
Regular Meeting, Wednesday, January 28, 2015, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Michael L. Shull, Chairman
David A. Karaffa, Vice-Chairman
Carolyn S. Bragg
Jeffrey A. Moore
Marshall W. Pattie
Tracy C. Pyles, Jr.
Larry J. Wills
Timmy Fitzgerald, Director of Community Development
Becky Earhart, Senior Planner
Jennifer M. Whetzel, Director of Finance
Patrick J. Morgan, County Attorney
Patrick J. Coffield, County Administrator
Rita R. Austin, CMC, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, January 28, 2015, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 239th year of the Commonwealth....

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Chairman Shull welcomed the citizens present.

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The following students of Wilson Middle School, led us with the Pledge of Allegiance:

Kaya Mullen, an 8th grader, is an Ambassador, is on the SCA, enjoys Spanish, reading, soccer, and volley ball and would like to go to college to become a history teacher or an anthropologist.

Allison Coombe, a 6th grader, is on the SCA, SSA, and enjoys tennis and volley ball. She hopes to go to college and get a degree in nursing, then become a flight nurse.

Alex Knick, a 6th grader, plays tennis, belongs to FFA and TSA and, basically, enjoys learning. He wants to be an aerospace engineer.

Kamdon Early, an 8th grader, is on the SCA, enjoys sports: basketball and baseball and learning, especially, math. Mr. Moore added that he had coached Kamdon in basketball for the past two years and he was a great athlete.

Ethan Newlen, a 7th grader, loves math and has played the trombone in the band and would like to attend Virginia Tech and take Mechanical Engineering.

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

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TRACY PYLES' STATEMENT

Mr. Pyles expressed a sincere apology to Calvin Trice, a news reporter for The Staunton News Leader, for his heated comments made at the Staff Briefing on Monday, which were mistakenly construed as racial. He noted that anyone who knows him, knows that he is not a racist. "My life is not about color." He referred to a Facebook posting from his son, "I have never heard my dad say anything racial." It bothered Mr. Pyles that Augusta County and the Board are being "dragged into a mistake" he made. "I am obnoxious. I am a guy who speaks up. Not everybody likes that. It gets under people's skin. Some people are very happy that I am getting smacked down a little bit. It's okay. I signed up for it. But I'm not happy about others getting caught up in my misdeeds." He referred to a comment made by Mildred

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TRACY PYLES' STATEMENT (cont'd)

Middlebrook, of the NAACP, "walk in our shoes", and said, "I tried. The distance between white and black is no longer or shorter than black and white. I'm not the man. I'm not the oppressor." Mr. Pyles admitted acting improperly on Monday, but explained his disappointment of the newspaper articles indicating that "Augusta County was acting improperly by having a 'secret meeting'." He said he was in "deep duck soup" and restated that his reference was not racism. He was trying to defend Augusta County. He hoped to do better in the future and think before speaking and hoped that Mr. Trice would accept his apology.

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BACKYARD CHICKENS IN RESIDENTIAL DISTRICTS - ORDINANCES

- A) This being the day and time advertised to consider an ordinance to enact Article VIII of Chapter 5 of the Augusta County Code to establish the conditions needed to be met for the keeping of chickens in Rural Residential and Single Family Residential districts in Augusta County and to prohibit the running at large of all poultry, regardless of the zoning district.
- B) This being the day and time advertised to consider an ordinance to amend Sections 25-4, 25-122.1, 25-132.1 and 25-134 to provide for the keeping of chickens in Rural Residential and Single Family Residential districts in Augusta County under certain circumstances and to clarify the requirements associated with allowing farms and limited agriculture by Special Use Permit in Single Family Residential districts. The Planning Commissions recommends the Zoning Ordinance Amendments not be approved.

Becky Earhart, Senior Planner, advised that this was discussed at Monday's Staff Briefing and highlighted the following:

Keeping of Chickens

An ordinance to amend Sections 25-4, 25-122.1, 25-132.1 and 25-134 to provide for the keeping of chickens in Rural Residential and Single Family Residential districts in Augusta County under certain circumstances.

**Article VIII of Chapter 5
Keeping of Poultry Permit**

- Allows the keeping of Chickens in Rural Residential and Single Family Residential Districts by Permit only. Currently prohibited
- Will not apply to PUDs; nor will it invalidate restrictive covenants in subdivisions.
- No more than 4 hens per parcel; no roosters
- Accessory to a single family dwelling
- Must be kept in an enclosed pen- 4 square feet of roost space per bird with an additional 5 square feet of run space; Maximum of 150 square feet and 10' in height
- Pens can't be in front yard
- Setbacks of 25' from property lines and 35' from stream or floodplain
- No outside slaughter of chickens
- No on-site composting of manure or dead birds
- Keeping of Poultry Permit- \$50; adjacent property owners notified, if they object, requires a SUP, annual renewal and inspection fee of \$50
- Issued identification bands
- Prohibits the running at large of all poultry, regardless of zoning district. Poultry in the roads and on other people's property will not be allowed.
- Effective Date of August 1, 2015

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BACKYARD CHICKENS IN RESIDENTIAL DISTRICTS – ORDINANCES (cont'd)

Ms. Earhart mentioned that a concern had been raised by Animal Control, about the current law regarding chickens. If a neighbor's dog killed chickens, the owner of the chickens had the right to kill the dog. Animal Control now has the option to seize the dog and determine if it needs to be killed but the neighbor can kill the dog if it kills or chases his poultry.

The Chairman declared the public hearing open.

The following citizens spoke in support of the ordinance:

Anne Buzzelli; Michael Rosenthal; Larry Parr; David Hobbs; Shannon Harrington (realtor); Kevin Fletcher; Joel Salatin; L. J. Purcell; Henry Swinson (child); Geneva Swinson; Sharon Zoumbaris (professional Librarian); Patricia Forman; Jane Steele; Rhonda Wang; Carleen Layman; Carlene Conner-Kueck and Ben Kirtley

Speakers indicated there was no risk with backyard flocks and avian influenza. Ms. Buzzelli provided a "visual aid" indicating the difference in size of a poultry farm and space for four hens. Several people mentioned that Dee Price, Animal Control Officer for the City of Waynesboro, reported there were very few incidents with chickens. It was also suggested that the permit fees be used for additional costs incurred by the County. Mr. Rosenthal felt that keeping a few hens were less of a burden to owners, or a nuisance to neighbors, than other allowable companion animals such as dogs and cats. Ms. Harrington, a realtor, stated that she had not seen a problem with hens devaluing property. Mr. Salatin said that chickens were "role models" because they were the first to get up in the morning and went straight to work, and the first to go to bed. They also "eat the garbage and produce the treasure". Mr. Purcell had been on the Dayton Planning Commission and Mayor of Dayton and had experienced the avian influenza, but supported the ordinance. Henry Swinson, a child, said that chickens provided good food and were good pets. Ms. Swinson stated that dogs were much more of a nuisance than hens. Ms. Zoumbaris stated that free range chickens were good for nutrition and wellness. Patricia Forman is a pharmacist for Perdue and co-host for "Chicken Whisperer" talk show and stated that they were clean, gentle and had personalities and did not carry diseases. She brought a chicken (named Oprah Henfrey) to make comments in support of the change. Many of the speakers felt that requiring a neighbor's permission for a micro-flock is a civil liberties violation. Ms. Wang asked for supporters to stand (approximately 80 people stood). Mr. Kirtley expressed his disappointment of giving up chickens because of the loss of food that they provided.

Handouts consisted of: "The Risks Associated with Avian Influenza and Small 'Backyard' Poultry Flocks"; petition consisting of 300 names in support; a poster stating "Two Hens in the Back Yard for Each Person in the House will Keep a Family in Fresh Eggs"; "7 False Myths About Urban Chickens"; "Biosecurity for the Poultry Industry"; "Biosecurity Guide for Poultry and Bird Owners"; "an overview of the 2002 outbreak of low-pathogenic H7N2 avian influenza in Virginia, West Virginia and North Carolina"; "UN task forces battle misconceptions of avian flu, mount Indonesian campaign"; areas that allow backyard chickens; and "Possible Role of Songbirds and Parakeets in Transmission of Influenza A(H7N9) Virus to Humans"

Jerry Tananini opposed the ordinance and stated, "There's plenty of land in Augusta County if you want to raise chickens."

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

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BACKYARD CHICKENS IN RESIDENTIAL DISTRICTS – ORDINANCES (cont'd)

Mr. Pyles said he has tried getting this ordinance changed for quite a while and echoed the comments of the speakers in favor of the change who considered it a civil liberty matter for property owners who want to enjoy the presence of a few hens. "I think it's a property rights issue. I think it's a joy issue."

Mr. Pyles moved, seconded by Dr. Pattie that the Board adopt the ordinance with an effective date of August 1st.

Dr. Pattie supported the "silly restriction" and stated that "fears outweigh the risks" and suggested to try it for a year to determine if there is a problem.

Mr. Wills appreciated the speakers, but expressed concerns that permits would not be gotten causing "heaping" enforcement costs onto the Animal Control officers. "Unfortunately, we have to make laws for bad actors."

Mr. Moore expressed concern of the avian influenza. He stated that the biggest industry in Augusta County and the largest Ag sector is poultry and that he could not support the ordinance because of the number of jobs the poultry industry supports.

Ms. Bragg had visited in neighborhoods in her district and 3 to 1 opposed the ordinance.

Chairman Shull emphasized the financial threat from disease. "When avian flu hits poultry farms, those people are out of money for over six months. Their operations, their farms could be in jeopardy."

Dr. Pattie and Mr. Pyles suggested making some amendments to the ordinance to make it more agreeable to the full Board, Mr. Wills felt that it would not work.

Vote was as follows: Yeas: Pattie and Pyles

Nays: Karaffa, Shull, Wills, Moore and Bragg

Motion denied.

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A five-minute break was taken at 8:40 p.m.

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ARTICLES OF AMENDMENT OF AUGUSTA COUNTY SERVICE

This being the day and time advertised to consider the Articles of Amendment of Augusta County Service Authority with respect to Section Three concerning the number of terms of the Board of the Authority.

Patrick J. Morgan, County Attorney, advised that this had been discussed at the Staff Briefing on Monday. He added that the Board of Supervisors desired to amend the Articles of Incorporation concerning the terms of the Board of the Authority to be parallel with the Board of Supervisors' terms. Beginning July 1, 2016, the terms of the Authority will be staggered in the following manner:

1. Newly appointed members from the Beverley Manor, Middle River, and Pastures Districts shall expire on June 30, 2018. On July 1, 2018, newly appointed members from these districts will be appointed to four-year terms.
2. On July 1, 2016, the terms of the members appointed for the North River, Riverheads, South River, and Wayne Districts will be four-year terms.

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ARTICLES OF AMENDMENT OF AUGUSTA COUNTY SERVICE (cont'd)

The Chairman declared the public hearing open.

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

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

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

 Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Nancy Sorrells thanked the Board for investigating the impacts of the pipeline and for the public hearings. She distributed maps reflecting the impact on schools and flood control dams.

Mr. Karaffa expressed concerns in the South River District and expressed concerns of vulnerable entities where they would have difficulty of evacuating.

Patrick J. Coffield, County Administrator, added that a public hearing will be held next Wednesday, February 4th, at 7:00 p.m.

Mr. Pyles asked if maps would be made available prior to the meeting.

Timmy Fitzgerald, Director of Community Development, expressed concern of crowding the hallways because of the expected crowd and suggested that they could be placed on the internet.

Mr. Pyles asked if there would be any representatives from Dominion. Mr. Fitzgerald said there would be four people who would give a brief presentation prior to the public hearing.

It was the consensus of the Board to have the maps available on-line.

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FIRE AND RESCUE – SAFER GRANT – 2015

The Board considered staff recommendations for submittal of a 2-year SAFER Grant totaling \$2.7 million which would fund up to 20 positions.

Mr. Coffield advised that this was discussed at Monday's Staff Briefing and would require a local match.

Mr. Wills asked if the request could be revised later if it is determined that 20 positions are not needed. Mr. Coffield indicated that the Board would have an opportunity to discuss in further detail the "staffing plan" as part of the Fire and Rescue Strategic Plan update. He speculated that the Federal, at the time of the grant award, would allow the number of positions to be decreased; therefore, allowing them to redirect unused grant funding to some other agency that may have received a reduced grant or one that did not receive a grant at all.

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

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FIRE AND RESCUE – SAFER GRANT – 2015 (cont'd)

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

Nays: None

Motion carried.

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AUGUSTA COUNTY SCHOOLS

The Board considered authorization for School Board to proceed with:

- a) Full design for Riverheads, Cassell and Wilson Middle School improvements; and
- b) For County bridge loan to prefund design and initial construction start-up (reimburse from Spring 2016 bond proceeds).

Dr. John Ocheltree, Chairman of the Augusta County School Board, reported that the Augusta County School Board continued their conversations regarding the ten-year capital facilities plan at its School Board Retreat on January 22nd. Several items were discussed including updates on the concept plans for Riverheads Elementary, Wilson Middle and Cassell Elementary; as well as an update on the cash-flow analysis from its Capital Account. Dr. Bond and staff presented recommendations for boundary line adjustments to the elementary schools' attendance areas. After a lengthy discussion, the School Board approved a new "free standing" Cassell Elementary School, to be built on the available land adjacent to the current school site and approved the 12-classroom addition to Wilson Middle School. The Cassell Elementary design will be a "twin" sister design of the Riverheads Elementary School concept that was previously approved by the School Board. Both elementary schools will have a capacity of 750 to 780 students. Completing the Riverheads and Cassell Elementary School projects, as designed, coupled with the pending elementary boundary line recommendations, will enable the School Board to take the next step in its ten-year capital facilities plan and then mothballing Beverley Manor Elementary School and Verona Elementary School. The School Board feels this vision will maximize their elementary schools in the western part of the County, while providing much needed space in the eastern part of the County where growth is targeted. By better utilizing the existing renovated facilities in the east, they will operate in a much more efficient manner and provide all of the elementary students in Augusta County with a 21st Century facility.

The preliminary estimated costs for these three projects are:

Riverheads Elementary:	\$18,654,818
Wilson Middle:	\$ 4,047,689
Cassell Elementary:	<u>\$18,072,371</u>
Total:	\$40,774,878

After reviewing the cash-flow analysis and after consultations with Jennifer Whetzel, Director of Finance for Augusta County, and Mark Lotts, Director of Finance for Augusta County Schools, the appropriated \$7.2 million in annual debt service provided by the Board of Supervisors equips the Augusta County School Board with the means necessary for completing these projects. He mentioned that it had also been suggested, through the collaborative efforts of Dr. Bond's office and staff and Mr. Coffield's office and staff, that a combination of a bridge loan and bond sale, or sales, through the Virginia Public School Authority, can accomplish this.

Dr. Ocheltree commended Dr. Bond and staff with their "due diligence so that this can happen".

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AUGUSTA COUNTY SCHOOLS (cont'd)

Mr. Moore thanked the Board and Staff for the present plan and boundary line study and felt that it was a thorough job.

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

Mr. Wills mentioned that the Board of Supervisors had gotten a lot of criticism last year regarding Riverheads Elementary, but felt that tonight shows the cooperation of both boards working together with a plan that was better for the children and not leaving any questions open as to the closing of schools next year. "This process worked! I appreciate the School Board meeting with us."

Ms. Bragg thanked the School Board for providing the 10-year plan. She felt that it gave her a vision and showed how hard they worked to move it forward.

Mr. Pyles agreed that this was a much better plan.

Dr. Pattie thanked the School Board in making a better plan, but did not agree with the 10-year Capital Plan, given the school district's shrinking enrollment and the lack of a long-range plan that includes all educational costs.

He added the following notes:

1. Lost 573 students in 2007
 - 67 per year
 - 100 this year
 - Forecast the same drops
2. We have 2400 empty seats
 - Staunton City has 2600 total
 - Waynesboro City has 3000 total
3. 800 empty seats in elementary
 - 600 without Craigsville
 - We may close one of the smaller schools without building
4. Wilson Middle
 - 50-75 students over capacity
 - 420 empty seats 7 miles away at Stuarts Draft
 - \$5.4 million (with interest) for convenience of a small number of students
5. \$57 million in 1710 new seats
 - Money that will not go towards education

He felt that requests would be forthcoming regarding teacher salary, school buses, maintenance and technology. "We are mortgaging our future. We need a strategic plan to show how additional funding will increase performance."

Mr. Karaffa thanked the School Board for looking at the plan again, realizing that "quality education was a monumental task".

Chairman Shull echoed the Board's sentiments and hoped that the School Board and Board of Supervisors would continue to work together.

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

 Nays: Pattie

Motion carried.

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SHENANDOAH VALLEY ANIMAL SERVICE CENTER

The Board considered proposal to proceed with shelter expansion.

Funding Source: Account #4-70-8000-8147 \$252,000

Mr. Coffield advised that this had been discussed at Monday’s Staff Briefing, adding that this had been a collaborative effort with Staunton, Augusta County, and Waynesboro to make an old kennel operational. He added that Shelter staff’s “save and ratio” has exceeded their expectations. Quotes will be solicited in the next few weeks; HVAC system will be formally bid; inmates where possible in order to reduce costs. The estimated cost for the expansion/renovation is \$419,983 with the County’s share up to \$252,000.

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

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

Nays: None

Motion carried.

Mr. Karaffa was pleased with the choice of “breaking away from SPCA, and doing something right”.

Mr. Moore commended Ms. Huffman, Director of the Shenandoah Valley Animal Service Center, for doing an excellent job.

Dr. Pattie visited the Shelter a year ago, and stated that it made sense to do these improvements.

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DEPARTMENT OF SOCIAL SERVICES – LEGAL COUNSEL

The Board considered proposal for regional DSS agency to seek in-house legal counsel (relating to CPS and APS court cases).

Mr. Morgan reported that this had been discussed at Monday’s Staff Briefing. He added that this is a regional agency but administered separately and approval of all three jurisdictions is needed to hire a full- time attorney needed to represent the Department.

Mr. Pyles asked who would be involved in the hiring process. Mr. Coffield said that Steve Rosenberg (Chairman); the Rockingham Social Services Attorney; Waynesboro City Manager Mike Hamp; Augusta County Administrator Pat Coffield; and a member of the Department of Social Services staff would be on the committee.

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

Mr. Karaffa provided a Conflict of Interest Disclosure because of being employed in Healthcare field as Director of Nursing and stated that he would abstain from voting.

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

Nays: None
Abstained: Karaffa

Motion carried.

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COURTS COMPLEX – COUNTY SEAT

The Board considered petition/resolution for referendum and authorization to proceed with securing professional services for conceptual design of Courts Complex at Government Center, i.e.; architecture and engineering services.

Mr. Coffield advised that this had been discussed at Monday's Staff Briefing. Tonight's meeting is regarding a resolution to be considered; if approved, a petition will be entered for the Judge's consideration. Staff will pursue a proposal for Architecture and Engineering Services for the joint Court Complex to relocate Circuit Court, General District Court, and Juvenile and Domestic Court. Staff will bring back a conceptual design, possibly with options, for the Board's consideration. He felt that there should be two bids: one for the Circuit Courthouse; and another for Court Complex to include all three courts. It was prudent to have these options publicly prior to referendum presented.

Donald Judy, Attorney and Secretary for the Bar Association, mentioned that a recent resolution had been provided for the Board of Supervisors and felt there were two reasons in not relocating the courthouse: 1) Financial costs; 2) History. He suggested that Augusta County and Staunton work this out.

Susan Read, member of the Bar Association, reiterated Mr. Judy, and added that all of the courts are inter-related and that this was a logistics issue. The courts should not be separated and re-emphasized the historical aspect.

Mr. Karaffa advised that they have had negotiations with Staunton with no success. He noted that the cost of moving all three courts to Verona would be \$38 million and the cost of renovating in Staunton would be \$10 million. He said this is the "fifth reincarnation" of the courthouse and question if it was meeting the needs of the citizens. The building is 113 years and he felt that it may have reached its life expectancy. He mentioned that access for the handicapped and security was inadequate. He questioned how best to serve the public and felt that this question should be put before the voters to answer that question.

Mr. Pyles mentioned that the County has already spent \$85,000 to Frazier Associates for a study and \$2.5 million to keep the Court Complex operational. Staunton has stated they only receive \$15,000 annually and if relocated to Verona, would generate approximately \$150,000 in additional revenue for the County. He agreed that as far as having the Jail transport prisoners to Staunton; there was a security issue. As far as historical aspect, "celebrate here in Augusta County!" He suggested that the courthouse would be a good place for Staunton to use their tax credits. He added that the County has been "haggling" with Staunton for over 10 years and it was enough.

Chairman Shull agreed that the general preference for the courthouse is Staunton, but something needed to be done and Staunton's offer is unacceptable. The County has no choice but to move forward.

Mr. Wills said that he, as Chairman, has been working with Staunton since last year and is very disappointed. The intent was to remain at Staunton, but he agreed with Mr. Karaffa, there are safety issues. He did not feel that they would be destroying history; the building would still remain standing. He affirmed that the courthouse needed proper security and handicap accessibility. He mentioned that the parking was also a problem in Staunton. He welcomed Staunton to provide a new offer; "the offer they gave was a slap in the face."

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COURTS COMPLEX – COUNTY SEAT (cont'd)

Mr. Moore agreed that the general population was getting older and the courthouse did not meet those needs.

Ms. Bragg felt that the move would be effective. If renovation occurred in Staunton, it would benefit the public for approximately 20 years. If it were to be relocated, it would last for approximately 40 years. She agreed that the handicapped accessibility and security were a concern.

Mr. Coffield summarized the Chairman's "letter" regarding history of the courthouse:

The current Augusta County Courthouse was built in 1901 with a major expansion in 1939. In the 1980s, another renovation took place. Since 1988, the County's Government Center master plan has recommended that the County's courts complex eventually be relocated to Verona. This master plan was updated in 2001 and 2008. Since 2000, Augusta County has spent \$2.5 million to update and renovate the courts complex in Staunton. In 2003, the City and County agreed to postpone discussion/need for relocating the courts complex to Verona for 10-15 years. This was conditioned upon the implementation of a strategy to address immediate needs of the Circuit, General District and Juvenile Courts. With this strategy Staunton agreed to:

- Evaluate new site downtown for Juvenile and Domestic-Relations Court.
- Evaluate purchase and renovate an adjacent structure for Circuit Courthouse use.
- Consider downtown space for Chief Magistrate's and Local Magistrate's office.

In 2012, the County commissioned a feasibility study to evaluate the functionality and cost effectiveness of renovating and expanding the existing 1901/1939 circa Circuit Court structure. This report estimated the cost of renovating and expanding the Circuit Court Courthouse at \$9.5 million. The estimated cost of building a new Circuit Court structure in Verona was estimated at \$10.7 million. The "new" Circuit Court facility would be 34,000 sf vs. 24,000 sf for the renovated/expanded courthouse. The additional square footage would allow for greater security improvements, ADA compliance, along with more functional space utilization at "new" courts facility. The media has reported that the cost to relocate the court(s) to Verona would be \$38 million. This estimate is for relocating all three courts (Circuit, General District and Juvenile Courts). The Government Center master plan estimated the County would need a 100,000 sf facility to house the three courts.

When one considers the Government Center as a location for the courts complex, the following benefits can be realized:

1. Court Security – near Sheriff's Department/Jail/Juvenile Detention Center. Enhanced security features with new facility.
2. Extended life cycle with new Verona court complex vs. old facilities in Staunton.
3. Secondary Tax benefits from Attorneys locating in Verona, i.e., Real Estate/Business licenses.
4. Employee meals, retail sales in Verona.
5. Citizen meals, retail sales, lodging in Verona.
6. One-stop Government Center in Verona with other local government functions.
7. Better parking availability – free to employees and citizens.
8. Staffing efficiencies, i.e., security detail, bailiffs, etc.
9. Facilities efficiencies/cost saving, i.e., heating, cooling, water, sewer, IT, trash collection and recycling.

The additional taxes generated from the move could exceed \$150,000 annually. This would include increased County revenues from meals, retail sales, real estate and business license taxes once the County court complex was relocated.

The County, in 2012, shared the results of the study completed by Frazier and Associates with Staunton. We were open and direct with Staunton officials that, while there were many benefits to relocating the courts complex to Verona that if the City would financially participate in the renovation/expansion a possibility existed to keep the courts complex in Staunton for another extended period. The County suggested 50%, but indicated a lesser amount could be considered. The City, in 2012, indicated that, due to the economy at that time, it was not in a position to consider our request and suggested that if we postponed discussions, there would be a better chance of a favorable decision by City Council. After two years, the County's Circuit Court Judge brought together the parties and strongly encouraged a decision by the City, one way or the other, so the County could proceed with either renovation/expansion or relocation of court(s).

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COURTS COMPLEX – COUNTY SEAT (cont'd)

The City's written counter-offer did not specify any direct financial participation (later said it would contribute up to \$110,000 for façade improvements). Additionally, the City said it would "explore" tax credits, Federal and State grants. Again, later, the City indicated that tax credits/grants could "knock out almost half the cost off the project". When asked if the City would commit 50% of the project with tax credits and grants counted against its commitment . . . no response was received. Most egregious was its demand for the County to amend the County Comprehensive Plan any mention of the Government Center as a site for County Courts.

As the County proceeds with its petition/resolution for holding a referendum to relocate the County Seat to Verona, we will also be pursuing the selection of an architectural team to take the Master Plan and develop a "Concept" plan for the Board and public to consider. From this effort, the schematics for the Courts will be designed and a more detailed cost estimate will be generated.

We are still open to Staunton "reconsidering" its position. We also encourage comments from our citizens in this major policy and financial decision regarding our Courts system.

Chairman Shull said that while Mr. Wills was leading negotiations, it was like a slap in the face from Staunton. Augusta County and the School Board worked together and resolved the problem. He suggested that the Bar Association go back to Staunton and talk to them. "It is time to move on. We have a short time-frame to work with."

Mr. Pyles did not think they needed to wait for Staunton to make a decision. "It's time to move on!"

Mr. Karaffa moved, seconded by Ms. Bragg, that the Board the following resolution:

RESOLUTION AUTHORIZING A PETITION TO THE AUGUSTA COUNTY
CIRCUIT COURT FOR THE ISSUANCE OF A WRIT OF ELECTION FOR
REMOVAL OF THE AUGUSTA COUNTY COURTHOUSE

WHEREAS, the current Augusta County Courthouse, constructed in 1901 and added onto in 1939 and located at the corner of East Johnson and South Augusta Streets in the City of Staunton, is deemed antiquated and inadequate to meet the needs of the people of Augusta County; and

WHEREAS, the Courthouse was characterized as being antiquated and inadequate in a study performed by Frazier Associates in October, 2012; and

WHEREAS, the study performed by Frazier Associates determined that the mechanical, electrical, and plumbing systems in the Courthouse are antiquated and inadequate; and

WHEREAS, there is a need for additional bathrooms, improved security, and improved handicapped accessibility; and

WHEREAS, the Board of Supervisors of Augusta County financed a study that demonstrates the extreme difficulty of repairing and upgrading the existing Courthouse to current state standards; and

WHEREAS, the only remaining option for rectifying the aforementioned deficiencies is the construction of a new facility at a new location; and

WHEREAS, Section 15.2-1644 of the Code of Virginia, 1950, as amended, provides that the Board of Supervisors may, by resolution, request the Circuit Court of Augusta County, to issue a writ of election for the holding of an election in the County on the question of removal of the Courthouse to a place specified in the resolution.

NOW THEREFORE, BE IT RESOLVED BY THE AUGUSTA COUNTY, VIRGINIA BOARD OF SUPERVISORS that:

1. The Board hereby approves a request to the Court for an election in the County on the question of removal of the Courthouse. The new facility shall be located at the Government Center Complex in Verona, Virginia.

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COURTS COMPLEX – COUNTY SEAT (cont'd)

- 2. The total cost of the Courthouse project shall be up to \$11,500,000.00 all of which shall be appropriated for the erection of the new Courthouse (including any necessary buildings and other improvements at such new location).
- 3. The County Attorney is hereby directed to institute the necessary proceedings in order to carry out the intent and direction of the Board of Supervisors, as set forth herein.

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

MINUTES

Approved minutes of the following meetings:

- Organizational Meeting, Wednesday, January 7, 2015
- Regular Meeting, Wednesday, January 14, 2015

PRESTON L. YANCEY – KITCHEN NAMING REQUEST

Considered request of naming kitchen in memory of Harry L. Dull.

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

Nays: None

Motion carried.

Mr. Moore noted to the public the Preston L. Yancey – Kitchen Naming Request was in memory of Harry L. Dull.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Wills announced that he would not be seeking re-election in the fall.

Dr. Pattie hoped that Mr. Trice accepted Mr. Pyle’s apology.

Mr. Karaffa:

- 1. Mr. Trice – Welcomed face in the board room and hoped that he continued being there.
- 2. Mr. Wills’ announcement – Applaud his service to the County; will be a loss to the Board, but respects his decision.

Chairman Shull:

- 1. Mr. Wills’– Thank you for your service.

January 28, 2015, at 7:00 p.m.

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CLOSED SESSION (cont'd)

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.

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ADJOURNMENT

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

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

Nays: None

Motion carried.

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Chairman

County Administrator