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Regular Meeting, Wednesday, October 14, 2015, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Michael L. Shull, Chairman  
Carolyn S. Bragg, Vice-Chairman  
Jeffrey A. Moore  
Marshall W. Pattie  
Tracy C. Pyles, Jr.  
G. L. "Butch" Wells  
Larry J. Wills  
Patrick J. Morgan, County Attorney  
Timmy Fitzgerald, Director of Community Development  
Jennifer Whetzel, Director of Finance  
Faith Duncan, Personnel Manager  
Candy Hensley, Assistant to the 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, October 14, 2015, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 240<sup>th</sup> year of the Commonwealth....

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Chairman Shull welcomed the citizens present.

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Chairman Shull noted that these students "had a lot of expectations to live up to. Last year, the class won the award for the Blue Ribbon. That award was nationwide. The class had 40+ honor students. I'm very proud of that class because my daughter was in it, but I'm proud of all the students in Augusta County. It was a fine bunch of scholars from Riverheads last year and I hope these group of students can do just as well."

The following seniors of Riverheads High School, led us with the Pledge of Allegiance:

Aaron Shull plans on attending Blue Ridge Community College.

Hannah Humphries plans on attending JMU and major in Special Education.

Katie Stogdale plans on attending Blue Ridge Community College and major in Radiology.

Cooper Yowell hopes to become a Diesel Mechanic.

Jessica Surface would like to attend Blue Ridge Community College and major in Psychology.

Jessica Snead plans on attending Blue Ridge Community College and major in Music.

Rebecca Johnson plans on attending Blue Ridge Community College and major in Physical Therapy.

Emily Dameron hopes to pursue a career in City Planning.

Amber Shanks plans on attending Blue Ridge Community College and transfer to JMU. She hopes to become a Cosmetologist.

Kayla Abshire plans on attending Liberty University and major in Pediatric Nursing.

Austin Kyger plans on attending Blue Ridge Community College and then transfer to a four-year college and, also, hopes to join the U.S. Army Reserves.

Holly Kyler wants to "rescue cats and do hair".

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Elijah Burch plans on majoring in Mechanical Engineering at Virginia Commonwealth University.

Emily Tooms hopes to be a future Culinary student.

Nick Schroers hopes to attend Virginia Tech and major in Engineering.

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Michael L. Shull, Supervisor for the Riverheads District, delivered invocation.

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MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

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2016 PROPOSED HOLIDAY SCHEDULE

The Board considered 2016 proposed Holiday Schedule.

Faith Duncan, Human Resources Director, reported that this proposal is similar to previous years.

Mr. Wills moved, seconded by Mr. Moore, that the Board approve the 2016 proposed Holiday Schedule as presented.

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

Nays: None

Motion carried.

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SAW CONSORTIUM TRUST – 2016 HEALTH INSURANCE RATES

The Board considered 2016 Health Insurance Rates.

Ms. Duncan advised that 11.5% has been budgeted for FY15-16 and the actual increase came in which included a 3% reserve for self-insurance at 7.4% (under budget).

The options to be considered are:

- Option 1 – County picks up the 7.4% increase totally, no cost to employees.
- Option 2 – Increase split equally between the County and the employee.
- Option 3 – Pass entire increase to employee.

Jennifer Whetzel, Finance Director, added that the County has a Health Insurance Escrow that is related to funding the dependent care portion of the Health Insurance. This is updated at budget time as to how much is coming out of General Funds versus what is coming out of the Health Insurance Escrow. Currently, there is \$280,000 out of the General Fund and the remainder comes from the Escrow. Option 1 would have a balance of approximately \$200,000 to apply to the FY17 budget and the General Fund will pick up the differential (approximately \$180,000). All three options would require the General Fund to pick up funds in the future. Dependent Care is something that needs to be focused at funding in the long-run. With the Consortium now having a self-insured insurance policy with all three individual entities, it has been prolonged in how to treat this for one more year. Local Choice has required all school systems to submit claims information (four times). It has been made mandatory and there is a question as to will the State make all school systems eventually go with the Local Choice Policy. This would mean that the Consortium would be losing Augusta County Schools, which is the biggest employer which assists with getting lower rates. Once things settles out with the Local Choice option, the County can officially set up the trust with all the cities and county involved with one trust.

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SAW CONSORTIUM TRUST – 2016 HEALTH INSURANCE RATES (cont'd)

She reiterated that Option 1 would have approximately \$200,000 to apply to the FY17 Budget; Option 2 would be approximately \$277,000; Option 3 would have \$353,000.

Mr. Pattie asked how much Option 2 would cost the County. Ms. Whetzel said it would be \$101,745 savings to the General Fund.

Mr. Wills asked what the additional cost to the employee for Option 2 would be. Ms. Duncan said, currently, employee-only pays \$5 for their monthly premium; Option 2 would be \$27 (difference of \$22).

Ms. Duncan noted that the increase that employees would receive in January is 1.5%. “If the Health Insurance rates are changed, they will not see that raise at all.” She added that, starting next year, a high deductible plan with a health-savings account will be considered.

Ms. Bragg moved, seconded by Mr. Moore, that the Board approve Option 1.

Vote was as follows:           Yeas: Pattie, Shull, Wills, Wells, Moore, Pyles and Bragg  
   Nays: None

Motion carried.

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BOARD OF ELECTIONS – POLLING PRECINCTS

A) The Board considered request for architectural services for modifications to the Government Center in response to Department of Justice requirements related to polling places.

Funding Source:           BOE CIP Account #80000-8049           \$14,380

B) The Board considered request for repairs at the Churchville Elementary School.

Funding Source:           BOE CIP Account #80000-8049           \$3,715

Candy Hensley, Assistant to County Administrator, noted that Ruth Talmage and Tom Long were present to answer any questions.

Ms. Hensley advised that a memorandum was enclosed in the Board agenda package which included a scope and fee from Frazier Associates for architectural services related to Polling Precinct #103 for Verona (Government Center Administrative Building). She referred to a letter from DOJ which noted 21 sites to bring into compliance with Americans Disability Act (ADA). The Frazier Proposal is for the six ramps and sidewalks to be compliant with slope, landing, and hand-rail requirements. She and G. W. Wiseman, Building Official, felt that the architectural services were needed because of the width and slope requirements of the ramps. In doing this, there will be plans established for bidding purposes. After the work has been completed, it can also be certified as to meeting the ADA requirements.

Mr. Moore asked what the timeframe was. Ms. Hensley stated that once the scope and fee has been executed, the work will be completed by the end of the year. She said the goal was to have the work done before the March election (Primary Election).

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### BOARD OF ELECTIONS – POLLING PRECINCTS (cont'd)

Patrick J. Morgan, County Attorney, said that for DOJ requirements it would be completed in time for the November election, not the Primary.

Ms. Hensley said the other request is construction-type work at the Churchville Elementary School precinct to fill in the concrete expansion joints in the sidewalks, asphalt repairs and restriping handicapped parking through Lovegrove Construction. This is planned before the November election.

Mr. Wills asked what was going to be used to fill in the joints. Ms. Hensley said they were going to select a compound that will expand. Mr. Wills said this is not usually permanent and should be checked frequently. Ms. Hensley said that after completion; pictures will need to be provided to DOJ for the next five years for proof of compliance. Mr. Wills said that it will need to be repaired periodically. Ms. Hensley agreed that it will need to be checked periodically.

Tom Long, Secretary of the Electoral Board, thanked Ms. Hensley, Mr. Wiseman and Mr. Coffield for their assistance, and made the following statement:

We, the members of the Electoral Board, have put a lot of work on it, too, and we're going to get things right. Yes, we may have to replace some expansion joints sealant, or whatever down the road, but we're going to get things right. Ramp signs and other equipment have been ordered. We start our training of Election Officers tomorrow afternoon in this room and we will begin the process, then, of working with each of the Chiefs and Assistant-Chiefs to be sure they know, at their specific precinct, what accommodations need doing. Candy has put together folders with site maps, aerial photos, and all sorts of stuff, and we are going to be briefing them of that tomorrow.

Regarding the Verona Precinct, here at the Government Center, the Electoral Board believes it totally inappropriate to charge the architects' fee and future construction costs to bring this facility into ADA compliance to the Electoral Board's line item in the County's Capital Account and we offer the following rationale:

- The accessibility issues related to this building affect virtually every office and every function of County government 52 weeks a year. We use the Verona Precinct two, maybe, three days each year. This fact, alone, justifies placing the costs in a General County Construction or Maintenance line item, rather than the Electoral Board's Capital Account.
- Under the State Code, polling places are designated by ordinances passed by the local governing body. While we, on the Electoral Board, recommend polling places, the Board of Supervisors actually mandates them. When a polling place is in a facility owned by the County, it is clearly the County government, not the Electoral Board, that is responsible for the cost of assuring that the facility meets ADA requirements.
- The Electoral Board line item in the County Capital Account has always been intended to be a savings for the purchase of new voting equipment. The Electoral Board anticipates replacing our current voting equipment for the 2017 General Election. It is possible the State could mandate replacement equipment before that time. This account should be saved for that purpose and not depleted for facilities, construction and repair.

Ms. Talmage added that only one ramp is used during the election time.

Patrick J. Coffield, County Administrator, explained that this building meets ADA requirements for Augusta County government purposes. It is only the Department of Justice elections that are not in compliance. All of these repairs are needed because of the Board of Elections.

Mr. Pyles noted that this Board has funded what needs to be funded in regards to the Board of Elections. They have bought a lot of the machines and have been ahead of the curve. "We will always do what is right. We will do what needs to be done when you need new machines. It's that simple. We're not going to be second-rate on

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BOARD OF ELECTIONS – POLLING PRECINCTS (cont'd)

anything. This is for the Elections. It is not for what we need to do. I don't care where it comes from, but we will do it."

Mr. Moore said this is just to figure out what is needed to be done. He felt that it will be a considerable higher cost to actually rebuild the ramps.

Mr. Wills asked why all of the ramps are being considered instead of the one that pertains to the elections. Ms. Hensley said that two of the entrances were cited in the DOJ letter. While they were working on those two, staff felt it best to look at the third one. They cited the main entrance at the flags and the Board of Supervisors' entrance. As far as upgrades, they can make a decision not to bid it all at one time, depending on funding. The School Board entrance could be reworked at a later date.

Mr. Morgan added that, since the Registrar's Office is used as the Absentee Ballot Precinct, the front ramp needs to be considered.

Chairman Shull clarified that if any problems occur, the County would have an "architectural seal" on it and the Department of Justice can deal with them.

Ms. Bragg moved, seconded by Mr. Pyles, that the Board approve the requests.

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

Nays: None

Motion carried.

Chairman Shull confirmed that if funding for the machines are needed, the Board will take care of it at that time.

Ms. Talmage noted that there had never been a complaint from voters for the past 30 years until now.

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VDOT REVENUE SHARING FOR FY2016-2017

The Board considered VDOT Revenue Sharing Program for FY2016-2017:

A) Route 358 – Shared Use Path

Funding Sources:

Wayne Infrastructure	Account #80000-8017-94	\$ 6,600
Beverly Manor Infrastructure	Account #80000-8011-76	<u>6,600</u>
		\$13,200

Timmy Fitzgerald, Director of Community Development, explained that this is a project that the County has been asked to share with along Route 358, which is Woodrow Wilson Avenue. Woodrow Wilson Workforce Center staff are extending the shared use path that was constructed with Route 636 along Route 358 to their Administration Building. They have asked for County participation in that project because they do not have the capability to pave the project, which would require a contractor.

Mr. Moore added that once the residential development at Myers Corner occurs across the street, there would be students walking to schools and this will address safety issues. Woodrow Wilson Rehabilitation Center students are currently walking on the road.

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VDOT REVENUE SHARING FOR FY2016-2017 (cont'd)

Mr. Moore moved, seconded by Mr. Wells, that the Board adopted the following resolution:

**RESOLUTION**

**WHEREAS**, the County of Augusta desires to submit an application for an allocation of funds of up to \$13,200 through the Virginia Department of Transportation Fiscal Year 2017 Revenue Sharing Program; and,

**WHEREAS**, \$13,200 of these funds are requested to fund the following:

SUMMARY – Designation of Funds Form  
FY17 Revenue Sharing Program

**Augusta County**

**District Staunton  
Residency Harrisonburg**

<b>Rev Share Priority #</b>	<b>Route # / Road Name</b>	<b>Requested State Rev Share Match (\$)</b>	<b>Locality Rev Share Match (\$)</b>	<b>TOTAL FUNDS (\$)</b>
1	Route 358 Woodrow Wilson Avenue	\$13,200	\$13,200	\$26,400
<b>TOTAL OF ALL FUNDS</b>		\$13,200	\$13,200	\$26,400

**NOW, THEREFORE, BE IT RESOLVED** that the Augusta County Board of Supervisors hereby support this application for an allocation of \$13,200 through the Virginia Department of Transportation Revenue Sharing Program.

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

Nays: None

Motion carried.

Mr. Coffield noted that Waynesboro had considered a Revenue Sharing project last week for this proposed economic development site. It was noted that in the 1990's Augusta County had bought the Commonwealth Gas property for approximately \$3 million and used some state and local funds (\$3 million) for road, water and sewer improvements. It cost the County approximately \$7 million for about 200 acres; cost per acre was approximately \$20,000. This has served as "an appreciating asset". Waynesboro City Council recently bought a piece of property for \$3.5 million off of Lyndhurst Road. To get access to Route 340 and I-64, it will take another \$8.8 million, a total over \$12 million, to make that 169 acres an actual Economic Development site. "If you do the math, that is \$75,000 an acre. It would be very hard for us to fund \$75,000 an acre to build a new industrial park. We have heard from our State representatives, in this day and age for Economic Development, they want to know who owns the land, who has title of the land, what is the price, what is the zoning, and it has to be almost a turnkey operation. We have 200 acres on the hill and it is worth more than \$20,000 an acre."

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WAIVERS/VARIANCES – NONE

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CONSENT AGENDA

Ms. Bragg moved, seconded by Mr. Pyles, that the Board approve the consent agenda as follows:

MINUTES

Approved minutes of the following meetings:

- Staff Briefing Meeting, Monday, September 21, 2015
- Regular Meeting, Wednesday, September 23, 2015

CLAIMS

Approved claims paid since September 9, 2015

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Wills:

1. Courts – expressed dissatisfaction with City negotiations. He suggested that the City and County Negotiating Team provide a list of its major concerns and what they determine as the opposite team’s position on that concern. He felt that this would identify the major issues. After this has been done, he suggested that the two teams meet and address those particular issues. He felt that those issues would consist of the final costs, consolidation or courts, courtroom sizes, parking issues, etc. “It gets in writing both sides’ positions at this point.” He suggested that these points also be provided to the newspaper so that the citizens of Augusta County and City of Staunton can understand what the true issues are and what is being negotiated. “We’re 45 days from the deadline we set and nothing has happened. If we don’t do something to have something to negotiate on, we can’t go forward.”

Mr. Wills moved, seconded by Mr. Moore, that the Board authorize the Negotiating Team to provide a list of its major concerns and what they determine as the opposite team’s position on that concern and ask Staunton to do the same.

Ms. Bragg asked for clarification. Mr. Wills reiterated that the teams need to put down what their position is and clarify what Staunton’s position is and Staunton needs to do the same. “Once it is in writing, everybody knows what the position is and where you are negotiating from.”

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

Nays: None

Motion carried.

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2. Mt. Sidney dumpsite – “Keep employee and his family in your prayers.”

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

Mr. Moore:

1. Attended MPO joint meeting with the Charlottesville/Albemarle MPO and the Staunton/Augusta/Waynesboro MPO at the Crozet Library. Discussed the commonalities of I-64 and Route 250 - "Corridor of State Significance!"
2. Crozet Tunnel - Pictures were shown on the overhead. It was the consensus of the Board to place resolution on the Staff Briefing agenda for October 26.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. Coordination America – Contract has been executed and County Attorney is prepared to move forward.
2. Shared Services – New phone system installation is underway.
3. Sourcewater Protection Overlay application, with the exception of Gardner Springs, is going to be discussed at next Board meeting.
4. Inclement Weather (Hurricane Joaquin) – staff was quite involved for the "worst case scenario". Flood control dams were closely monitored. Mr. Pyles added that the flood control dams are a high standard and "should hold during a very extreme event". Mr. Wills mentioned that when developments want to use dams to create lakes within their developments, that the Board should be strict in what is allowed. He learned that two of the dams that failed in South Carolina were considered private dams within the subdivisions and when they broke, everything below them got hit.
5. Litter Grant – FY15-16 – awarded \$18,067
6. Engineer Services Contracts - Mr. Fitzgerald mentioned that the process will begin next week to renew contracts.

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CLOSED SESSION

On motion of Ms. Bragg, seconded by Mr. Wells, the Board went into closed session pursuant to:

- (1) the personnel exemption under Virginia Code § 2.2-3711(A)(1)**  
[discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:
  - A) Boards and Commissions
  - B) County Administrator Recruitment
- (2) 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) Courthouse
- (3) the legal counsel exemption under Virginia Code § 2.2-3711(A)(7)**  
[consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, as permitted under subsection (A) (7)]:
  - A) DOJ Compliance

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CLOSED SESSION (cont'd)

On motion of Dr. Pattie, seconded by Mr. Moore, the Board came out of Closed Session and adjourned subject to the call of the Chairman.

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

Nays: None

Motion carried.

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The Chairman advised that each member is required to certify that to the best of their knowledge during the closed session only the following was discussed:

- 1. Public business matters lawfully exempted from statutory open meeting requirements, and
- 2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Roll Call Vote was as follows:

AYE: Pattie, Wills, Wells, Moore, Bragg, Pyles and Shull  
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, Dr. Pattie moved, seconded by Mr. Moore, the Board adjourned subject to call of the Chairman.

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

Nays: None

Motion carried.

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Chairman

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County Administrator