

Regular Meeting, Wednesday, February 24, 2016, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Carolyn S. Bragg, Chairman  
Tracy C. Pyles, Jr., Vice-Chairman  
Gerald W. Garber  
Terry Lee Kelley, Jr.  
Wendell L. Coleman  
Marshall W. Pattie  
Michael L. Shull  
Timmy Fitzgerald, County Administrator  
Jennifer M. Whetzel, Deputy County Administrator  
Patrick J. Morgan, County Attorney  
Rita R. Austin, CMC, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, February 24, 2016, 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 Bragg welcomed the citizens present.

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Clay Graham, a senior of Buffalo Gap High School, led us with the Pledge of Allegiance. Clay is the Senior Class President and FFA President. Currently, they are enjoying the FFA Week activities. After he graduates, he plans on applying for a state office in the Virginia FFA. He has applied to Virginia Tech and Blue Ridge Community College. Mr. Pyles mentioned that he was in an accident on Labor Day and was grateful that he made a smooth recovery.

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Wendell L. Coleman, Supervisor for the Wayne District, delivered invocation.

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P. J. WRIGHT, JR. - REZONING

This being the day and time advertised to consider a request to rezone approximately 3.3 acres from Limited Business to General Business with proffers owned by P. J. Wright, Jr., located on the south side of Jefferson Highway (Route 250) approximately 0.2 of a mile east of the intersection with Aero Drive (Route 1006) and adjacent to the city limits of Waynesboro (Wayne District). The Planning Commission recommends approval of the request with proffers.

Becky Earhart, Senior Planner, displayed property on the overhead outlined in pink noting Pratts Run, a road that will eventually tie in and provide additional access to Boyington Subdivision. She noted the following proffers that had been submitted:

1. Prohibited uses of the property shall include:
  - a. Gasoline retail outlets.
  - b. Warehouses and distribution centers, including mini-warehouses.
  - c. All uses which utilize the outdoor display or storage of vehicles, equipment, manufactured homes, boats, and building supplies; and the outdoor storage of merchandise or other goods.
  - d. All uses not conducted entirely within an enclosed building, including "drive-through" facilities. However, parking, loading and unloading facilities, dumpster sites, and vehicular and pedestrian passageways are allowed.
2. No free-standing sign shall exceed 25' in height. The total sign area per parcel will not exceed two (2) square feet per linear foot of lot frontage.

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P. J. WRIGHT, JR. – REZONING (cont'd)

3. If 67C2(8) 5 and 6 are developed individually, the total aggregate area of any structure or structures on the individual lot may not exceed 10,000 square feet. If combined into a single lot, the total aggregate area of any structure or structures may not exceed 18,000 square feet.
4. No building shall exceed thirty-five feet (35') in height.

Ms. Earhart noted the only difference between the limited business that currently exists and the existing zoning is the aggregate area of the building.

Public water and public sewer are available on this property and it is designated as Urban Service Area: Business.

P. J. Wright, applicant, expressed his desire to build one 18,000 square foot building on the property.

The Chairman declared the public hearing open.

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

Mr. Coleman moved, seconded by Mr. Garber, that the Board adopt the following ordinance with proffers:

A request to rezone approximately 3.3 acres from Limited Business to General Business with proffers owned by P. J. Wright, Jr., located on the south side of Jefferson Highway (Route 250) approximately 0.2 of a mile east of the intersection with Aero Drive (Route 1006) and adjacent to the city limits of Waynesboro in the Wayne District.

AN ORDINANCE to amend Chapter 25 "Zoning" of the Code of Augusta County, Virginia.

WHEREAS, application has been made to the Board of Supervisors to amend the Augusta County Zoning Maps,

WHEREAS, the Augusta County Planning Commission, after a public hearing, has made their recommendation to the Board of Supervisors,

WHEREAS, the Board of Supervisors has conducted a public hearing,

WHEREAS, both the Commission and Board public hearings have been properly advertised and all public notice as required by the Zoning Ordinance and the Code of Virginia properly completed,

WHEREAS, the Board of Supervisors has considered the application, the Planning Commission recommendation and the comments presented at the public hearing;

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

Parcel numbers 5 and 6 on tax map number 67C2(8) containing a total of approximately 3.3 acres are changed from Limited Business to General Business, with the following proffers:

February 24, 2016, at 7:00 p.m.

P. J. WRIGHT, JR. – REZONING (cont'd)

1. Prohibited uses of the property shall include:
  - a. Gasoline retail outlets.
  - b. Warehouses and distribution centers, including mini-warehouses.
  - c. All uses which utilize the outdoor display or storage of vehicles, equipment, manufactured homes, boats, and building supplies; and the outdoor storage of merchandise or other goods.
  - d. All uses not conducted entirely within an enclosed building, including "drive-through" facilities. However, parking, loading and unloading facilities, dumpster sites, and vehicular and pedestrian passageways are allowed.
2. No free-standing sign shall exceed 25' in height. The total sign area per parcel will not exceed two (2) square feet per linear foot of lot frontage.
3. If 67C2(8) 5 and 6 are developed individually, the total aggregate area of any structure or structures on the individual lot may not exceed 10,000 square feet. If combined into a single lot, the total aggregate area of any structure or structures may not exceed 18,000 square feet.
4. No building shall exceed thirty-five feet (35') in height.

Vote was as follows: Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles

Nays: None

Motion carried.

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LAW LIBRARY FEE INCREASE ORDINANCE AMENDMENT

This being the day and time advertised to consider an Ordinance to amend Section 22-102 of the Code of the County of Augusta, Virginia. The proposed amendment authorizes local governments to assess a fee not to exceed Four Dollars on all civil actions filed in the Circuit Court and the District Courts of the County to help defray the costs of maintaining a law library open to the public.

Patrick J. Morgan, County Attorney, reported that he had received a request from the Clerk of the Circuit Court to consider an increase in the fee that was charged with each civil complaint for the maintenance of the County Bar Library from \$2 to \$4. The \$4 fee is permitted by State Code. Records have indicated an increase of expenses. The public is allowed access to the library and it is recommended that the Board consider this favorably.

The Chairman declared the public hearing open.

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

Mr. Pyles moved, seconded by Mr. Shull, that the Board adopt the following ordinance:

AN ORDINANCE TO AMEND  
SECTION 22-102 of  
THE AUGUSTA COUNTY CODE

WHEREAS, Section 42.1-70 of the Code of Virginia authorizes local governments to assess a fee not to exceed Four Dollars on all civil actions filed in the circuit court and the district courts of the county to help defray the costs of maintain a law library open to the public; and

WHEREAS, it has been found that the current fees assessed by the County are not adequate to maintain the Staunton-Augusta-Waynesboro Law Library;

February 24, 2016, at 7:00 p.m.

**LAW LIBRARY FEE INCREASE ORDINANCE AMENDMENT**

NOW THEREFORE BE IT RESOLVED that Section 22-102 of the Augusta County Code be and is amended to read as follows:

**§ 22-102. Assessment for law library.**

A. The contribution of the Augusta County Bar Association of all the law books and law periodicals owned by said Association and located within the Supreme Court of Virginia Law Library on the third floor of the Masonic Building is hereby accepted;

B. A law library is hereby established under the name of "Staunton-Augusta-Waynesboro Law Library" and the same shall be open for the use of the public under such rules and regulations as may be established by the Judge of the Circuit Court of Augusta County, by Order, from time to time; provided, however, that the use of the books owned by the Supreme Court of Virginia shall conform to such rules and regulations as the Supreme Court of Virginia may prescribe, from time to time, for the use of the said library and the times it shall be kept opened;

C. There is hereby assessed as part of the costs incident to each civil action filed in the Circuit Court of the County of Augusta, Virginia, (a court of record), the sum of ~~Two~~ **Four** Dollars (~~\$2.00~~-\$4.00), and the General District Court of the County of Augusta, Virginia (a court not of record), the sum of ~~Two~~ **Four** Dollars (~~\$2.00~~-\$4.00), and the **Juvenile and Domestic Relations District Court of the County of Augusta, Virginia (a court not of record), the sum of Four Dollars (\$4.00)**, such assessment to be collected by the Clerk of the Court in which the action is filed and remitted to the Treasurer of the County of Augusta and held by such Treasurer in a separate fund, subject to disbursements by the Judge of the Circuit Court of Augusta County for the acquisition of law books and law periodicals and other lawful disbursements. This assessment shall be in addition to all other costs prescribed by law but shall not apply to any action in which the Commonwealth or any political subdivision thereof or the federal government is a party and in which costs are assessed against the Commonwealth, political subdivision or the federal government.

**This ordinance shall become effective July 1, 2016.**

Vote was as follows: Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles

Nays: None

Motion carried.

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**MATTERS TO BE PRESENTED BY THE PUBLIC - NONE**

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**BLUE RIDGE COMMUNITY COLLEGE - UPDATE**

The Board received a presentation by Blue Ridge Community College President regarding college activities.

Dr. John Downey, President of Blue Ridge Community College (BRCC), expressed his appreciation of the Board for its ongoing support and dedication over the years for the funding and the Augusta County representatives provided for the Blue Ridge Community College Board (Dr. Bruce Bowman and Lynn Diveley). He wanted to thank Pat Coffield publically "for all the years of service to this County and to the College. He really was viewed as the 'go-to person' whenever the College ever had an issue that required us thinking through multi-jurisdictional issues." He also looked forward to working with Mr. Fitzgerald and Dr. Eric Bond, Augusta County School Superintendent. A packet of information with statistics about the impact BRCC has on Augusta County residents was provided to the Board. He emphasized that BRCC continues to serve a significant number of Augusta County citizens and businesses. Last year, of the 4,980 students served in credit programs, 1,653 were from Augusta County (33% of local student body). Another 1,250 Augusta County residents were served in non-credit Workforce-related and Personal Enrichment courses. He felt the most

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BLUE RIDGE COMMUNITY COLLEGE – UPDATE (cont'd)

important duty to Augusta County is the businesses and how to provide the workforce that is going to sustain the economic development. Sixty-seven percent of adults in this region, age 25 to 65, have less than an Associate Degree. That compares to 55% in Virginia and 61% nationally. Dr. Downey felt that BRCC could assist that population of students get certifications that would lead to Associate Degrees and then later toward a Bachelorette Degree if it was in their best interest. As President of BRCC, Dr. Downey tries to concentrate on the role BRCC plays with economic development. He said it is a pleasure to work with Amanda Glover, Economic Development Director, as well as with the Shenandoah Valley Partnership (SVP). BRCC is nearing the completion of a 40,000 square foot addition to the Health Student Center, which houses Admissions, Records, Student Financial Services and Student Financial Aid, which was in a 1970's building crammed into offices. As BRCC grew and added staff, they were put in cubby holes. This building would provide adequate space that is well-planned out and conducive to helping students go through the process of admissions into credit programs in a more logical way. The Center would also provide 10 or 12 additional classrooms and Chemistry Labs. A parking deck has been approved by the State Board and they hope to break ground sometime in October. Dr. Downey explained the need for the parking deck was because of the water quality and water retention issues that requires a large part of land. In the General Assembly bond package, BRCC is also authorized for a Bio-Science building. He felt that to be very instrumental to economic development, especially, with the work being done on Lifecore Drive. He added that he "highly values the partnership with local schools and are working closely with them in the Career Pathways Consortium to help young people see that there is a pathway through career and technical education to an Associate Degree and a Bachelorette Degree, but most importantly, to a job that is a well-paying job that they can raise a family on and stay in this area. A program for seventh graders is being planned sometime in the fall where companies will highlight the products they produce and show students how they are produced so that they will get exposed to careers that they would otherwise never know exist. Dr. Downey stated that he had shared the Strategic Planning Committee for the Virginia Community College System with one goal: "By 2021, we are going to triple the number of credentials that we offer the State". Credentials meant not only offering Associate Degrees and Certificate Programs on the credit side that meet the needs of industry, but, also, offering non-credit Workforce-oriented Certifications (such as welding, machinery, health care, truck driving) which would be important to local industry. The General Assembly is considering funding for the first time in Virginia history non-credit Workforce-oriented Certifications. The formula for that funding would be 1/3 student would pay; 1/3 State would pay upon completion of the certification program; and 1/3 State would pay when the certification is actually issued.

Mr. Coleman commended Dr. Downey and said that the Board always looked forward to hearing from him. "The current theme is creating a new Virginia economy and we applaud you for preparing the kind of workers with the skills that employers are looking for."

Dr. Downey added the statistic: "For every job that will require a Master Degree, there will be two jobs in the future that will require a Bachelorette, but there will be seven jobs that require some post-secondary training but not necessarily a degree. When you think about our local manufacturers, that certainly is true as they get more technical and high-tech. It is the technicians that repair those machines that keep those production facilities going that I think is vital to the success of the economy in the future."

Chairman Bragg expressed the appreciation of the relationship between the school, the County, and the citizens, Community Development and the Economic Development departments. "You really go over and beyond as far as your efforts to meet the needs of our industry and our businesses and the vision for the future needs. We certainly do appreciate and value that relationship."

February 24, 2016, at 7:00 p.m.

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PROJECT GROWS

The Board considered lease with Project Grows.

Timothy K. Fitzgerald, County Administrator, advised that this had been discussed at Monday's Staff Briefing. He noted that, when this project began, the lease was with the Office on Youth because it was running the program. Since then, Project Grows is solely responsible. The lease indicates this revision and also includes the term to expire October 31, 2020, with two consecutive 5-year term renewals.

Dr. Pattie moved, seconded by Mr. Shull, that the Board approve the lease with Project Grows.

Vote was as follows:       Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles

Nays: None

Motion carried.

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MEMORANDUM OF UNDERSTANDING

The Board considered Memorandum of Understanding with Central Shenandoah Health District.

Patrick J. Morgan, County Attorney, advised that the Health Director of the Central Shenandoah Health District has requested Board consideration of a Memorandum of Understanding which addresses Rabies Exposure Authority and Responsibility Plan. This basically formalizes the procedures that are already in effect but will then provide a legal agreement for their records.

Mr. Pyles moved, seconded by Dr. Pattie, that the Board approve the Memorandum of Understanding with Central Shenandoah Health District.

Vote was as follows:       Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles

Nays: None

Motion carried.

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NARROWBANDING

The Board considered approval of lease with Vertical Bridge Holdings, LLC.

Jennifer Whetzel, Deputy County Administrator, reported that a brief update was provided at the Staff Briefing on Monday. This project is an upgrade to the County's E-911 radio system. The current action before the Board is to address award of a contract for construction of a tower at Troxell Gap. This is a new site for the County public safety equipment and it is needed because of the lack of coverage with the narrowbanding frequency change. The County received proposals, conducted interviews, and entered negotiations with the vendor. The project includes site work, a road, tower construction, shelter construction, a generator, fuel tank and pads. The committee recommends that Vertical Bridge Holdings, LLC be awarded the contract. The lease includes a 15-year term, with three optional 5-year renewals. The rent per month is \$3,510 with a 3% annual escalator and a rent reduction is available to the County for future vendors on the tower. Vertical Bridge approved all of the language changes that the County had made to the lease, at the County Attorney's request.

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NARROWBANDING (cont'd)

Mr. Shull asked if she had the information that was requested on Monday. Ms. Whetzel said if there was an outage at Elliott's Knob, we have a simulcast system so that Massanutten and Devil's Knob would continue to provide coverage during the scenario. She read: "The microwave network system is designed with some redundancy to keep the network running during a failure. For example, each of the microwave radios have hot standby transmitters and receivers that will automatically switch to the redundant component to keep the system operational during a failure. The network system is designed with redundant routers and switches." She further explained that the coverage would not be exactly what it would be with Elliott's being there, but the Massnutten and Devil's Tower and the simulcast system would keep some coverage available. She added that the initial narrowbanding proposal was to build the intermediary tower between Devil's Knob and Troxell Gap. If you wanted to go a step further, which has not been discussed, would be adding one between Deerfield and Troxell Gap. You would have a continuous loop in the entire system if this was done.

Dr. Pattie moved, seconded by Mr. Pyles, that the Board approve the lease with Vertical Bridge Holdings, LLC.

Vote was as follows: Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles

Nays: None

Motion carried.

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WAIVERS/VARIANCES - NONE

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CONSENT AGENDA

Chairman Bragg asked if the public wished for any item to be removed from the Consent Agenda and considered separately. There was no request.

Mr. Coleman moved, seconded by Mr. Shull, that the Board approve the consent agenda as follows:

MINUTES

Approved minutes of the following meetings:

- Regular Meeting, Wednesday, February 10, 2016

Vote was as follows: Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

VALLEY COMMUNITY SERVICES BOARD – APPOINTMENT

Mr. Coleman moved, seconded by Dr. Pattie, that the Board accept the resignation of George W. Cox, and appoint Debbie Pyles to serve on the Valley Community Service Board, effective immediately, and to expire June 30, 2016.

February 24, 2016, at 7:00 p.m.

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

VALLEY COMMUNITY SERVICES BOARD – APPOINTMENT (cont'd)

Vote was as follows: Yeas: Pattie, Shull, Garber, Coleman, Kelley and Bragg

Nays: None

Abstained: Pyles

Motion carried.

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Mr. Shull:

1. Doug Wolfe's father (Ike Wolfe) passed away – Please keep the family in remembrance of their loss. Mr. Fitzgerald added that Ike was also an employee of the County for many years in the Parks and Recreation Maintenance Department. Mr. Pyles added that he was important to the Augusta Springs and Deerfield parks. Mr. Coleman asked for an address to send a sympathy card.
2. Weather – Augusta County was fortunate in comparison with tornados Appomattox and Bedford and other areas.
3. FFA Breakfast at Buffalo Gap – attended the annual event. “That is our future farmers and future leaders of the County. It was a good event like always.”

4. PARKS AND RECREATION COMMISSION – REAPPOINTMENT

Mr. Shull moved, seconded by Mr. Coleman, that the Board reappoint Sally Williams to serve another 4-year term on the parks and Recreation Commission, effective immediately, to expire December 31, 2019.

Vote was as follows: Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles

Nays: None

Motion carried.

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Mr. Garber:

1. Blue Mountain Rezoning – asked that this item be further discussed at the next Staff Briefing (March 21<sup>st</sup>). He extended an invitation to the Board to tour the district with him.
2. Air Care – asked that the committee look at the \$50 fee more carefully and provide recommendations.
3. Street number assignment – asked how a street number was assigned to a Cemetery for GPS purposes. Mr. Fitzgerald asked Mr. Garber to provide the location and an address can be provided.

Mr. Kelley:

1. Attended ribbon cutting ceremony at the Staunton Health and Fitness Center at the Staunton Mall – Good event!
2. PARKS AND RECREATION - APPOINTMENT  
Mr. Kelley moved, seconded by Mr. Pyles, that the Board appoint Kenneth Wayne Lawhorn, Jr. to serve on the Parks and Recreation Commission, effective immediately, and to expire June 30, 2016.



February 24, 2016, at 7:00 p.m.

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

PARKS AND RECREATION – APPOINTMENT (cont'd)

Vote was as follows: Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles

Nays: None

Motion carried.

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Mr. Pyles:

1. Reassessment and 911 information had been placed in his mail slot and the Chairman's mail slot. Considered it as good information. In regards to reassessment, he noted Rockingham hires essentially part-time people for approximately two years under the office of the Commissioner of Revenue for approximately \$357,880. He felt that to be "quite a deal in comparison to the Augusta County's expense". He felt it worth researching a little further for consideration.

Reassessment

He noted two things:

- a. Hiring a company specifically to assess top 20 industries. Thought this to be a smart way of doing things and a protection of litigation. Asked if Rockingham paid personnel in the Commissioner's office a higher salary than usual. Commissioner's office has the benefit of already having files on the property and notating changes in zoning, building permits, or fires, etc., and keeping it updated.
- b. Staunton does things differently. They have their own reassessment department and questioned if they could get information on that process with having a continuous reassessment.

911

Noted that Rockingham is more expensive than Augusta County. They handle Harrisonburg and Rockingham as a combined unit. He noted that the predominate costs were labor. He referred to Augusta County's budget showing personnel and fringe benefits and an additional \$600,000 of costs. He noted that Rockingham indicates \$2.2 million worth of costs. He questioned the discrepancy of those costs. He noted that if you looked at cost per call, Rockingham is \$9 a call and Augusta County is \$6.

2. DSS visit – Good visit! There should be some follow-up to get a better understanding on what occurs. He asked who is invited to the forum.
3. Clay Graham, who led us with the Pledge, was born at the Churchville Fire Station and is Nick Collins' nephew.

Chairman Bragg:

1. Remember the Mr. Coffield's recognition tomorrow morning at 8:00 a.m.
2. Friday, February 26<sup>th</sup> – Governor – Economic Development Announcement
3. Governance Luncheon – attended today. "Good information!"
4. Emergency Services Meeting – attended last night.
5. Dominion Pipeline Open House – March 8<sup>th</sup> at Churchville Elementary School.
6. Planning Session Meeting – March 21<sup>st</sup> at 11:00 a.m.
7. Monday's Staff Briefing – Thank you for attendance of long meeting. "Very good day!"
8. Reassessment and 911 packet – asked if any other Board members wished to have information. The Board asked for that information to be provided to them.

February 24, 2016, at 7:00 p.m.

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

Mr. Garber mentioned that about 20 years ago, he was on the Board of Equalization. At that time, Rick Homes (currently the Treasurer) was the Assessor. He recalled that when citizens came in, Mr. Homes was able to provide information to them regarding the condition of the property. He knew the values. He felt that part-time people are a benefit; however, there may be a need to consider placing people on a full-time basis to provide this service. "The right person in that place would have a good idea of the value of everything. A really good person in place could continuously be doing that instead of these shotgun approaches. We've gotten in trouble in the past by having people that were part-time."

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following issues:

1. Broadband grant RFP is due on Monday. Committee will review proposals and interview early March. Dr. Pattie is on the Committee.
2. School bonds – Public Hearing advertised for March 23. This is part of the borrowing process.
3. Narrowbanding radio project – Local Emergency Performance Grant received in the amount of \$14,882.
4. Todd Lake Dam – Ms. Whetzel mentioned that the Board approved an agreement for the Todd Lake construction over a year ago. The project is near completion with the exception of having an addendum updating figures on the project, as construction was less than in the original approval. The County Administrator is authorized to sign the addendum.

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ADJOURNMENT

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

Vote was as follows:           Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles  
  Nays: None

Motion carried.

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Chairman  
h:2-24min.16

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County Administrator