
Regular Meeting, Wednesday, November 14, 2007, at 7:00 p.m. Government Center, Verona, VA

PRESENT: Nancy Taylor Sorrells, Chairwoman
David R. Beyeler, Vice-Chairman
F. James Bailey, Jr.
Wendell L. Coleman
Kay D. Frye
Larry C. Howdyshell
Tracy C. Pyles, Jr.
Dale L. Cobb, Director of Community Development
Joseph W. Davis, Director of Finance
John C. McGehee, Assistant County Administrator
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, November 14, 2007, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 232nd year of the Commonwealth....

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Chairwoman Sorrells welcomed the citizens present for the meeting and reviewed meeting protocols.

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Devon Thompson, a senior at Wilson Memorial High School, led us with the Pledge of Allegiance. Devon enjoys track, computer work, and being involved with his church. He goes on mission trips and does a lot of sound activity at his school and church. He hopes to attend Virginia Tech and pursue a career in Computer Engineering.

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

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MATTERS TO BE PRESENTED BY THE PUBLIC

Patti Strickler, Director of Special Olympics for Staunton, Waynesboro, and Augusta County, expressed the need for the Verona Recreation Center. She said it was quite difficult in finding gym space for 150-160 athletes year around. They are currently using the Augusta County recreation gym. Ms. Strickler advised that they are currently serving people from ages 8 to 70 who have intellectual disabilities; they will start serving individuals from ages 2 to 7 in the spring. They have approximately 20 athletes who use the YMCA swimming pool. Chairwoman Sorrells asked if there are programs that they do not have space. Ms. Strickler said that they have a one-hour block every Sunday for basketball. With the increased program, they will need more time.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following:

Mr. Bailey:

1. Special Olympics request – received a call supporting the Verona Recreation Center. He hoped that in the near future this facility could be utilized for Special Olympics, Senior Citizens, and athletic courts for County leagues.

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

Chairwoman Sorrells noted that this type of program has been occurring since 2001. "They do a fantastic job. They also bring in veterans and interview them with the students."

Vote was as follows: Yeas: Howdysshell, Sorrells, Frye, Beyeler, Bailey, Pyles and Coleman

Nays: None

Motion carried.

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

Chw. Sorrells:

1. Board of Supervisors Transition Briefing began today. Dates for additional meetings are: November 19th, December 3rd, and December 10th. Encouraged Supervisors to attend.
2. VACo meeting at Homestead – Good informational sessions. New transportation bills mentioned. One bill referring to secondary roads being turned over back to localities for maintenance. General Assembly has a new bill that "puts it on the back burner" with new regulations that include "connectivity". There will be requirements from VDOT for connectivity; when a subdivision is built, the developer will have to build stub-outs. These regulations will go through the Commonwealth Transportation Board and then to the Board of Supervisors.

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STREET ADDITIONS

The Board considered County Administrator's recommendations to adopt resolutions for acceptance of the following streets into the secondary road system in accordance with VDOT request:

1. Village Green at the Lake, Phase 3 (Wayne District)
2. Stoney Run Subdivision, Section 2 (Riverheads District)

Dale L. Cobb, Director of Community Development, advised that there are two streets to be considered: Brighton Boulevard (.11 miles) and Wesleigh Manor (.13 miles).

Mr. Coleman moved, seconded by Mr. Howdysshell, that the Board adopt the following resolution:

BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the following streets in **VILLAGE GREEN AT THE LAKE, PHASE 3**, into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Brighton Boulevard
 From: Intersection of Route 1136 (Hunter's Trail)
 To: 0.11 miles south of Route 1136 (Hunter's Trail)
 Length: 0.11 miles

Wesleigh Manor
 From: Intersection of Brighton Boulevard
 To: 0.13 miles west of Brighton Boulevard
 Length: 0.13 miles

AND FURTHER BE IT RESOLVED, that the Board does guarantee the Commonwealth of Virginia an unrestricted right of way of 50 feet with necessary easements, for cuts, fills, and drainage as recorded in Instrument 040003601, Plat Book 1, Pages 5885 and 5886, recorded March 26, 2004.

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STREET ADDITIONS (cont'd)

Mr. Cobb advised that there are three streets to be considered: Bowman's Run Drive (.04 miles), Ashley Road (.30 miles), and Mallard Road (.11 miles).

Mr. Beyeler moved, seconded by Mr. Pyles, that the Board adopt the following resolution:

BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the following streets in **STONEY RUN, SECTION 2**, into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Bowman's Run Drive
From: 0.01 miles north of the intersection of Grouse Ridge Road (Route 1063)
To: 0.05 miles north of the intersection of Grouse Ridge Road (Route 1063)
Length: 0.04 miles

Ashley Road
From: Intersection of Bowman's Run Drive
To: Intersection of Bowman's Run Drive (Route 1064)
Length: 0.30 miles

Mallard Road
From: Intersection of Ashley Road
To: Intersection of Bowman's Run Drive (Route 1064)
Length: 0.11 miles

AND FURTHER BE IT RESOLVED, that the Board does guarantee the Commonwealth of Virginia an unrestricted right of way of 50 feet with necessary easements, for cuts, fills, and drainage as recorded in Instrument 010015633, Plat Book 1, Pages 5146,5147 and 5148, recorded December 20, 2001.

Vote was as follows: Yeas: Howdysshell, Sorrells, Frye, Beyeler, Bailey, Pyles and Coleman

Nays: None

Motion carried.

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STREETLIGHT REQUEST

The Board considered request for the installation and/or upgrading streetlights at the southeast corner of intersection of Verona Court Boulevard (Route 1919) and Middle River Lane (Route 1922) (Beverley Manor District).

Mr. Cobb advised that this request was for one streetlight located at the intersection of Verona Court Boulevard (Route 1919) and Middle River Lane (Route 1922) and suggested that a committee be appointed to review the request.

Mr. Bailey moved, seconded by Beyeler, that the Board approve a committee to review streetlight request.

Vote was as follows: Yeas: Howdysshell, Sorrells, Frye, Beyeler, Bailey, Pyles and Coleman

Nays: None

Motion carried.

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DMV ANIMAL FRIENDLY LICENSE PLATES

The Board considered allocation of funds from DMV (\$1,710) to support sterilization programs for dogs and cats.

John C. McGehee, Assistant County Administrator, reported that this program began in 1999 and that the Board has the discretion of giving the funds to an organization that supports sterilization programs for dogs and cats. A request has been submitted by Kindred Spirits. The Department of Motor Vehicles sells the Animal Friendly license plate which is authorized by Virginia Code § 46.2-749, as part of its special license plate program. Augusta County is due \$1,710 from this fund. He noted that the form needed to be returned no later than November 30, 2007. Money has been appropriated to Kindred Spirits for the last four years. Mr. Pyles, being a member of the SPCA, acknowledged that SPCA is financially stable. "Kindred Spirits specializes in this effort. The better they do their job, the cheaper it is for us and the SPCA."

Mr. Pyles moved, seconded by Mr. Howdyshell, that the Board appropriate funding to Kindred Spirits Spay/Neuter Clinic.

Vote was as follows: Yeas: Howdyshell, Sorrells, Frye, Beyeler, Bailey, Pyles and Coleman

Nays: None

Motion carried.

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VALLEY PROGRAM FOR AGING SERVICES (VPAS) - RESOLUTION

The Board considered resolution regarding the coordination of Long-Term Care Services in Augusta County, the City of Staunton, and the City of Waynesboro.

Joseph W. Davis, Director of Finance, stated that a letter from Elizabeth Middleton, Social Services Director, to Paul Lavigne, Executive Director for Valley Program for Aging Services (VPAS), regarding the coordination of long-term care services in Augusta County and the Cities of Staunton and Waynesboro, with VPAS serving as the lead agency for this endeavor, was attached to the Board package.

Mr. Coleman moved, seconded by Mr. Bailey, that the Board adopt the following resolution:

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF AUGUSTA COUNTY, VIRGINIA**

WHEREAS, to address the projected growth of the Commonwealth of Virginia's elderly population and the increased need for services, the Virginia General Assembly enacted Virginia Code § 2.2-708, requiring local governments to coordinate local long-term care services.

WHEREAS, pursuant to § 2.2-708, each local government in the Commonwealth is mandated to designate a lead agency and member agencies to accomplish the coordination of local long-term care services.

WHEREAS, the Board of Supervisors of Augusta County, Virginia (the "Board of Supervisors") seeks to coordinate long-term care services for elderly adults among the localities of the City of Waynesboro, Virginia, the City of Staunton, Virginia and Augusta County, Virginia.

WHEREAS, the Board of Supervisors believes it to be in the best interest of Augusta County that Valley Program for Aging Services be designated as lead agency to accomplish the coordination of local long-term care services, with Valley Community Services Board, Shenandoah Valley Social Services, Central Shenandoah Health Department, and the Augusta Medical Center being additionally designated as member agencies to accomplish the coordination of local long-term care services.

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VALLEY PROGRAM FOR AGING SERVICES (VPAS) – RESOLUTION (cont'd)

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

1. Valley Program for Aging Services is hereby designated as lead agency to accomplish the coordination of local long-term care services pursuant to Virginia Code § 2.2-708.

2. Valley Community Services Board, Shenandoah Valley Social Services, Central Shenandoah Health Department, and the Augusta Medical Center are hereby designated as member agencies to accomplish the coordination of local long-term care services pursuant to Virginia Code § 2.2-708.

3. This resolution shall be effective upon adoption of similar resolutions by the City Council of the City of Staunton, Virginia, and the City Council of the City of Waynesboro, Virginia.

Vote was as follows: Yeas: Howdyshell, Sorrells, Frye, Beyeler, Bailey, Pyles and Coleman

Nays: None

Motion carried.

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CONSENT AGENDA

Mr. Beyeler moved, seconded by Mr. Bailey, that the Board approve the following consent agenda:

MINUTES

Approved minutes of the following meetings:

- Staff Briefing Meeting, Monday, October 22, 2007, as amended
- Regular Meeting, Wednesday, October 24, 2007, as amended

CLAIMS

Approved claims paid since October 10, 2007

Vote was as follows: Yeas: Howdyshell, Sorrells, Frye, Beyeler, Bailey, Pyles and Coleman

Nays: None

Motion carried.

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(END OF CONSENT AGENDA)

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. VACo Committee Interest Form distributed for Board of Supervisors' input.
2. Planning District Commission – Facts and Figures 2007 distributed to Board
3. VDOT Secondary Roads Public Hearing to be held November 28th; draft distributed to Board.
4. USDA Drought – Note from Miles Bobbitt shared with the Board that the Farm Service Agency is accepting applications for emergency conservation program until November 29th. Mr. Howdyshell requested that staff assist the USDA in informing the public.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

5. Byrd Hill Subdivision – Boundary Line Adjustment

Mr. Coffield informed the Board that this property is adjacent to Augusta County in the Beverley Manor District. This subdivision was delayed a year ago for Staunton’s rezoning because of the need of a road being connected to the County road system. The proposed second entrance and exit was on to County Route 613. Community Development and Planning staff raised the concern that it was not just a road, but also a bridge. “As we all know with VDOT, bridges cost money for maintenance.” Community Development staff’s recommendation was that we not accept this road into the Secondary Road System. While Mr. Bailey was supportive of connectivity, he understood the financial issue with VDOT and felt that the bridge and road should be as part of the City Urban System. While Staunton was considering a boundary line adjustment to take in the road and bridge, they also considered taking several houses into Staunton. Mr. Bailey opposed that suggestion. Staunton agreed to only consider a boundary line adjustment for the road and bridge. A letter from Staunton asking for permission for their attorney to meet with the County Attorney to draft the necessary documents was distributed to the Board.

Mr. Beyeler asked if Mr. Bailey supported this issue. Mr. Bailey stated that he did not favor annexing the area that would include the houses. He realized the County’s need for connectivity in the Wayne District should also apply to other areas needing connectivity. He supported the boundary line adjustment only. Mr. Beyeler suggested a trade.

Mr. Bailey moved, seconded by Mr. Coleman, that the Board authorize the County Attorney to work with the City of Staunton Attorney on a mutual agreement to exchange boundary line adjustments.

Mr. Coleman said he was involved with John Avoli when he was Chairman of the Board and agreed that if there were a reasonable way to resolve the problem, he would like to proceed.

Vote was as follows: Yeas: Howdysshell, Sorrells, Frye, Beyeler, Bailey, Pyles and Coleman

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

- 6. Partnering Session package distributed to the Board. Noted that the Department of Conservation and Recreation (DCR) Erosion and Sediment Program will be discussed at the November 26th Staff Briefing.
- 7. Decals – Meeting notes distributed to the Board – Will be discussed at the November 26th Staff Briefing.
- 8. Hershey Chocolate News Virginian article distributed to Board.
- 9. Weyers Cave water system improvements – Public/private partnership for improvements to public water system serving Weyers Cave community (installation of pressure-reducing valve) will be discussed at the November 26th Staff Briefing. Funding allocation: Augusta County (1/3); ACSA (1/3); and Associated Developers LLC (1/3) in the amount of \$100,000.
- 10. Cost of Community Services (COCS) Study distributed to Board – presentation will be given at the November 26th Staff Briefing.

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CLOSED SESSION

On motion of Mr. Beyeler, seconded by Mr. Pyles, the Board went into closed session pursuant to:

(1) the real property exemption under Virginia Code § 2.2-3711(A)(3)
[discussion of the acquisition for a public purpose, or disposition, of real property]:

A) Off of Route 648 in Riverheads District

(2) economic development exemption under Virginia Code § 2.2-3711(A)(5)
[discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of its interest in locating or expanding its facilities in the county]:

A) Pending Industrial Prospect

Vote was as follows: Yeas: Howdysshell, Sorrells, Frye, Beyeler,
Bailey, Pyles and Coleman

Nays: None

Motion carried.

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CLOSED SESSION (cont'd)

On motion of Mr. Beyeler, seconded by Mr. Pyles, the Board came out of Closed Session.

Vote was as follows: Yeas: Howdysshell, Sorrells, Frye, Beyeler,
Bailey, Pyles and Coleman

Nays: None

Motion carried.

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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.

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CLOSED SESSION (cont'd)

Roll Call Vote was as follows:

AYE: Frye, Coleman, Howdyshell, Bailey, Sorrells, Pyles and Beyeler

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. Beyeler moved, seconded by Mr. Howdyshell, that the Board adjourn subject to call of the Chairman.

Vote was as follows: Yeas: Howdyshell, Sorrells, Frye, Beyeler, Bailey, Pyles and Coleman

Nays: None

Motion carried.

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Chairman

County Administrator