

Staff Briefing Meeting, Monday, October 26, 2015, 1:30 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 (via electronically)
Timmy Fitzgerald, Director of Community Development
Becky Earhart, Senior Planner
Jennifer Whetzel, Director of Finance
Patrick J. Morgan, County Attorney
Patrick J. Coffield, County Administrator

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Monday, October 26, 2015, at 1:30 p.m., at the Government Center, Verona, Virginia, and in the 240th year of the Commonwealth....

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SPECIAL MATTERS:

Because of personal business, Mr. Wills was unable to attend tonight's meeting.

- A) Entertain motion to consider Supervisor Wills' request to attend Board meeting electronically.

Dr. Pattie moved, seconded by Ms. Bragg, that the Board allow Mr. Wills to participate in tonight's meeting electronically.

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

Nays: None

Motion carried.

Pursuant to Virginia Code § 2.2-3708.1(A) (2), Mr. Wills joined the meeting by telephone.

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COURTS RELOCATION

Judge Victor Ludwig and Judge Charles Ricketts were present at the meeting to answer any questions that the Board may have concerning the courts complex project.

Mr. Pyles asked that this issue be placed on the Wednesday night's agenda. The Board authorized placing on the October 28, 2015 regular agenda for further discussion.

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MASTER CERTIFICATIONS - PRESENTATIONS

The Board received presentations from Jean Shrewsbury, Commissioner of Revenue, and Rick Homes, Treasurer, of staff who had achieved the Master Certifications title:

W. Jean Shrewsbury, Master Commissioner of the Revenue; Master Deputy Commissioner of the Revenue: Larry O. Wagoner, Joy Y. Mauzy, Sherri D. Roadcap, Ashley M. Thorne and Steven C. Henderson

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MASTER CERTIFICATIONS – PRESENTATIONS (cont'd)

Richard T. Homes, Master Governmental Treasurer; Master Governmental Deputy Treasurer: Jacqueline C. Nash, Suzanne C. Goings, Angela K. Clontz and Angela M. Michael

The Board accepted presentations as information.

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VDOT ROADS

- 1. The Board discussed the VDOT status report of September 21, 2015, staff briefing meeting.

The Board accepted the report as information.

- 2. The Board discussed Street Addition: Augusta North Campus (Wayne District).

The Board authorized placing on the October 28, 2015 consent agenda for consideration.

- 3. The Board discussed Watch for Children Signs: Route 252 (Riverheads District).

The Board authorized placing on the October 28, 2015 regular agenda for consideration.

- 4. HB-2 Project Resolutions: a) Route 616; b) Route 610; and c) LifeCore Drive

The Board authorized placing on the October 28, 2015 consent agenda for consideration.

- 5. Lifecore Drive – TAP Grant Resolution

The Board authorized placing on the October 28, 2015 consent agenda for consideration.

- 6. VDOT Public Meeting – “Funding the Right Transportation Projects” – November 19th at 4:30 p.m. at the Government Center.

The Board accepted as information.

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ECONOMIC DEVELOPMENT

- 1. The Board discussed the Economic Development monthly report of September 21, 2015, staff briefing meeting.

The Board accepted the monthly report as information.

- 2. The Board discussed Mill Place Improvements (Funding Source: Economic Development Account #80000-8145):

- a. Report/Study \$77,000
- b. Interstate Sign \$ 3,500
- c. Aerating Fountain \$10,624

The Board authorized placing on the October 28, 2015 regular agenda for consideration.

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ECONOMIC DEVELOPMENT (cont'd)

- 3. Covenants/HOA – Dr. Pattie asked that when the covenants are being discussed that a Homeowners Association be considered for ongoing cost of maintenance items of Mill Place Commerce Park once the Park is fully developed.

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FIRE AND RESCUE

The Board discussed the Fire and Rescue monthly report of September 21, 2015, staff briefing meeting.

The Board accepted the monthly report as information.

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OFFICE ON YOUTH – ANNUAL REPORT

The Board received a presentation by staff of the Office on Youth Annual Report.

The Board accepted presentation as information.

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COMMUNITY ACTION PARTNERSHIP (CAP-SAW) – ANNUAL REPORT

The Board received a presentation by staff of the CAP-SAW Annual Report.

The Board accepted presentation as information.

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AUGUSTA COUNTY SCHOOLS

The Board received a presentation of construction update. Out to bid . . . Bid opening – November 10th.

The Board accepted presentation as information.

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QUARTERLY FINANCE REPORT

The Board received a Quarterly Finance Report.

The Board accepted report as information.

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NARROWBAND – PRESENTATION

The Board received a presentation on narrowbanding project.

The Board accepted presentation as information.

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ASSESSMENT REFUND

The Board discussed refund as certified by the Commissioner of Revenue and approved by County Attorney for the following:

- 1. Valentina Hristova \$2,671.59

The Board authorized placing on the October 28, 2015 regular agenda for consideration.

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CROZET TUNNEL

The Board discussed resolution of Nelson County's proposed transportation project.

The Board authorized placing on the October 28, 2015 regular agenda for consideration.

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PLANNING COMMISSION/PUBLIC HEARINGS

1. SOURCE WATER PROTECTION OVERLAY DISTRICT AREA 2 DESIGNATION
The Board discussed Source Water Protection Overlay District Area 2 designation – Churchville wells, located along Buffalo Gap Highway (Route 42), Dry Branch Road (Route 720), and Whiskey Creek Road (Route 725) (Pastures District). The Planning Commission recommends approval.
2. SOURCE WATER PROTECTION OVERLAY DISTRICT AREA 2 DESIGNATION
The Board discussed Source Water Protection Overlay District Area 2 designation - Harriston wells, located south of Harriston Road (Route 778) to Trayfoot Road (Route 615) and from East Side Highway (Route 340) to Shenandoah National Park (Middle River District). The Planning Commission recommends approval.
3. SOURCE WATER PROTECTION OVERLAY DISTRICT AREA 2 DESIGNATION
The Board discussed Source Water Protection Overlay District Area 2 designation – Vesper View wells, located between Thorofare Road (Route 628) and Turk Mountain Road (Route 672) and from East Side Highway (Route 340), to the Shenandoah National Park (Middle River District). The Planning Commission recommends approval.
4. LEXEAL DEVELOPMENT, LLC - AMENDMENT OF PROFFERS
The Board discussed LeXeal Development, LLC, amendment of proffers, located on the south side of Ladd Road (Route 631) approximately 0.6 of a mile west of the intersection with Hickory Hill Road (Route 834) (South River District). The Planning commission recommends approval of the amended proffers.
5. CRESCENT DEVELOPMENT – GOOSE CREEK II AND III, LLC, AND DENSTOCK GOOSE CREEK, LLC – AMENDMENT OF PROFFERS
The Board discussed Crescent Development – Goose Creek II and III, LLC, and Denstock Goose Creek, LLC, amendment of proffers, located in the northwest quadrant of the intersection of Lifecore Drive (Route 636) and Village Creek Drive (Route 1382) in Fishersville (Wayne District). The Planning Commission recommends approval of the amended proffers.
6. CRESCENT DEVELOPMENT GROUP, LLC AND MELISSA JURICK - REZONING
The Board discussed Crescent Development Group, LLC and Melissa Jurick, rezoning, located in the southwest quadrant of the intersection of Jefferson Highway (Route 250) and Lifecore Drive (Route 636)/Woodrow Wilson Avenue (Route 358) in Fishersville (Wayne District). The Planning Commission recommends approval of the request with the restated proffers.
7. ORDINANCE AMENDMENTS
The Board discussed Ordinance Amendments - §§ 25-4, 73, 94.2, 123, 163, 223, 233, 303, 383, 439, 454 of the Augusta County Code regarding the keeping and use of commercial vehicles in residential districts and on agricultural lots less than one (1) acre. The Planning Commission recommends approval.

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PLANNING COMMISSION/PUBLIC HEARINGS (cont'd)

8. ORDINANCE AMENDMENTS

The Board discussed Ordinance Amendments - §§ 25-71.1 and 72.1 of the Augusta County Code to allow agritourism activities as accessory uses to agricultural uses if meeting certain criteria and to add farm breweries and farm distilleries to the farm wineries category of accessory uses and regulate their activities consistent with the State Code. The Planning Commission recommends approval.

9. ORDINANCE AMENDMENT

The Board discussed Ordinance to amend § 25-303 of the Augusta County Code which allowed mini-warehouses in general business districts by administrative permit and add Paragraph K to § 25-304 allowing mini-warehouses only by special use permit. The Planning Commission recommends approval with the addition of language in #2 to allow the Board of Zoning Appeals the flexibility to require a different setback rather than the 100' currently stipulated if the Board of Zoning Appeals determines that a greater or lesser setback will protect the neighboring properties.

10. ORDINANCE AMENDMENT

The Board discussed Ordinance Amendment - § 21-36 of the Augusta County Code applicable to subdivision bonds by reducing from 25% to 10% the amount the County can require for administrative fees in excess of the estimated costs of constructing, installing or furnishing public facilities and improvements. The Planning Commission recommends approval.

11. ORDINANCE AMENDMENT

The Board discussed Ordinance Amendment - § 21-53 of the Augusta County Code regarding the height of plant growth in an easement area. The Planning Commission recommends approval.

12. ORDINANCE AMENDMENT

The Board discussed § 9-11 of the Augusta County Code regarding the technical criteria for regulated land disturbing activities. This ordinance amendment establishes the technical criteria for regulated land-disturbing activities applying the water quality runoff standards in incremental developments to land disturbing activity that occurred or occurs after June 30, 2014.

13. ORDINANCE AMENDMENT

The Board discussed to amend Table 1 in Chapter 9 (Environment) of the County Code by amending the name of the table to make it consistent with the State Code and adjusting the provision establishing the State and County shares of fees established for erosion control and storm water management permits to rounded dollar amounts.

14. ORDINANCE AMENDMENT

The Board discussed to amend § 15-22.1 of the County Code by allowing a warrant in debt to be used as a collection method in cases where the County incurs costs in the abatement of a violation of the grass, weeds or other vegetation provisions of the Code.

The Board authorizing placing the above-mentioned items on the October 28, 2015 public hearing agenda for consideration.

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October 26, 2015, at 1:30 p.m.

WAIVERS/ VARIANCES

1. Greenville Sewer

The Board authorized placing on the October 28, 2015, regular agenda for consideration.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following:

Mr. Wills: Ordinance mini-warehouses to be discussed after January 1st.

Mr. Pyles: Cancel Homestead reservations (due to a conflict in schedule).

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MATTERS TO BE PRESENTED BY STAFF – NONE

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NOTE: Supervisor Bragg left the meeting prior to going into Closed Session.

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CLOSED SESSION

On motion of Mr. Moore, seconded by Mr. Pyles, 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 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) Economic Development Prospects
- (4) **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) Assessments

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October 26, 2015, at 1:30 p.m.

CLOSED SESSION (cont'd)

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

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

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, Pyles and Shull
NAY: None
ABSENT: Bragg

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

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Chairman

County Administrator