delivered invocation.

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Mr. Wills stated the National Developers request has been cancelled.

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BAIN FAMILY, LLC – REZONING

This being the day and time advertised to consider a request to rezone from General Agriculture to Rural Residential approximately 40 acres owned by Bain Family, LLC, located on the north side of Baynes Road (Route 611) at the intersection with Zion Church Road (Route 798) (Wayne District). The Planning Commission recommends approval with proffers.

Becky Earhart, Senior Planner, explained the rezoning request and noted that the applicant has submitted the following proffers:

1. Developer will dedicate a 10' wide strip of land to VDOT along the entire length of the property along Baynes Road (Route 611).
2. There will be only one street connection on to Baynes Road (Rt. 611) and no individual lot entrances.
3. A preliminary plat will be submitted to the County for review and approval in general conformance with the Concept Plan entitled "Bain Family LLC Concept Plan" prepared by Tom Shumate Surveyors, Inc. and dated June 24, 2014. Development of this property will be in substantial conformity with the Preliminary Plat referenced above.

This property is in a Rural Conservation Area with no public water or sewer; private water and sewer is planned for this development.

Roger Bain, applicant, stated the Concept Plan that was submitted will be followed and noted that this development is in compliance with the Comprehensive Plan.

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BAIN FAMILY, LLC – REZONING (cont'd)

The Chairman declared the public hearing open.

Larry Weeks, 430 Baynes Road, Waynesboro, felt there were many issues that would make denying this request an easy decision. Wilson Middle School is overcrowded and Hugh K. Cassell Elementary School was not built to handle more students. He noted that this property is located over a mile from the school and the School Board does not support this request. He felt that this is a good agriculture field and noted there is no mention about the large power lines on the back side of the property in the report. The developer will need to abide by the Stormwater Retention regulations. The five driveways along Baynes Road would be safer than one driveway with sixteen houses feeding out onto that road. He disagreed with staff comment number two which states the request is compatible with the adjacent residential development, although the area remains zoned General Agriculture. Small lots were developed in the 1970s that were located across the street; many lots were created through minor subdivision. Everyone that moved there wants a rural open area to live in. He felt that this Board is only approving the zoning request, not the final design, and once the zoning is changed it will be hard to go back. He asked that the request be denied.

Jack Caraway, 427 Baynes Road, Waynesboro, stated that the biggest concern is the number of wells. He asked, when they drill the wells, who will be responsible for the existing wells that go dry and noted that, if the wells go dry, they will need to be rebuilt. He agreed with Mr. Weeks' comments regarding the schools.

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

Mr. Moore agreed with the comments regarding Hugh K. Cassell Elementary School and he supported that. He hoped that the School Board presents them with a plan regarding that. He noted the rezoning is in compliance with the Comprehensive Plan. With the applicant willing to submit proffers, there will be more control over the lots being developed as opposed to the ten lots with no control. He was not sure how deep the wells would be. He stated the County has tried to focus the development in the Wayne District and that Rural Residential lots will be at least two acres.

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

A REQUEST TO REZONE FROM GENERAL AGRICULTURE TO RURAL RESIDENTIAL WITH PROFFERS, APPROXIMATELY 40 ACRES OWNED BY BAIN FAMILY LLC LOCATED ON THE NORTH SIDE OF BAYNE ROAD (RT. 611) AT THE INTERSECTION WITH ZION CHURCH ROAD (RT. 798) 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;

July 23, 2014, at 7:00 p.m.

BAIN FAMILY, LLC – REZONING (cont'd)

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors that the Augusta County Zoning Maps be amended as follows:

Parcel numbers 38D1, 38W, 38X, 38Y, and 38Z on tax map number 68 containing a total of approximately 40 acres is changed from General Agriculture to Rural Residential with the following proffers:

1. Developer will dedicate a 10' wide strip of land to VDOT along the entire length of the property along Baynes Road (Route 611).
2. There will be only one street connection on to Baynes Road (Rt. 611) and no individual lot entrances.
3. A preliminary plat will be submitted to the County for review and approval in general conformance with the Concept Plan entitled "Bain Family LLC Concept Plan" prepared by Tom Shumate Surveyors, Inc. and dated June 24, 2014. Development of this property will be in substantial conformity with the Preliminary Plat referenced above.

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

Nays: None

Motion carried.

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COURTS ELECTRONIC SUMMONS FEES

This being the day and time advertised to consider an ordinance to provide for additional fees for the implementation and maintenance of an electronic summons system.

Patrick J. Morgan, County Attorney, reported that a statute was passed this year that allows local governments to assess a \$5.00 fee for criminal and traffic cases that appear before the General District, Juvenile, and Circuit Courts. The \$5.00 fee would be used to assist the Sherriff's Office to purchase software, hardware, and associated equipment costs for implementing and maintaining the electronic summons system. He suggested an effective date of September 1, 2014.

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 effective September 1, 2014:

**AN ORDINANCE TO PROVIDE FOR ADDITIONAL FEES FOR THE IMPLEMENTATION AND MAINTENANCE OF AN ELECTRONIC SUMMONS SYSTEM**

WHEREAS, Section 17.1-279.1 of the Code of Virginia allows local governments to charge a fee for all criminal and traffic cases to fund the implementation and maintenance of an electronic summons system; and

WHEREAS, the Board of Supervisors has determined that the fee will help defray the costs to the Sheriff's Office for the purchase and maintenance of software, hardware, and associated equipment costs for an electronic summons system;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Augusta County, Virginia, that Section 22-103 of the Augusta County Code is adopted to read as follows:

**§ 22-103. Assessment for electronic summons system.**

July 23, 2014, at 7:00 p.m.

COURTS ELECTRONIC SUMMONS FEES (cont'd)

A. There is hereby assessed, as part of the costs in each criminal or traffic case in a court of the county, including the circuit court, the general district court, and the juvenile and domestic relations court, the sum of Five Dollars (\$5.00).

B. This assessment shall be collected by the clerk of the court in which the action is filed, and remitted to the treasurer of the county and held by such treasurer subject to disbursements by the board of supervisors to the Sheriff's Office to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

C. This assessment shall be in addition to any other fees prescribed by law.

This ordinance shall become effective on September 1, 2014.

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

Nays: None

Motion carried.

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SPHINX LAND DEVELOPMENT, LLC – REZONING

The Board considered 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). This item was tabled at the Board of Supervisors regular meeting on June 25, 2014. The Planning Commission recommended approval with proffers.

Mr. Shull moved, seconded by Mr. Moore, that the Board remove this item from the table.

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

Nays: None

Motion carried.

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Ms. Earhart explained the request and the proffers that were submitted and noted there is public water and sewer available to the area. The Comprehensive Plan calls for the area to be zoned for Medium Density Residential which would be three to four dwelling units per acre.

Chairman Wills stated the public hearing was held already on this item.

Mr. Moore stated the main reason this item was tabled was because there was a question on the entrance. The requirement for a boulevard entrance is for 100 dwelling units or more and the applicant will go below that. The applicant has proffered that the entrance would remain a boulevard entrance. Staff was not in agreement because it is not in compliance with the Comprehensive Plan; however, behind the property, there are lots zoned General Business and General Industrial.

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

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

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 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:

Parcel number 84D (portion) on tax map number 67, containing a total of approximately 4.3 acres is changed from Attached Residential to General Business and the proffers on the entire property containing a total of 20.8 acres be amended as follows:

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. The entrance to the development off Route 640 serving the business and attached residential portion of the development will be a boulevard entrance at least to the first street intersection.
2. All business and attached residential lots shall have frontage and direct access off a public street.
3. The minimum square footage for single family attached dwellings (townhouses) will be 1300 square feet.
4. There will be no more than 80 single family attached dwellings (townhouses) constructed on the property.
5. 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.
6. 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.

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

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

Nays: None

Motion carried.

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ECONOMIC DEVELOPMENT

The Board considered Shamrock Agriculture and Forestry Industries Development (AFID) Performance Agreement.

Chairman Wills stated this is an agreement of what the County committed to when Shamrock moved into the area.

Mr. Shull moved, seconded by Mr. Karaffa, that the Board approve the Shamrock Agriculture and Forestry Industries Development (AIFD) Performance Agreement.

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

Nays: None

Motion carried.

Mr. Moore mentioned that this agreement shows how much milk will be purchased locally or throughout the state.

Amanda Glover, Economic Development Director, stated that this agreement indicates that Shamrock's milk purchases is 60% from the State of Virginia.

Mr. Moore added that this agreement demonstrates that we support our local milk producers.

Chairman Wills stated the Board of Supervisors matched this from the state for the agreement along with the land.

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SCHOOL RECREATION PROJECTS  
CLYMORE ELEMENTARY PLAYGROUND

The Board considered a contribution in the amount of \$15,000 to match school funding for the purchase of playground equipment at Clymore Elementary School.

Funding Sources:		
North River Infrastructure Account	#80000-8013-47	\$ 7,500
Middle River Infrastructure Account	#80000-8012-87	<u>\$ 7,500</u>
		\$15,000

Patrick J. Coffield, County Administrator, stated other contributors for the playground equipment will be the School Board with \$15,000, \$10,000 from the PTA, and \$20,000 is being received by a grant.

Dr. Pattie moved, seconded by Ms. Bragg, that the Board approve the funds for Clymore Elementary Playground.

July 23, 2014, at 7:00 p.m.

SCHOOL RECREATION PROJECTS (cont'd)  
CLYMORE ELEMENTARY PLAYGROUND (cont'd)

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

Nays: None

Motion carried.

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BUFFALO GAP HIGH SCHOOL SOFTBALL FIELD

The Board considered a contribution in the amount of \$10,250 for the girls' softball field improvements at Buffalo Gap High School.

Funding Sources:		
Pastures Infrastructure Account	#80000-8014-89	\$10,125
North River Recreation Account	#80000-8023-39	<u>\$10,125</u>
		\$20,250

Mr. Coffield explained the request.

Mr. Pyles stated the girls' softball field has been there for a long time and is in sad shape and that they are doing most of the work themselves. The \$20,250 will be used to bring in dirt and pay for the excavation of the site. He appreciated the support from North River's Recreation Account willing to pay for half of the cost.

Mr. Pyles moved, seconded by Dr. Pattie, that the Board approve the funds for the Buffalo Gap High School Softball Field.

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

Nays: None

Motion carried.

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STREETLIGHT REPORT

The Board considered acceptance of streetlights in Craigsville (11).

Mr. Pyles stated it has been the desire of the Board to help with safety. These are lights that are already in existence which provide safety and help for people walking along the walkways in Craigsville. He would like for these lights to join the other lights in the County and be paid for by the County.

Mr. Pyles moved, seconded by Mr. Moore, that the Board approve the acceptance of the streetlights in Craigsville (11).

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

Nays: None

Motion carried.

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CRIMORA COMMUNITY CENTER

The Board considered the replacement of the Crimora Community Center roof.

Funding Source: Middle River Infrastructure Account #80000-8012-81 \$56,250

Candy Hensley, Assistant to the County Administrator, stated the roof will be a 12,000 square foot flat roof and replaced with a 60 mill rubber membrane and extend over the masonry wall. The estimated cost is \$72,262 but they are asking for \$75,000. The building is owned by the County but leased from the Crimora Ruritans. The County is paying 75% (\$56,250) and the other 25% is being paid for by the Ruritans (\$18,750).

Chairman Wills stated he has worked with the Ruritan Club and they have been very active in raising funds. They have a lease for the property and they feel that they are a permanent part of the community. He recommended approval of this funding source to replace the roof.

Mr. Pyles moved, seconded by Mr. Moore, that the Board approve the replacement of the Crimora Community Center roof.

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

Nays: None

Motion carried.

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ORDINANCE REVIEW COMMITTEE

The Board considered the recommendation of the Ordinance Review Committee.

Ms. Earhart stated the recommendations are coming from the Ordinance Review Committee. The Board heard the detailed report at its Monday Staff Briefing. Some of the changes are due to State Code changes and some are minor changes to the Code. The Ordinance Committee is requesting the following items be advertised for public hearing at the August meeting:

1. Preliminary Plats- voluntary for developments with 50 or fewer lots.
2. Minor Changes to Temporary Health Care Structures requirements
3. Tangible Personal Property- Adds antique motor vehicles, all-terrain vehicles, mopeds, and off-road motorcycles to the list of exemptions from tangible personal property taxation.
4. Add a parking requirements for Carry-out Only Restaurants
5. Clarification of buffer yard requirements for parking lots and in business and industrial districts.
6. Restates of the requirement in §25-703 relative to size of dwellings in residential districts
7. Minimum size of residential structures for security guards in industrial districts
8. Waiver provision for internal setbacks for uses permitted by Special Use Permit such as junkyards, quarries, etc.

Mr. Karaffa stated the Ordinance Committee has reviewed all these items in great detail.

Mr. Karaffa moved, seconded by Mr. Moore, that the items listed be advertised for public hearing.

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ORDINANCE REVIEW COMMITTEE (cont'd)

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

Nays: None

Motion carried.

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MILL PLACE PROPERTY CONTRACT

The Board considered a purchase contract for five acres in Mill Place Commerce Park.

Chairman Wills stated this afternoon staff announced that a new business will be locating into Mill Place Commerce Park. He noted that Blue Ridge Machine Works is a locally owned small business and that this Board has every intent to put as many businesses in Mill Place Commerce Park as possible. He stated the County would welcome any size business into the park.

Ms. Glover stated the purchase contract is for five acres in Mill Place Commerce Park. She stated the Board has received copies of the contract. She stated the contract is with Blue Ridge Machine Works by Richard M. and Cheryl D. Shelton.

Chairman Wills added that the purchase price will be \$100,000.

Mr. Karaffa moved, seconded by Mr. Shull, to accept the purchase contract for five acres in Mill Place Commerce Park.

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

Nays: None

Motion carried.

Mr. Karaffa would like to congratulate the new owners of the property.

Chairman Wills welcomed them to Mill Place Commerce Park.

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WAIVERS/VARIANCES - NONE

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CONSENT AGENDA

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

MINUTES

Approved minutes of the following meetings:

- Staff Briefing Meeting, Monday, June 23, 2014
- Regular Meeting, Wednesday, June 25, 2014

CLAIMS

Considered claims paid since June 11, 2014.

July 23, 2014, at 7:00 p.m.

CONSENT AGENDA (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  
DOMINION NATURAL GAS TRANSMISSION LINE

Nancy Sorrells, 3419 Cold Springs Road, Greenville, thanked the Board for their efforts in working on this issue. She talked about a 460-mile, 42-inch diameter natural gas pipeline stretching from West Virginia through Virginia to North Carolina with a spur to the Tidewater. The facts that she stated was all that she knew about the proposed pipeline that would cross 50 miles of Augusta County farmland and forest through private property as well as state and federal lands. She had a lot of questions and concerns but had very few answers. She knew that the Board of Supervisors also had a lot of questions and has been given very few facts. She stated this Board has always had a strong record of protecting landowners and families as well as always making sure property values remain strong. "You have always been vigorous supporters of our agriculture community which translates into a strong economy and high quality of life. Your strong leadership has made sure that we have clean water." She felt that the Board would push for answers from Dominion about questions that could affect all of these issues. "In this situation we know that you and other Boards throughout the region have felt the frustration of not getting answers from Dominion and have been put off even though our private lands are being surveyed and mapped. We as a community have your back as you push Dominion for answers now, not after they have a firm plan ready to submit to the Federal Energy Regulatory Commission." She presented a folder with a list of nearly 500 names of people in the community who request Dominion to hold a public meeting where many questions could be answered. Those questions could include but are not limited to: How could this affect our springs and wells? What is the means of building the pipeline? How will the pipe builders deal with our extensive rock? What will the depth be? Will farmers be able to till on the easement or drive heavy equipment across it? How will Erosion and Sediment Control issues be addressed? "That is why we are here tonight to give you in writing and by our presence tonight just to give you thanks on what you are doing to try and get answers and that the community supports you and will stand with you with a request to ask Dominion to come to Verona and hold a public meeting as soon as possible." A large group stood asking the Board to have a public meeting with Dominion. She thanked the Board for its support.

Rick Layser, 148 Troxel Gap Road, Middlebrook, supported a public meeting being held with Dominion Power.

Lonnie Trykowski, 25555 Via Cazador, Carmel, California, stated she grew up here and owned property in the Riverheads District. She asked who would enforce and supervise what is going on with the pipeline project. "There is more to this than hearing what they have to say in a meeting. Those of us who live in the county have already had some of our pristine environment injured by light and noise pollution by industries such as Lofton Corporation and asphalt plants."

Mark Poe, PO Box 472, Greenville, stated there is increased light, noise, and air pollution at his home caused by MeadWestvaco and by the asphalt plants in the area already. He

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

DOMINION NATURAL GAS TRANSMISSION LINE (cont'd)

asked the Board to consider environmental pollution and the toxic chemicals that could contaminate the well. He asked how the pipeline will benefit Augusta County and Virginia. He asked what the Board would get for promoting the gas line.

Chairman Wills stated the Board has been in contact asking some of the same questions of the Dominion representatives. A Dominion representative will be attending the August 13<sup>th</sup> meeting of the Board to present information about the proposed Southeast Reliability Project. He noted that this natural gas pipeline project is still preliminary. The company told him that it continues to refine the route thanks to feedback from landowners. At the meeting, the company plans to share the overall route, a more detailed map of the County showing the proposed route, and answer questions from members of the Board. He encouraged everyone present tonight who would like questions answered, to submit those questions to staff or to a member of the Board. He assured those questions would be answered. The Dominion representative will hold meetings in other neighborhoods after that official meeting.

Mr. Pyles stated the Board has always tried to protect the water. The Board sent a letter asking that hydro fracking not be allowed in Augusta County. He does not know if that does any good but with this issue they have responsibilities but no authorities. "We spent \$88 million to upgrade the Wastewater Treatment Plants. This Board was always diligent in protecting eminent domain. We seldom use eminent domain. This Board does not have the authority with this. He would encourage the citizens to ask Delegate Cline, Delegate Bell, and Delegate Landes if they stand for eminent domain. When the gas line is installed, they can put it in every preventative measure but sometimes someone does not send in something, things happen. This Board is looking out for the people in the community. This is disappointing that Dominion does not need to get approval to do this. Dominion can do this without asking. There is nothing that we need to protect more boldly than the water in the County. Dominion will come here and tell us what a wonderful plan it is but they only have to look at the quarterly report. We have to look at the next century. We ought to have some authority but that is where we lack with this issue."

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Chairman Wills noted that there were approximately 20 people who have signed up to speak. In fairness to all, he asked that speakers limit their comments to less than 5 minutes. If representing a group, that speaker may have 10 minutes. He asked that the audience not applaud or show disrespect to the speakers.

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

JUVENILE DETENTION CENTER

The following speakers opposed supporting illegal immigrants:

Dr. Edward R. Long; Sylvia Rutherford; Rick Downs; Sue Ward; Stew Thomas; Dana Mason; Richard Armstrong; Sandy Garst; Mark Daugherty; Cher McCoy; John Geary; Bonnie Caplinger and Susan Kubany

Dr. Edward R. Long, Director of the Shenandoah Valley Tea Party Patriots, noted that with an approximate annual \$3.2 million which is provided by the Federal Government for the Shenandoah Valley Juvenile Center, that money is paid for by the taxpayers of Augusta County, Staunton, and Waynesboro. The same taxpayers will pay for the healthcare and other services after the minors are released. "If the grant had not been initiated by the Federal Government five years ago, we would not have been in these circumstances." Mr. Long noted that he had e-mailed a collection of documents to the Board for their review. The information included four documents from Congressman

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MATTERS TO BE PRESENTED BY THE PUBLIC (cont'd)  
JUVENILE DETENTION CENTER (cont'd)

Goodlatte that provided the detailed discussion of the bills that he and other members of Congress had submitted. It also included the Washington County Board of Supervisors' resolution that opposed the housing of illegal aliens of all ages within that county. Also, included was the directive from the Chairman of Prince William County Board of Supervisors. He further stated:

I am not here to speak against illegal minors. I am here to insist; however, that what our Federal Government and what the Central American Governments are doing, from which these minors are coming from, are not in the interest of those minors, their families, and the communities of those nations. It is a lot that has to be done by them to turn around what has been a consistent circumstance in those countries which is driven to the circumstances of about 50,000 minors coming to our border. I remind you that 50,000 minors is a small number of the thousands, perhaps hundreds of thousands of minors who remain there and have the same circumstances. Unless the situation is remedied there, it will not be remedied here. The Shenandoah Valley Tea Party Patriots is going to politely insist to this Board on two actions. 1. That Shenandoah Valley Juvenile Center cease to house the minors that are being shipped directly by our Federal Government from the present border situation to our detention facility. This is roughly 5% of the occupancy that you have there. We ask that you do this in a form of a motion of a letter to be sent to the Federal Government stating refusal to continue that practice. We don't ask you to discontinue the housing of alien minors who are caught within the boundaries of the United States and have been here and have violated the laws. If we don't do something towards stemming the flow from the border, as we presently have it, then we are condoning the very problems that are taking place to the host country. We are condoning the actions of trying to facilitate putting minors into our country with five or six years before they even come before a federal judge for disposition of what the end situation will be. 2. The second item that we would ask for is a long-term proactive effort to be made to expand the number of municipalities that are being served by the Shenandoah Valley Juvenile Center and to expand it until all of the municipalities collectively meet the monetary needs of that facility and actually fill the physical capacity of the facility on a regular basis and that we bring the contract with the Federal Government to an end and thus end the Federal Government's voice in what we're doing within this County. In other words, we are politely insisting that the tax dollars, State and Local, be used to serve the needs of citizens minors who have violated local State and Federal laws, which was the original intent of that facility. Then we pray that the Federal Government will take that money and put it towards the purpose of supporting our veterans. To this latter effort of this long-term effort, my organization volunteers as proactive and we think somewhat helpful involvement we can have to assist you in working with the local State officials to make the long-term situation as we ask it to be.

Ms. Rutherford did not oppose immigration; she opposed illegal immigration. "I don't think this County or the State should assist the Federal government in breaking the laws of our country. They should be fulfilling the laws that have been put in place for years and they've been ignoring them." Mr. Downs (a retired State Policeman) expressed concern of the immigrants bringing in diseases and crime. Mr. Thomas expressed concern of the Juvenile Detention Home being a facility that is larger than needed and cannot afford to operate without the help of the State and Federal governments. "The Center is merely a cog in the wheel to dilute traditional American society. I know it's a fool's errand to ask the Board to end the relationship and forgo the subsidy from the State and Federal governments, but I would ask the Supervisors: Are we, in Augusta County, complicit in the Federal broken immigration system?" Ms. Mason mentioned two "predominate factors": 1) Regional Government; 2) Federal funding. "Both are deleterious to operating the County as a sovereign county and both erode our liberties. How does this happen? Regionalism dilutes the County's ability to manage and oversee the Center because presumably it has to share some of those management authority with other counties, cities and towns that are in the area that it affects. In regards to Federal funding, that's the trap that we all fall into here. It comes with strings attached. That funding stream is not free. It does come out of our pockets. When this Board does

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not reject other government funding streams, then you, in effect, are inviting tyranny on our doorstep. Be a Board that honors godly constitutional lawfulness. Guard the voices of the legal people you are supposed to be representing.” Ms. Garst, based on Timothy Smith’s (Juvenile Detention Center Director) Staff Briefing report, expressed concern that “none of the undocumented minors housed at the Detention Facility have been seriously ill or been involved with gangs; however, the Federal Government can force those types of minors on our community because they make the rules.” She had read an article that stated that some of the cities are going to be forced to house illegals. “We accept money from the Federal government; no telling what they can force us to do.” She also referred to an article regarding a 17-year-old confessed murderer; a 16-year-old, with severe substance abuse issues who has demonstrated very aggressive and vicious behavior; a 15-year-old that admitted to Federal Law Enforcement Officers that he had murdered two rival gang members and a 17-year-old that had been involved in shooting and murder attempts. She noted that none of these had been prosecuted and being held at a temporary Juvenile Correctional facility located in Virginia until they are either released to a family member living in the United States or returned back to their homeland. The U.S. Immigration & Customs Enforcement Official stated that many minors, with similar backgrounds, are released to guardians living in the United States. She asked the Board to not renew the contract. She agreed with Dr. Long asking the Board to submit a letter requesting not to have the “undocumented” minors coming from the border situation to be placed in our facility. “It is not in the best interest of the residents of Augusta County.

I ask that you would refrain from accepting federal dollars for any reason for the same reason. There are always strings attached. The Federal government has an agenda that is not in the best interest of the residents of Augusta County.” Mr. Daugherty felt that money that is used to have their child/children smuggled to the United States, should be invested in the children’s health, education and development in their home country. Ms. McCoy stated: 1) 1 out of 5 illegal aliens have a violent criminal record; 2) Cost of these children to take care of them is running approximately \$250 a day per child. If an outside vendor is required to taking care of these children, it could possibly be closer to \$1,000 per day. She was concerned that “more will come”. She expressed concern of the voting rights given to the immigrants. She noted that to qualify for the status of legal refugees, they had to appear before a judge. “Until they go in front of that judge, they are not refugees; they are illegal aliens. If they don’t show up, then they are illegal aliens at-large.” Mr. Geary, as a Nurse Practitioner, expressed a public health concern proposed by a rampant illegal immigration and the decision of housing the immigrants locally. A person (did not give his name) mentioned that justice and compassion has been discussed tonight. He expressed sympathy with immigrants and their needs but stated that he “had a bit of a problem with the justice and compassion arguments. We are in an economy where millions of Americans cannot find work. Bringing more workers in here is not just or compassionate. We have millions of people who have spent their life savings and jumped through flaming barbwire hoops of bureaucracy to come here legally. They wait five to ten years in many cases to get here; their visas expire and they have to go home. Bringing in millions of people illegally and letting them stay here is not just or compassionate. Bringing people in here to strain our social systems, when millions of Americans are struggling to make ends meet, is not just or compassionate. Until these problems are dealt with effectively, bringing millions of people from these Central American countries, travelling hundreds or even thousands of miles or more, under horrid conditions, bringing them here where they often meet some pretty bad attitudes, which I’ve seen, and making them subject to unemployment, disease, gang violence and so forth, is not just or compassionate. It is too many people, too fast, and until we address these problems, we cannot justify being complacent and encouraging and embedding Federal government, which wants to not only bring in ones that are in line

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now, wants to bring in many millions more. It has to stop.” Ms. Kubany supported immigration but expressed concern of “what was not said tonight”. She would like to see a written report of the persons who have flowed through the facility in years past as to what has happened to them.

The following speakers supported housing “unaccompanied” minor immigrants:

Judith Wright; Ruth Jost; Wilfredo Flores; Raymond Vest; Amparo Zaldivar; Alisha Huber; Dave Rochford; Patrick Ressler; Kathleen Delosreyes; Keri Jones; Terry Rodgers; Isabel Castillo; Chris Wilmott; James Rodgers, III; Dave Nabors and Will Strickland

Ms. Wright “supported having the medical care and the chance for these kids to catch their breath after living in awful circumstances. I am very impressed with your courage and your insight and your sense of humanity”. Ms. Jost felt that the “immigration system needs fixing. This is not an immigration problem that we’re looking at. We know that there are children who are fleeing horrific circumstances. We know there are whole neighborhoods that are cleaned out by basically drug cartel situations and the history is complex. This is America’s finest hour. Refugees from violence are legal. We are not talking about immigration cases. We are talking about people who are fleeing these situations. This is not immigration. This is our big moral responsibility. We are Americans. We are not very well geared up to process it quicker. We can gear up. After 9/11, we geared up. We did things that we needed to do. We’ve got the resources to do it. They are Federal and State. Let’s be sensible; let’s be real. We’re going to work together on this. Our communities are strong. Our faith communities are strong. We’ve got dozens and dozens of people, dozens of families in our area, where we have done refugee resettlement. We’ve stepped up and we have benefitted enormously from it.” An interpreter was present for Wilfredo Flores who was from El Salvador. He expressed his worries of what was happening in his country. He stated that he has lived in this area for 15 years and noted that he has paid taxes and not asked for benefits from the government. He felt that those children persecuted by gangs were very worrisome. “They are coming here to find some kind of refuge. I also support the people in this community for these children. I’m also here supporting the children who are here in our community and those children across the country who are trying to find a safe home. They are not like other people have stated--that they are criminals, they are running away from gangs. They are not gang members; they are running away from them. I would like for more members from the community to hear the stories of the children so that then you could have a different perspective.” An interpreter was available for Amparo Zaldivar in support of the children. She could not understand the hatred. Ms. Huber hoped that if she ever had to send her children to another country (because of a similar situation), that “they would treat them with kindness and dignity. I teach my son every day how I want him to treat people. The Golden Rule is the absolute most important thing when we decide how we’re going to treat people. I would hope that we would treat these children exactly the way we would hope people would treat our children.” Mr. Rochford felt that “our nation has a moral duty to those who live here and for those attempting to immigrate to control its borders—police its borders—and needs to have a cohesive and whole immigration policy”. He expressed concerns about illnesses being brought here, but stated, “An awful lot of us in this room wouldn’t be here if some of these relatively unsavory, undesirable, and as seen by many disgraceful persons, has not made the perilous journey to our shores. That’s only my disgraceful relatives. Others that are here who have traced their heritage to southern Europe; others who have Jewish heritage; those of us who are Italians, have been called a great many things who saw our arrival as unwelcome, unhelpful and harmful to the nation. The net effect of immigration to our nation has always broadly speaking been very positive. I’ll simply say the well-being of children is something that all of us agree upon. I want to

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acknowledge that those here tonight who would see things differently, for me, are driven by worthy passions and interests. The well-being of our country is important. The well-being of all the world's children is important. I would just ask that we, together, remember the generations of children, many of whom were our brave ancestors who came here unattended. Some came legally; the children who are lodging—24 of them—in our Juvenile facility, are also in a legal process. I don't see them as having committed a crime anymore than my own children have been cited for speeding from the backseat of my Dodge. Children are a people of a different moral agency than we adults." Mr. Ressler disagreed "with the idea of using children to achieve our political objectives". Ms. Rodgers, having been in El Salvador, Guatemala, and other places, understood what these children have gone through and did not want to see them returned to their homes. "The community needs to hear these stories and what they are running from." Ms. Castillo stated a fact, "Undocumented immigrants paid \$11.2 billion in taxes in 2012 while GE paid nothing."

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COUNTY ADMINISTRATOR'S ADDRESS TO QUESTIONS ASKED TONIGHT

Chairman Wills made the following comment:

I want to commend you all tonight. I think you all have been very respectful of both sides and I appreciate that. As Chairman, it makes my job a whole lot easier to have an open discussion like this than otherwise. You all have adhered to my request at the beginning and I do appreciate it. At this point, I will ask Mr. Coffield, and if he needs him, Mr. Smith, to address some of the technical issues. Some of this was addressed on Monday, but it will be a replay on some of it, but I will ask him to address things such as the immunization and the health issues and, also, the numbers that we are dealing with.

Patrick J. Coffield, County Administrator, made the following comment:

A number of speakers said the "Augusta County Juvenile Center". In 1972, the State of Virginia created legislation allowing for the Juvenile Detention Home to be built. It was built on Montgomery Avenue in the City of Staunton. It included Charlottesville, Albemarle, Waynesboro, Staunton, Augusta, Rockingham and Harrisonburg. Through the 70s and 80s, we steadily saw the population increase. At the time, it was overcrowded, so Charlottesville and Albemarle decided to split off. Our numbers, just from our own communities, continued to increase. Early 2000, we designed and built behind the Government Center in Augusta County what is currently the Juvenile Center. It was built for 58; 58 beds were provided in the facility; males and females. Shortly thereafter, and I think for good reason, the number of kids started to drop. Some people asked why did you expand. We opened up our membership to others after Albemarle and Charlottesville left and Rockbridge joined us. Allegheny County and Buena Vista considered and backed off. There was a glut of spaces in the Commonwealth of Virginia and it was cheaper to rent a space you needed versus paying capital to join a region. So the answer is "we tried that". Our primary goal is for our local jurisdictions and the children in our area. With that said, we also opened up space through the Comprehensive Services Act for Social Services At-risk children (less secure, we call them). They really haven't committed a crime, but if their parents are arrested, and until we find the appropriate adult to place those children with, until such an opportunity is identified they will reside at the Juvenile Center as well.

So we've expanded our role considerably in the last 10 years. We've also received referrals from the Commonwealth of Virginia. We've also accepted children from other jurisdictions like Buena Vista or Allegheny who don't have a regional home but need homes for their children, we will rent those spaces. We still find ourselves—no fault of our own, sitting there with 25 or 30 empty beds. The Federal government, right or wrong, asked us if we would be willing to consider renting space to them. This contract has been a little over

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**COUNTY ADMINISTRATOR'S ADDRESS TO QUESTIONS ASKED TONIGHT**  
(cont'd)

five years. It is up to 30 beds. I think one of the individuals was confused in reading about different numbers. That's true. Last week, we gave the media some numbers. That was the number last week. On Monday, we updated those numbers. The "number," as of Monday, is 29 of the 30 beds are filled—two of which came from the three countries that have been identified as "border issues". Mr. Smith is with us—the Superintendent who can talk about the medical. I think it is critically important, as Mr. Karaffa was referring what exactly does the medical pre-screening include, as well as our medical screening consist of. Education--about five and one-half hours a day, 12 months a year; but five days a week. They go to school more than my kids went. Supervision--I think we have a very professional trained staff and I commend the Superintendent. Funding--there is considerable amount of federal funding. I think we heard Monday that the amount of what we received from the federal government offsets local expenditures to the point of \$1 million annually. For the seven jurisdictions who are members in this region, if the federal contract was terminated, there would be increased overhead costs—principle, interest, utilities and the like. We could reduce staffing, but there are fixed costs regardless of whether we have this federal contract or not. Again, Augusta County doesn't own the facility. I am the Board of Supervisors' representative. I have one vote. The other jurisdictions have an equal vote. From our area—Harrisonburg has the highest number of local kids; Rockingham County has the second. These are different from the federal kids.

We were contacted by the Federal government. We were contacted back March and April when the border issue began. I think it was high credit to Mr. Smith and his staff and to our region that the Federal government came to us to say 'Would you expand?' 'Would you be willing to open up a satellite facility? We've identified something in the Rockingham County area; would you open and supervise on a rental basis and rent back to us?' We thought about it and we declined their invitation. Then they asked, 'Can we use your staff and their expertise they have acquired over the last five and one-half years to help us open up a facility in Central Virginia?' We thought about it and we said that 'We are honored that you feel we have that competency; however, we don't think that is our primary mission and we decline'. This came up in our April meeting. I remember because I was Chairman. This Federal contract is a critical element of our revenue stream. Five years ago, with the economy, the State of Virginia reduced its contribution donation for the Center. We charged the staff to go out and try to be creative. They identified this Federal grant. They found a niche. They have also been proactive on trying to seek other jurisdictions in the State of Virginia to send their children to us to be under our care.

Timothy Smith, Director of the Shenandoah Juvenile Center made the following comment:

Thank you. There have been a lot of questions about medical. As we talked about on Monday afternoon, all of the children are medically screened within 24 hours after their arrival at our location. All of them are given the basic immunizations that we discussed. That includes measles, mumps, chicken pox, whooping cough, polio, and a couple of others. All of them are tested for TB; over 15-year-old children are given an X-ray exam; under 15, are given the scan exam. They are all checked by an Augusta County doctor, not one from the Federal government. We have two full-time nurses at the Detention Center who also serve the children—local and federal and a doctor who comes three days a week and serves the children. We have a program that a firm that brings in an X-ray machine and does x-rays so that children don't leave the facility. Again, we have been doing this for five years and four months. We have never had a child with active TB test—ever. We never had any measles, mumps, chicken pox and all of that other stuff in our building period in the last five and one-half years. None of that has been an issue. Again, one thing also, 99% of our children have already been at another location and have already been examined before they get to us, anyways; so they get examined twice.

Placement—Again, we've been doing this for about five and one-half years; to our knowledge, we've had one child placed in the Commonwealth of Virginia. Now, other facilities—and there's a lot of us over the country—may have placed some of Virginia; I don't know, but we have placed one in Virginia and that's all that we know. We know where all our placements go when they leave us and we've only placed one of Virginia.

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### COUNTY ADMINISTRATOR'S ADDRESS TO QUESTIONS ASKED TONIGHT (cont'd)

Deportation—Right now, and using round figures, about 50% of the children are deported directly from our Center. All of them, even if they're placed in a placement, have to appear before an Immigration Court. If they do not appear in front of an Immigration Court, they, automatically, have to be deported.

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### BOARD OF SUPERVISORS COMMENTS

Mr. Karaffa's comments:

I appreciate all the folks who came out to listen to what had to be said and to take part in the conversation. I am saddened that so many decided to speak and leave, but I appreciate those of you who stayed to hear the fulfillment of the conversation and also to get some factual information. As for my comments on this issue, they are pretty widely known as they have been published in the newspapers and put on my own website and was covered by the news media. But just to expand on it a little bit, my family's history is we are of Italian and Slavic descent. I am fifth generation American. I remember sitting at my grandmother's dinner table and her telling me the story about how my ancestors or how my family came to the United States through Ellis Island. They were poor; they were very poor; they had nothing. Unfortunately, as I understand the immigration standards of today, my family probably would not meet the standards for admissions; therefore, I would still be in Italy or Slovakia. I am grateful that my family decided to immigrate into the United States when they did because at that point in time you came; you were held; you were screened; your name was taken; and not all the time was it accurately taken. There is some concern in my family that our last name may have been misspelled. There's an f in there we don't remember putting there four or five generations ago. But they were allowed into this country. They had no support mechanism in place when they got here except for their own will to create the best life that they could when they got here. I appreciate them for that. I've heard a lot said about Federal policy. The Tea Party has been here to speak about their issues with Federal policy as it relates to the boarder and I share a lot of those concerns. We need a secure border. We need a proper immigration process. It needs to be reformed so those folks who have currently no hope of coming into this country because they don't meet that standard of admission, they need to have a hope. If you give them no hope of ever being able to come into this country legally, what do you leave them with? However, these are all federal issues. Coming back here, we've heard about the medical state of the kids. I did go to the Juvenile Detention Center; it does reside within my district. I took the time and spoke to five of the children that are there. I was pleased to see that they, as a nurse, looked healthy and well taken care of. They had no complaints about the staff or how they were treated and they were appreciative to the opportunity of just being there compared to the circumstances from which they fled. Locally, I'm led to ask this question of everybody. Who are we? Who are we as citizens of this country? Who are we as citizens of this county? I can say that I've been on this Board for almost three years and, overwhelmingly, what I have come across is an amazing hospitality. I've met a caring and respectful people and every single one of them respect the rule of law. These children, whether adult or children, who came across illegally—yes, they broke the law—but we have to obey the law that governs how they are returned or placed. While we will care for these children that are brought to us, we will be respectful of them while they are here. We will see to their needs. We will also obey the law and the process that is in place. I have a serious issue with the process in terms of the Federal government. That's where we need to demand reform. But here at home, we can't blame these kids. There is a plaque in bronze inside of the Statue of Liberty. Most everybody knows some of the words but it is actually a poem. There is much in it that goes to the core of what we are as a nation. That plaque says that we don't pick and choose who we want to come into this country. That plaque and that poem was placed there because it shows the core that we want anybody who is willing to come to this country to add to the fiber of who we are and to make a better life for themselves. That is what Ronald Reagan said was the shining city on a hill. That's why the Statue of Liberty holds a torch because it is a light and it says you can come here. This is where hope is. This is where freedom lives. It's not limited to those people who are able to get an education in a country they're coming from. If anything, that torch shines more brightly for those who do not have that education, who do not have a hope of anything better in the country that they live in and they are looking for that opportunity. Unfortunately, that

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### BOARD OF SUPERVISORS COMMENTS (cont'd)

#### Mr. Karaffa's comments (cont'd):

light has dimmed because of our broken immigration policies; but I would like to believe that here in Augusta County we still believe in what that plaque means. That we still believe in what that torch represents; that you can come here; that you can work hard; and you can create a life no matter where you came from. I support what Pat Coffield has reviewed in terms of how we're handling this issue. We're not going to open a center exclusively for illegal immigrants. I do support continuing to use the building that we have in place to its capacity. If it involves renting to the Federal government so be it. Then we will take care of and respect and see to the immediate needs of those that come here while obeying the law and the process that is in place.

#### Mr. Moore's comments:

I feel that and I have, for my whole adult life, an obligation to our society and have an obligation to those in their early phases of their life and to those in their latter phases of their life and anyone between that has special needs that can't take care of themselves. This facility was built as a regional facility to take care of our local youth. At this point, we don't have that demand and I think it was prudent on the fact of the management and the Board to look for outside youth that needed attention; generated revenue and allows us to operate the facility efficiently. Hopefully, if we don't and if we do, in the future, have a need that we can no longer honor that contract because we have local needs, then I think that is still our primary responsibility. That was the reason the facility was built to begin with; until that case, I will continue to support the Federal use of that facility for the children that need care.

#### Ms. Bragg's comments:

I think we have to recognize and we have to appreciate the fact that the Board of the Juvenile Detention Center responsibly made decisions. They understood their mission; they respected their mission; their responsibility is to the children in Augusta County, and I think that they have honored that. There is space still available and they are using that space through the Federal program. I don't think anybody here is going to disagree at all that the system is in horrible, horrible shape and that it needs to be repaired and that it needs attention, but that is not the children's fault. That's the people that we have elected and the people that are serving that are making the decisions. It is not the children's fault. I cannot imagine and I don't think most of us can imagine the conditions that these people live in that their parent would take their child and hand them to somebody and say, 'Please go'. I have a 16-year-old son and I think many of you all have children or grandchildren, and to send your child out and praying with every breath that you take that that child, when he gets to the other side, is going to be cared for in some manner. I think that the children that are collected, found; however, you want to put them, I think they're the lucky ones. They go to a facility. There is a process that is being implemented. They are being either shipped back or they are going to be placed until their hearing can be held. That is the legal system. That is what we, as a country, have elected to do at this time; but they are the lucky ones because they are not the children that are sitting in the corner of some alley in fear. They can go to bed at night and not worry about what is in the dark and what is going to attack them. These are children that you do not have to worry about where their next meal is coming from. They are not going through the garbage. They are not prostituting themselves or dealing with the drugs to find food and to just survive. These are the lucky ones. I think that it is a big, big issue, again, because the border is the issue that these children deserve the ability to put their head on a pillow at night and to know that they are going to be okay the next day. I think it's our responsibility to do—and we're dealing with a small number of kids—and I think it's our responsibility to care for them while they are here in Augusta County. What happens after that—we can pray that it will be in their best interest. But to put your child in that situation has got to be a horrific thing that you can possibly imagine. These children deserve to have a little bit of comfort. I do support the number that we have to being housed here in a respectful way.

#### Mr. Pyles' comments:

Mr. Moore, I'm glad you are willing to take care of the ones that are near the end of life as well. It is easier to talk to people when you're on their side. It is not as easy when you don't agree with people. It has always been my job to be honest with people in what I

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BOARD OF SUPERVISORS COMMENTS (cont'd)

Mr. Pyles' comments (cont'd):

think and they can judge me as to my thinking, my rationale, in what they do once every four years. Fortunately, I've gotten a larger percentage every time I've ran for office so there are some people who like the plain spoken folk. If you know me, I try to research things that come up to get to the core of it. How many of you know William Wilberforce? That who the law was named for. That is the genesis of the problem that you are addressing today. It is interesting that this law was passed in the final month of George Bush's administration. He signed it on December 23<sup>rd</sup> – two days before Christmas. He ran as a compassionate conservative. This is probably the most compassionate thing he did. It was unanimously passed by the Senate. There were only two objections from the House of Representatives—two Republicans. It was not Bob Goodlatte; Bob Goodlatte supported this legislation. So it's out there. William Wilberforce was an abolitionist from England from the 19<sup>th</sup> century. He was driven by Christian compassion. He had a conversion and he had been raised in the Church of England but he got the fire and so he wanted to do something about it. At that time, he was one of the wealthiest people there. It was unbecoming of you to be emotional, to be fired up about something. I certainly wouldn't have fit there. He did that. His issue was to abolish slavery. That's what he wanted to do. He was feisty at it; he passed laws; he got it done. But it bothers me that we had to go all the way back to 1879 to find somebody to be the model for the law that we didn't have anybody in the United States, somebody of recent times, who stood up to stop slave trafficking—sex-trafficking—that sort of thing. This was an honorable attempt at fixing a problem. The problem is that there is always unintended consequences. If you don't think about them in the beginning, they bite you later on; you find out about it. I think everybody was trying to get out of Washington on December 23<sup>rd</sup> and so they didn't think it through. The reasons for it are absolutely justified and right. You had these little girls going into prostitution; you had these little boys made to work or work in prostitution; these kids can't live like kids either out of fear of their lives. They are in poverty—abject poverty. They created this law that says if you come from one of these countries that doesn't border the United States; if you don't come from Mexico or Canada—certainly, we have a big problem with Canada. They said those two countries don't count. But if you come of these other places, we're going to give them due process. We're going to allow them to play the legal system in the United States. There is just about nothing better to have the justice system in the United States because we go the inth degree to make sure that we only incarcerate the bad guy. Sometimes, we fail, but that is our mission. That's what it was. In this country, everybody is entitled to a lawyer, but not everybody is entitled to a doctor. As I said, it is a better deal. When other illegal aliens come in, they are trying to avoid the border guards. As soon as these kids get in here, they say, 'Take me in' because they were told that this is the system. You can go up there and the system gets delayed. So you're going to have an opportunity to live pretty well for a while. Some of the folks talked about what the parents must go through. Don't you think about that? That they scrimped and saved forever to send their kids away hoping that something better happens for them. I'm sure they never thought about the money to educate them because they have such fine schools there; they just need to go to a certain place. It's not like here. They are in a bad situation. We always go and send mission groups down there and people come back with these horror stories and all touched by it. We get away from it. You know, we did our part. These kids, looking for life, faced with things that—they're looking for survival. It's a heck of a thing. The human spirit to survive is unstoppable that they have to come up here. So they come into this system. This was a law that was put in place. I didn't create it. Bob Goodlatte did. I wasn't part of it. But then it is our job in how do we deal with the situation. The folks of the Tea Party—I get it. I know what you're worried about. We all worry about it, but this is a unique situation. This is somewhat different. We got kids that are struggling. They are being put in our arms. We do everything better in Augusta County than anyplace else. Thank you Rockingham and Rockbridge for trusting us. If you're worried about your tax dollars, one lady said \$250 a day or \$1,000 for a private vendor. If they're not stopped, they're going to do the other things. We can care for these children. You hear a lot and hear about religion and it seems like the same people are driven by the same bible but take a lot of different perspectives on it. My mother always wanted to rebuke people. There are others that want to hug people. My Christ looks out for the lepers; my Christ goes to the prison; my Christ tries to feed the 5,000 when it doesn't seem to be enough. Something that is legal; something that is helpful; something that we can do better than other people; I think we ought to be about it. I'm a little disappointed by some of the frustration that folks have. Augusta County has been such a marvelous county; such marvelous people who care about one another and aren't

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July 23, 2014, at 7:00 p.m.

### BOARD OF SUPERVISORS COMMENTS (cont'd)

#### Mr. Pyles' comments (cont'd):

looking for fights. I was in high school in the 60s when every day you watched the paper—in Montgomery, Birmingham and even Virginia, you had massive resistance. It came a time for Augusta County to integrate. I was at Buffalo Gap. There was hardly a note in the paper. There wasn't any protest; there wasn't any Board of Supervisors standing at the door – segregation today; segregation tomorrow; segregation forever. We just did what was the right thing. We said, 'come on in'. Welcome. We got along. We have to work with people. We have to be ourselves what we want of others. I had a discussion with a true Conservative and talked about there being a difference now. People aren't optimistic. It used to be we talked about this country, the pie was getting ever bigger so that it would be enough for everyone. Now, we think the pie is just this big and it is not getting any bigger and we are all scrounging for a little bit. I'm an optimist. I believe we keep getting better and we keep getting better in this country. I don't have to work as hard as I used to. Things are good. We've got our unemployment rate down to 4.6%. We do everything better than everybody else. That kind of optimism is what drives our country and makes us better. You think back to Jimmy Carter and his speech as, 'Oh, my, we've got problems!' Then we got Ronald Reagan—the eternal optimist! We can do it. We're America! We're the greatest country in the world. We can do it. When he ended, this was his farewell speech. 'I've spoken of the shining city all my political life but I don't know if I ever quite communicated what I saw when I said it. But in my mind, it was a tall proud city, built on rocks, stronger than oceans, windswept. God blessed and teaming with all kinds and living in harmony and peace and hung with commerce and creativity. If there had to be city walls, the walls had doors and the doors were open to anyone with the will and the heart to get here. That's how I saw it and see it still. How it stands the city and how stands the city on this winter night more prosperous and more secure and happier than it was eight years ago, but more than that, after 200 years, two centuries, she still stands strong and true on a granite ridge and its glow has held steady no matter what storm. She is still a beacon—still a magnet for all of them who must have freedom—for all the pilgrims from all the washed places who are hurting through the darkness towards home.' That was Ronald Reagan. He said it was still the shining city on the hill. We're going to be attractive to people. Let's get things under control and do that. But let's not fight over meager crumbs. We have it all. If people want to get here, it's because we are so great. Nobody is trying to break into North Korea. I support what we're doing here and I think it's good justification for it.

#### Dr. Pattie's comments:

I want to thank you all for coming out tonight. I know it's past my bedtime, now, and it shows your dedication and how much you care about this topic and how much you care about this County and the issues that we are facing. One of the things I teach at JMU is Human Resources. In the Department of Management, what we talk about is setting up systems within the organization to get the people to work harder and get people to stay longer with the firm and to perform better. I think what Mr. Pyles was talking about was a well-intended immigration policy that had unintended consequences and actually did the reverse. So, yes, in all three of those countries, there are some significant issues. I studied those while I was in college as well, but when the word got out that there are better opportunities on this side, that you can get education and medical care that you couldn't get, it encouraged a different type of immigration than what we were experiencing. When I found out about this issue, and I was unaware about it, and I'm responsible for that. Like Mr. Karaffa, I went and visited the Detention Center and had a number of conversations with the children there as well. I talked to one of the children that one parent had passed away. He knew his parent was somewhere in Virginia and so they went forward and they tried to find that person and in that process got captured and was put in the system. There are other stories there. There are sex-trafficking cases that have gone through there where girls have been shipped over here, sometimes, sold by their families, sometimes, sold by relatives; sometimes, just captured on the street. They have been housed in that facility and I can only imagine the horror that they have gone through to get here and to get in that facility. Then you have other individuals, too. Twenty of the beds are secured and so you have individuals that are here illegally that did break the law and they're going through a process of deportation and the legal process simultaneously. So those issues exist as well. I think Augusta County needs to be part of the solution. So one of the stats that Mr. Smith relayed to me was that 50% of the immigrants in that facility request to be deported. So that is what the law says. The other 50%, as far as we can tell, are put with families, relatives that are responsible for them; in fact, when those families take in those children, they raise their hand up and they hit immigration status and they have to go through the immigration process as well. I just wonder what happened to them. So, again, is Augusta County a

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### BOARD OF SUPERVISORS COMMENTS (cont'd)

#### Dr. Pattie's comments (cont'd):

part of the solution or are we kind of encouraging the problem through some of the immigration laws? I would like to see that and I think that would be fascinating. I don't think we're going to solve the problem in the local level. I don't think amnesty is something that most of us agree with and I don't agree with our current immigration policy. Again, the path of least resistance for these immigrants is to break the law to come across illegally as opposed to going to the legal system which takes a decade; it's not secure; and there are some, definitely, hurdles in there that are issues. I think all immigrants, whether they're from Central America; there's three countries, should be treated equally. I think Congress, arbitrarily, picks the statistics of how many they're going to take from each county. I think that process needs to be reformed. Again, that's nothing that we can directly address from the Board of Supervisors. I do appreciate the time that you guys came out here and talked to us. Hopefully, you're leaving with more information and a better perspective of what's going on in the County and I think this is an issue that, while we weren't aware of in the last two and one-half years, most of us on this Board, this is something that we will be carefully watching and carefully focusing on for the rest of our term. Thank you, again.

#### Mr. Shull's comments:

I would like to thank each and every one that has come out. We're all Americans. It saddens me that issues like this is divided. We are a democracy and we work through the process and if it's not right, we try to fix it. Immigration has been an ongoing problem for years and years. My daughter was doing a report of the 20s and Harding as a President. Two big issues during that administration were higher taxes, which, as you know, we have that problem now, and immigration. It's been a problem and it has never been fixed. Our Federal government seems to be above the law. They can do anything that they want to, but, when it comes back down the local level, and we break the law, we get punished for it. They don't have anybody above them to say whether they're right or wrong. They used the system. Until we can change their ideas and to get them to abide by the laws, is an ongoing process. I understand the kids; I feel sorry for the kids' problems. We understand. If you look around the world, there are a lot of countries besides these down here that are suffering. Look at most of the countries in Africa, communist countries; they suffer too. There's got to be a limit on how many we can let come into this country because if we just open up the borders and let everybody freely come, we will not have a country. We looked at the rising costs of education; we looked at our Medicaid, Medicare, Social Security; we have a broken system, there, now. It's about ready to go bankrupt. Where is it going to be in twenty more years? Social Security, I know it was money taken out of it to balance the budget and other means; the system was set up for working people to have a retirement plan. Those people that started out in the Social Security system started paying and, as they got older, younger ones would take care of it, which you can overburden the system when you keep taking and taking and there's nothing to go around. So we have got to look at the amount of people that is coming in. Our population keeps growing. We have unemployment. Yes, we're fortunate to be at a low unemployment rate in the County, but look at the nation as a whole. Our population keeps growing; we keep getting older. Is the system going to be able to sustain itself? Time will tell. We talk about the Bible and what is there. In the end, we have the battle there—Armageddon. There is nothing said about America. Will we still exist in it at that time? If we continue down the road that we're going, no, we won't. But, right now, we've got to work through this process. If this is a bad agreement, that we have with the Federal government, and the Board sees fit to change it, we'll do so. Right now, let's get through the process. We'll go from there.

#### Chairman Wills' comments:

This issue, for me, has been very difficult because I believe with all my heart teachings have said that we are supposed to take care of the poor and the children, but I'm also one that believes in a land of law. My discussions with Mr. Long is to where we were with this process. We have a contract. I believe in living up to contracts. I had a business. I wrote contracts. The contracts were good because the people that I was doing work for knew what I was going to do for them and I lived up to that contract and they paid me according to the contract. We have a contract with what we're doing. In terms of looking out for the community, there is no better way to protect our community than to put them in a facility where we have control, where we know where they are, where they are not on the streets subject to recruitment by gangs and trying to find food.

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BOARD OF SUPERVISORS COMMENTS (cont'd)

Mr. Wills' comments (cont'd):

No, I don't agree with the immigration policy; and, yes, I do believe there is a difference between legal and illegal immigration. I truly believe in the word "illegal" and believe that legal immigrants have more rights and should be treated differently than the illegal. When it comes to dealing with kids, I want to make sure they are dealt with in a compassionate manner and I think we're trying to do that here. I commend the staff. Five years ago, when this wasn't a major issue, we were trying to find ways to save our taxpayer dollars. Every representative of every government involved looked at it and said, 'What's it going to cost? How can we, the Board, efficiently do our job?' We didn't change the laws that put kids in the facility. We were overcrowded when we built it and we had to build it because we were forced to go that direction. Do we come back to the taxpayers and say, 'Oops! We made a mistake. It's going to cost you an extra nickel on your taxes.' No. We found a way to utilize the facility and to benefit our local taxpayers. I commend the staff of that. I do have concerns and support some of the things that some of the other communities that Mr. Long referred to. I don't want the Federal government to be able to come into Augusta County, or any other county in the jurisdictions that is represented by the Shenandoah Valley Detention Center, and say, 'We're going to place these kids out here in a homeless shelter' or in a shelter that we don't control, and I would support any type of resolution by this Board to say we don't want the kids in that situation. As far as what we're doing right now, I think that we have to live up to the obligations of our contract. I would hope that Congress will find a way to work together and come up with an immigration policy that works, that is not only good for the rich, but that is good for everybody. We should not be accepting people in this country based on how much money they can make. This is a land of opportunity, folks. I grew up in a very poor family and was blessed by this community to be able to own a business that succeeded and provided me with more than I could ever imagine and I thank the good Lord for that and I thank the people of this area for that. I think other people have to have that same opportunity. As I said before, I believe in laws; I believe in obeying the law; I believe living up to your obligation. We've made a commitment to 2017 and I believe we should honor that commitment to that point. I thank you all for coming out tonight.

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Chairman Wills called for a five-minute recess at 10:30 p.m.

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MATTERS TO BE PRESENTED BY THE BOARD

RECYCLING COMMITTEE REAPPOINTMENT

Dr. Pattie moved, and seconded by Mr. Shull, that the Board reappoint Larry W. Dudley to the Recycling Committee to serve a term to expire June 31, 2016, effective September 25, 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 STAFF

Staff discussed the following issues:

1. VDOT – Route 262 – Is on the Six-Year Improvement Program (Preliminary Engineering - and right-of-way has been funded.
2. Landfill – Current cell had been extended four years (Phase 4); Phase 5 has pushed farther back.
3. Route 42 – VDOT has advertised for shoulder work.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

- 4. Chairman Wills thanked staff for this afternoon's Economic Development announcement and thanked the Board for its participation. He also thanked the Board for its endurance tonight. "I look forward to August 13<sup>th</sup> meeting. Put on your calendar that it will also be a lengthy meeting without public input at that time. I do hope if your constituents have questions, they can be forwarded on to the County Administrator so that he can forward it to Virginia Power for response at that meeting."

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CLOSED SESSION – NONE

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ADJOURNMENT – SUBJECT TO CALL OF CHAIR

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Chairman

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County Administrator