

IN WITNESS WHEREOF, Customer and Unisyn have caused this Agreement to be executed by their duly authorized officers as of the date set forth below.

AUGUSTA COUNTY, VIRGINIA

UNISYN VOTING SOLUTIONS, INC.:

Authorized Signature

Authorized Signature

Printed Name

Printed Name

Title

Title

Date

Date

COUNTY OF AUGUSTA, VA.

BOARD OF SUPERVISORS

MARSHALL W. PATTIE
North River

GERALD W. GARBER
Middle River

TRACY C. PYLES, JR.
Pastures

TERRY L. KELLEY, JR.
Beverley Manor

WENDELL L. COLEMAN
Wayne

MICHAEL L. SHULL
Riverheads

CAROLYN S. BRAGG
South River



16-073

TIMOTHY K. FITZGERALD -- COUNTY ADMINISTRATOR

AUGUSTA COUNTY GOVERNMENT CENTER

P.O. BOX 590, VERONA, VA 24482-0590

(540) 245-5610 FAX (540) 245-5621

coadmin@co.augusta.va.us

MEMORANDUM

TO: Board of Supervisors

FROM: Candy J. Hensley, Assistant to the County Administrator *Candy*

COPY: Timothy J. Fitzgerald, County Administrator

SUBJECT: Government Center – ADA Improvements

DATE: May 18, 2016

On May 12, 2016 Augusta County received sealed bids to perform work on ramps and sidewalks at the Government Center in order to meet ADA requirements. Staff is currently reviewing the bids received in accordance with procurement regulations which includes contacting references and reviewing past job performances. Two bid were received as follows:

Dink's Construction \$47,196.00

Nielson Construction \$56,454.00

Both bids were under the estimated \$66,977.00 for this project. In essence of time, staff desires to follow procurement requirements and award the contract accordingly not to exceed \$56,454.00 to Nielson Construction.

If additional information is needed, please advise.

**AN ORDINANCE TO AMEND SECTION 8-32
OF THE AUGUSTA COUNTY CODE**

WHEREAS, Crimora United Methodist Church is no longer available to be used as a polling place; and

WHEREAS, the Augusta County Electoral Board, after conducting a diligent search for a new polling place to serve the voters of the Crimora precinct; and

WHEREAS, no other suitable location could be found within the boundary of the precinct; and

WHEREAS, there is sufficient room to relocate the polling place to the building that currently serves as the Dooms Precinct polling place; and

WHEREAS, the location of the Crimora Precinct polling place in the Hugh K. Cassell Elementary School is in compliance with §24.2-310 of the Code of Virginia.

NOW THEREFORE be it resolved that Section 8-32 of the Augusta County Code is amended to read as follows:

§ 8-32. Location of polling places.

The locations of the polling places are:

<u>Precinct Name</u>	<u>Location of Polling Place</u>
Buffalo Gap	Buffalo Gap High School
Cedar Green	Beverley Manor Elementary School
Churchville Elementary	Churchville Elementary School
Churchville Fire Station	Churchville Fire Station
Craigsville	Craigsville Community Center
Crimora	Crimora United Methodist Church Hugh K. Cassell Elementary School
Deerfield	Deerfield Fire Station
Dooms	Hugh K. Cassell Elementary School
Stuarts Draft Elementary	Stuarts Draft Elementary School
Fishersville	Yancey Fire Station
Fort Defiance	Edward G. Clymore Elementary School
Greenville	Riverheads High School
Jolivue	Victory Worship Center
Lyndhurst	Wilson Fire Station
Middlebrook	Middlebrook Fire Station
Mount Solon	Sangerville-Towers Ruritan Hall
New Hope	New Hope United Methodist Church
North River	North River Elementary School
Sherando	Sherando Community Center

Spottswood
Ridgeview
Verona
Weyers Cave
White Hill
Wilson

Spottswood Community Center
Ridgeview Christian School
Augusta County Government Center
Weyers Cave Community Center
White Hill Church of the Brethren
Valley Vocational Technical Center

TIF Summary		TIF		Type		Tax		Term		Maximum			
BOS Meeting 5/23/2016		Current TIFs Approved:		Unpaid portion		Type		Tax		Term		Maximum	
Paid to date		Max payout		Unpaid portion		Type		Tax		Term		Maximum	
Westgate	232,112.94	1,425,000.00	1,132,887.06	external/internal	RE/M&T/PP/BPOL	10 years from COC	Max County Contrib						
Mead WestVaco	387,177.00	387,177.00		external	RE	3/10/2015	TIF Agreement						
Rt. 636	190,576.61	6,197,296.08	6,006,719.47	internal	RE/M&T/PP/BPOL	until paid	Debt Service						
McKee	156,003.53	316,300.00	160,296.47	external/internal	M&T	5 years	TIF Agreement						
McKee		300,000.00	300,000.00	external	50% M&T	5 years	TIF Agreement						
Daikin McQuay	147,227.91	305,250.00	158,022.09	internal	RE/M&T/PP/BPOL	until paid	TIF Agreement						
Hollister, Inc.	68,687.14	250,000.00	181,312.86	external	50% M&T	5 years	TIF Agreement						
Shamrock Foods	346,734.04	1,820,000.00	1,473,265.96	internal	RE/M&T/PP/BPOL	until paid	TIF Agreement						
Mill Place Water Tank	47,923.76	2,437,459.46	2,389,535.70	internal	RE/M&T/PP/BPOL	until paid	Debt Service, TIF						
AccuTEC Blades		178,000.00	178,000.00	external	M&T	5 years	TIF Agreement						
Bloomaker		58,000.00	58,000.00	internal	RE/PP	until paid	TIF Agreement						
	1,576,442.93	13,674,482.54	12,098,039.61										
VJIP Approvals to Date													
Added VJIP encumbrance and future expenditures to cash flow below.													
CEMSI	5,250.00	paid 3/16/12											
Innovative Refrigeration	11,077.50	paid 10/11/12											
Shamrock Farms	45,000.00	paid \$25,500 12/31/14, \$11,250 2/12/2015, \$3,000 6/26/15, \$750 5/5/16=\$40,500 to date											
McKee	66,300.00	paid 7/26/13											
Provides	42,300.00	paid \$8,100 8/13/15, \$7,200 12/4/15, \$4,500 5/5/16=\$19,800											
Daikin McQuay	55,250.00												
Bloomaker	8,000.00												
	233,177.50												

County CIP Cash Flow:	Summary	Fiscal year	County CIP Annual Ending Cash Flow:
Beginning Balance, 8145	(1,237,326.63)	2016	(1,265,237.85)
Shamrock-VJIP	(8,250.00)	2017	(1,510,944.81)
Shamrock transfer to capital	1,812,530.06	2018	(1,428,514.71)
McKee VJIP transfer to capital	66,300.00	2019	(1,261,896.86)
Daikin McQuay VJIP	(55,250.00)	2020	(1,147,788.33)
Daikin McQuay transfer to capital	281,700.45	2021	(998,036.05)
Bloomaker transfer to capital	50,000.00	2022	(1,069,930.54)
Bloomaker VJIP	(8,000.00)	2023	(1,153,345.49)
Bloomaker VJIP transfer to capital	8,000.00	2024	(1,263,157.31)
Provides VJIP	(42,300.00)	2025	(1,341,694.12)
Provides VJIP transfer to capital	42,300.00	2026	(1,144,793.43)
Mill Place Water Tank debt service	(2,397,493.83)	2027	(912,645.87)
Mill Place Water Tank transfer to capital	2,397,493.83	2028	(644,188.93)
Westgate balance to road project	(232,112.94)	2029	(388,858.79)
Crescent Loan (less EDA)	561,000.00	2030	120,745.03
Rt. 636 debt service	(5,611,903.21)	2031	660,348.85
Rt. 636 transfer to capital	6,197,296.08	2032	1,229,952.67
Ending Balance	1,823,983.81	2033	1,823,983.81

VIRGINIA ACTS OF ASSEMBLY -- CHAPTER

An Act to amend the Code of Virginia by adding a section numbered 15.2-2303.4, relating to conditional zoning.

[S 549]

Approved

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2303.4 as follows:

§ 15.2-2303.4. Provisions applicable to certain conditional rezoning proffers.

A. For purposes of this section, unless the context requires a different meaning:

"New residential development" means any construction or building expansion on residentially zoned property, including a residential component of a mixed-use development, that results in either one or more additional residential dwelling units or, otherwise, fewer residential dwelling units, beyond what may be permitted by right under the then-existing zoning of the property, when such new residential development requires a rezoning or proffer condition amendment.

"New residential use" means any use of residentially zoned property that requires a rezoning or that requires a proffer condition amendment to allow for new residential development.

"Offsite proffer" means a proffer addressing an impact outside the boundaries of the property to be developed and shall include all cash proffers.

"Onsite proffer" means a proffer addressing an impact within the boundaries of the property to be developed and shall not include any cash proffers.

"Proffer condition amendment" means an amendment to an existing proffer statement applicable to a property or properties.

"Public facilities" means public transportation facilities, public safety facilities, public school facilities, or public parks.

"Public facility improvement" means an offsite public transportation facility improvement, a public safety facility improvement, a public school facility improvement, or an improvement to or construction of a public park. No public facility improvement shall include any operating expense of an existing public facility, such as ordinary maintenance or repair, or any capital improvement to an existing public facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility. For purposes of this section, the term "public park" shall include playgrounds and other recreational facilities.

"Public safety facility improvement" means construction of new law-enforcement, fire, emergency medical, and rescue facilities or expansion of existing public safety facilities, to include all buildings, structures, parking, and other costs directly related thereto.

"Public school facility improvement" means construction of new primary and secondary public schools or expansion of existing primary and secondary public schools, to include all buildings, structures, parking, and other costs directly related thereto.

"Public transportation facility improvement" means (i) construction of new roads; (ii) improvement or expansion of existing roads and related appurtenances as required by applicable standards of the Virginia Department of Transportation, or the applicable standards of a locality; and (iii) construction, improvement, or expansion of buildings, structures, parking, and other facilities directly related to transit.

"Residentially zoned property" means property zoned or proposed to be zoned for either single-family or multifamily housing.

"Small area comprehensive plan" means that portion of a comprehensive plan adopted pursuant to § 15.2-2223 that is specifically applicable to a delineated area within a locality rather than the locality as a whole.

B. Notwithstanding any other provision of law, general or special, no locality shall (i) request or accept any unreasonable proffer, as described in subsection C, in connection with a rezoning or a proffer condition amendment as a condition of approval of a new residential development or new residential use or (ii) deny any rezoning application or proffer condition amendment for a new residential development or new residential use where such denial is based in whole or in part on an applicant's failure or refusal to submit an unreasonable proffer or proffer condition amendment.

C. Notwithstanding any other provision of law, general or special, (i) as used in this chapter, a proffer, or proffer condition amendment, whether onsite or offsite, offered voluntarily pursuant to § 15.2-2297, 15.2-2298, 15.2-2303, or 15.2-2303.1, shall be deemed unreasonable unless it addresses an impact that is specifically attributable to a proposed new residential development or other new residential use applied for and (ii) an offsite proffer shall be deemed unreasonable pursuant to subdivision (i) unless it addresses an impact to an offsite public facility, such that (a) the new residential development or new residential use creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment and (b) each such new residential development or new residential use applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. For the purposes of this section, a locality may base its assessment of public facility capacity on the projected impacts specifically attributable to the new residential development or new residential use.

D. Notwithstanding any other provision of law, general or special:

1. Actions brought to contest the action of a locality in violation of this section shall be brought only by the aggrieved applicant or the owner of the property subject to a rezoning or proffer condition amendment pursuant to subsection F of § 15.2-2285.

2. In any action in which a locality has denied a rezoning or an amendment to an existing proffer and the aggrieved applicant proves by a preponderance of the evidence that it refused or failed to submit an unreasonable proffer or proffer condition amendment that it has proven was suggested, requested, or required by the locality, the court shall presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial.

3. In any successful action brought pursuant to this section contesting an action of a locality in violation of this section, the applicant may be entitled to an award of reasonable attorney fees and costs and to an order remanding the matter to the governing body with a direction to approve the rezoning or proffer condition amendment without the inclusion of any unreasonable proffer. If the locality fails or refuses to approve the rezoning or proffer condition amendment within a reasonable time not to exceed 90 days from the date of the court's order to do so, the court shall enjoin the locality from interfering with the use of the property as applied for without the unreasonable proffer. Upon remand to the local governing body pursuant to this subsection, the requirements of § 15.2-2204 shall not apply.

E. The provisions of this section shall not apply to any new residential development or new residential use occurring within any of the following areas: (i) an approved small area comprehensive plan in which the delineated area is designated as a revitalization area, encompasses mass transit as defined in § 33.2-100, includes mixed use development, and allows a density of at least 3.0 floor area ratio in a portion thereof; (ii) an approved small area comprehensive plan that encompasses an existing or planned Metrorail station, or is adjacent to a Metrorail station located in a neighboring locality, and allows additional density within the vicinity of such existing or planned station; or (iii) an approved service district created pursuant to § 15.2-2400 that encompasses an existing or planned Metrorail station.

2. That this act shall be construed as supplementary to any existing provisions limiting or curtailing proffers or proffer condition amendments for new residential development or new residential use that are consistent with its

terms and shall be construed to supersede any existing statutory provision with respect to proffers or proffer condition amendments for new residential development or new residential use that are inconsistent with its terms.

3. That this act is prospective only and shall not be construed to apply to any application for rezoning filed prior to July 1, 2016, or to any application for a proffer condition amendment amending a rezoning for which the application was filed prior to that date.

Legislative Information System

**COUNTY OF AUGUSTA
STAFF REPORT
Mary Ann Heerschap
May 10, 2016
Revised: May 11, 2016**

SUMMARY OF REQUEST: A request to add the Public Use Overlay to approximately 9.5 acres owned by Mary Ann Heerschap located at 87 Reeves Road, Mt. Solon in the North River District.

PROFFERS:

1. Additional permitted uses of the property will be limited to a school with a maximum enrollment of 44 students.
2. Traffic generated by the school will be limited to no more than 50 vehicle trips per day.
3. Any new building built to house classroom space for the school will meet the setbacks for principal buildings or structures.

VICINITY ZONING: General Agriculture surrounds the site.

PREVIOUS ZONING: General Agriculture

COMPREHENSIVE PLAN PLANNING POLICY AREA/FUTURE LAND USE DESIGNATION: Agriculture Conservation Area

SOILS: Not Applicable

COMMENTS FROM ENGINEER: This property drains to Mossy Creek which is listed on the Virginia DEQ 2014 Impaired Waters List. This impaired segment extends from the headwaters downstream to its confluence with North River. The impaired uses are recreation and aquatic life, the specific impairments are E. Coli, fecal coliform and violations of the general benthics standard. The sources are agriculture, non-point sources and wildlife other than waterfowl. TMDLs are approved for the bacterial and benthic impairments and must be considered by the applicant. Federal TMDL ID # 1585 and Federal TMDL ID # 10673.

Additionally, the 2007 Augusta County Comprehensive Plan lists the Mossy Creek watershed as a Priority Watershed for Groundwater Protection due to the presence of karst features and the location of Source Water Assessment Program zones.

Use of water quality protection measures listed in either the Virginia Stormwater Management Handbook or through the Virginia Stormwater Management BMP

Clearinghouse will be required depending on the disturbed acreage. With respect to water quantity, all points of discharge must comply with the Adequate Channel provisions of 9VAC25-840-40 subdivision 19.

The applicant is advised to contact the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality for any requirements related to proposed work in wetland areas or adjacent to any streams.

This property lies within Zone X on the FEMA FIRM and therefore is outside the Special Flood Hazard Area.

Natural Resources Recommendations from the Comprehensive Plan

The 2007 Augusta County Comprehensive Plan recommends performance standards to protect natural resources. For Agricultural Conservation Areas, a riparian buffer of 100 feet on either side of a stream or the limit of the floodplain (wider of the two) is encouraged, and stormwater should not be piped through in a manner to short-cut the buffer. Additionally, there should be no development or filling in floodplain areas and reforestation is encouraged.

Portions of this site contain slopes that may be in excess of 25%. In Agricultural Conservation Areas, the Comprehensive Plan recommends no grading, roads or building sites on slopes >25% and ridgelines.

Wetlands may or may not exist on the site. For Wetland areas, the Comprehensive Plan recommends provision of a 100 foot buffer from the edge of wetlands and enhanced water quality treatment for any water discharging to the wetlands.

For unique natural features such as caves, major karst features, critical habitats, etc., the Comprehensive Plan recommends provision of open space amenities through development of layout and lot sizes, as well as maximizing continued use of active agricultural and forestry areas.

COMMENTS FROM ZONING ADMINISTRATOR: If rezoned to a Public Use Overlay in order to have a children's school, the existing single family dwelling to the south may be impacted by traffic congestion, noise, and lights from the increased traffic created by school.

COMMENTS FROM ACSA: Public water and sewer are not available in this area.

COMMENTS FROM HEALTH DEPARTMENT: A sewage disposal system designed to accommodate the school will need to be obtained. If public water is not available, the Office of Drinking Water will need to be contacted regarding requirements for a well to serve the school (Lexington Field Office phone – 540-

463-7136). If meals will be served, a food establishment permit will need to be obtained from the Health Department.

COMMENTS FROM FIRE-RESCUE: This request will have little to no impact on service delivery. There is concern that public water is not available for fire protection.

TRAFFIC: Rt. 766 Reeves Road
AADT: 180 vpd (2013)
Speed Limit: 35 mph unposted gravel
Functional Class: Rural local

COMMENTS FROM VDOT:

1. A 44 student private school is expected to generate 100 to 120 additional vehicle trips per day on Reeves Rd. Approximately 40 of those trips could be expected in the a.m. peak hour. The school would increase the traffic by approximately 56% on Reeves Road based on expected trips and the 2013 traffic counts we have available. This section of gravel road has received a high volume of complaints in the past for continued maintenance. The additional traffic will only worsen the condition and VDOT would not expect to increase the maintenance of the roadway. The road is not planned for any improvement projects in the near future.
2. Access to any State maintained roadway must be in accordance with Appendix F of the VDOT Road Design Manual. The proposed location of the entrance(s) must be approved by VDOT and must meet the VDOT Intersection Sight Distance and Access Management Regulations requirements.
 - A commercial entrance location on Rt. 766 appears to be available at the existing private entrance location. The entrance would have to meet the moderate volume commercial entrance standards which means the existing entrance will likely need to be enlarged, but would not need to be paved since it connects to a gravel surfaced roadway.

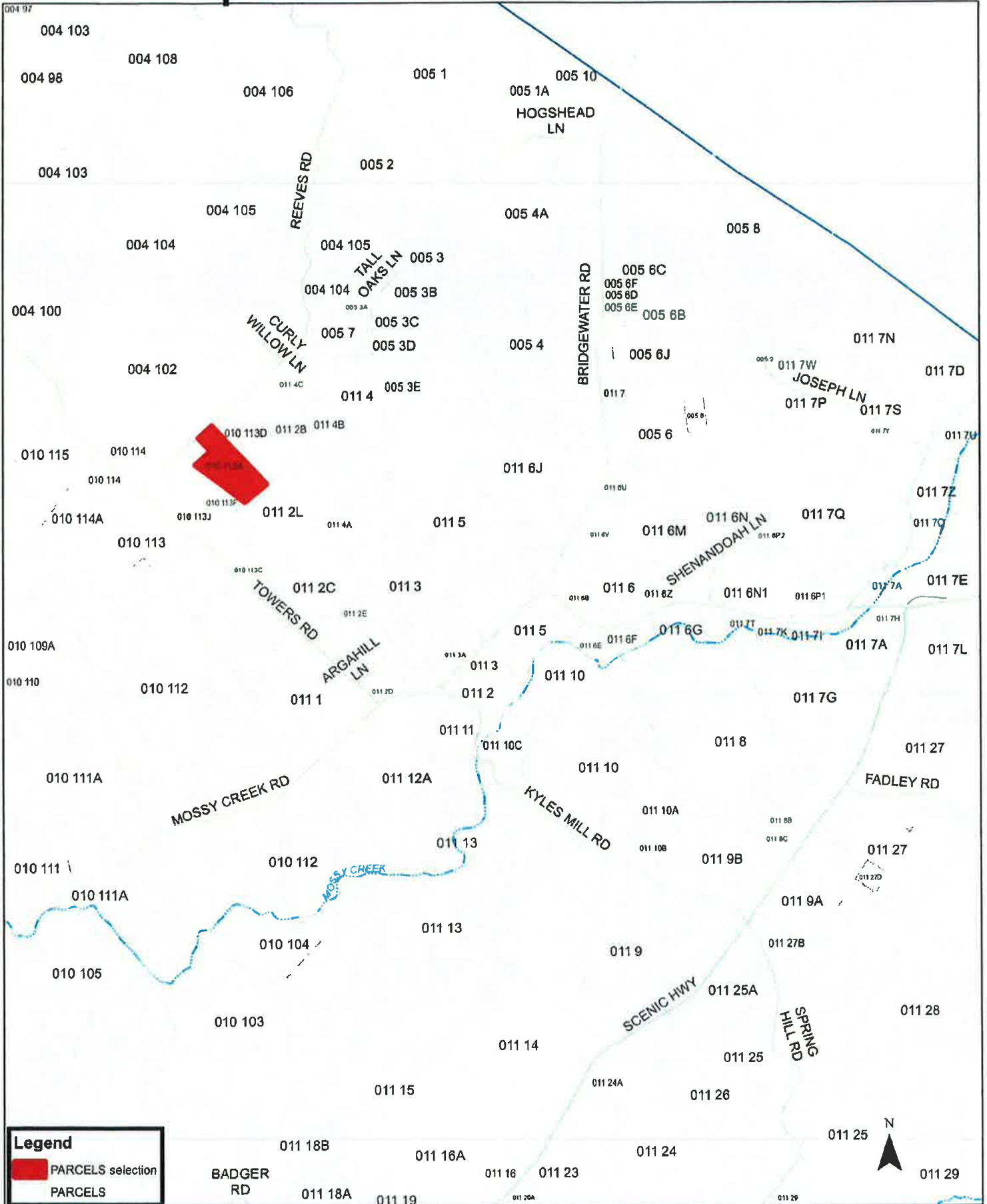
Unless a condition of the permit is to limit the number of vehicle trips generated, it is my opinion that the proposed use is going to negatively affect the condition of the gravel roadway. A more appropriate commercial trip count would be less than 50 vehicle trips, which is the requirement of a low volume commercial entrance, coinciding with a low volume roadway. It's important to note that a vehicle trip is counted in one direction, so a single car dropping off a student(s) is two trips and there would be an additional two trips when picking up.

SCHOOL BOARD STAFF COMMENTS: This request will have no significant impact on North River Elementary School, Stewart Middle School, and Fort Defiance High School.

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: (Revised: 5/11/16) VDOT has indicated that Reeves Road has received a high volume of complaints in the past for continued maintenance. The additional traffic will only worsen the condition and VDOT would not expect to increase the maintenance of the roadway. At this point, there are no plans for any road improvements on Reeves Road. VDOT has indicated that one way to address their concerns is to limit the number of vehicle trips per day. (Dropping off a student at the school and leaving and then going back to the school in the afternoon to pick the student up and leaving the site again is considered to be 4 trips.) If the traffic generated by the school was limited to no more than 50 vehicle trips a day and if any new school structure were built meeting the principal building setbacks and away from the existing residential neighbors, with the proffers submitted, staff recommends approval with the proffers.

PLANNING COMMISSION RECOMMENDATION: Recommend approval with proffers.

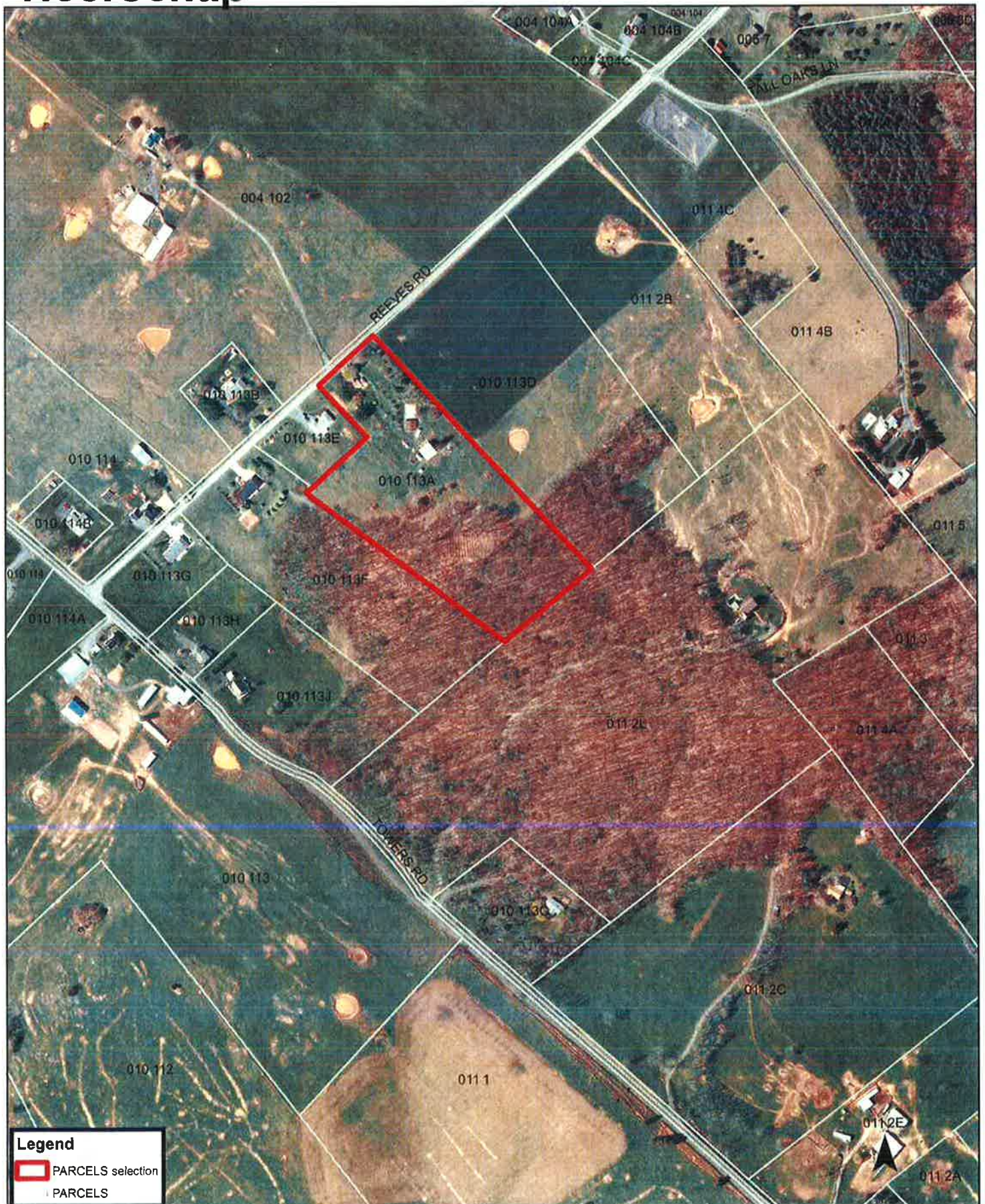
Heerschap



Legend

- PARCELS selection
- PARCELS

Heerschap



04/12/16

ORDINANCE

A REQUEST TO ADD THE PUBLIC USE OVERLAY TO APPROXIMATELY 9.5 ACRES OWNED BY MARY ANN HEERSCHAP LOCATED AT 87 REEVES ROAD, MT. SOLON IN THE NORTH RIVER 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 number 113A on tax map number 10 containing a total of approximately 9.5 acres is changed to add the Public Use Overlay designation with the following proffers:

1. Additional permitted uses of the property will be limited to a school with a maximum enrollment of 44 students.
2. Traffic generated by the school will be limited to no more than 50 vehicle trips per day.
3. Any new building built to house classroom space for the school will meet the setbacks for principal buildings or structures.

**COUNTY OF AUGUSTA
STAFF REPORT
Daycare Centers in General Industrial Districts
May 10, 2016
Revised: May 11, 2016**

An ordinance to add Paragraph G to §25-384 of the Augusta County Code allowing daycare centers by special use permit in General Industrial Districts provided:

- A. There be designated areas for pick-up and delivery adequate to prevent traffic congestion and ensure pedestrian safety;
- B. Proposed playgrounds and common gathering areas be located in side and rear yards only and adequately fenced. Playground structures must meet principal building setbacks;
- C. Proposed use is compatible with the anticipated industrial traffic using the shared roadway; and
- D. Applicant demonstrates compliance with state licensing requirements and all applicable federal, state, and local regulations.

**AN ORDINANCE TO
TO AMEND SECTION 25-384
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend Section 25-384 of the Augusta County Code allow day care centers by special use permit in Industrial Zones within the County;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that the Section 25-384 of the Augusta County Code is amended by adding paragraph G. to read as follows:

**CHAPTER 25. ZONING
DIVISION F. INDUSTRIAL DISTRICTS**

§ 25-384 Uses permitted by Special Use Permit

G. Day care Centers.

Day care centers may be permitted by Special Use Permit provided:

1. Designated areas for pick-up and delivery are adequate to prevent traffic congestion both on and off site, thereby keeping waiting pedestrians out of vehicle passage ways and parking areas and preventing waiting vehicles from blocking access to and from parking areas or impeding traffic on adjoining streets; and

2. Proposed playgrounds and common gathering areas may be located in the side or rear yards only and must be adequately fenced. Any playground structures are subject to the same setback requirements as principal structures, unless the board of zoning appeals finds that greater setbacks are necessary in the interest of public safety and compatibility with the neighboring properties; and

3. The proposed use will be compatible with the anticipated industrial traffic utilizing the shared roadway; and

4. The applicant demonstrates compliance with state licensing requirements and all applicable federal, state, and local regulations.

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: A request was made to allow daycare centers for both children and adults in General Industrial districts. Currently, they are allowed with an Administrative Permit in General Business and Village Mixed Use Districts and by Special Use Permit in General Agriculture, Rural Conservation, and all our residential zoning districts, except the Recreational Vehicle Park District. To mitigate concerns about the compatibility of the use with the amount and type of traffic, especially heavy truck traffic, in some of our industrial areas, this ordinance has been drafted to permit daycare centers in General Industrial districts by Special Use Permit only. By requiring a Special Use Permit, it allows the Board of Zoning Appeals to consider each request individually and gives existing industrial neighbors the opportunity to raise any concerns they might have. Recommend approval of the Amendment.

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the amendment to the Augusta County Code.

**AN ORDINANCE TO REPEAL ARTICLE V OF CHAPTER 11
OF THE CODE OF THE COUNTY OF AUGUSTA, VIRGINIA**

WHEREAS, it has been suggested to the Board of Supervisors that its ordinance prohibiting panhandling on the streets of Augusta County may be unconstitutionally overbroad; and

WHEREAS, the Board of Supervisors does not feel it is desirable to defend its ordinance in a court of law, if the ordinance is overbroad.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Augusta County, Virginia, that Article V of Chapter 11 of the Code of Augusta County consisting of Sections 11-50, 11-51, 11-52 and 11-53 is hereby repealed.

This ordinance shall become effective immediately.

**ADVANCED
A G E N D A**

REGULAR MEETING OF THE AUGUSTA COUNTY BOARD OF SUPERVISORS

WEDNESDAY, May 25, 2016, at 7:00 p.m.

Board Meeting Room, Government Center, Verona, VA

ITEM NO.	DESCRIPTION
7:00 P.M.	PLEDGE OF ALLEGIANCE
	INVOCATION - Public participation is optional; those who wish to join the Board of Supervisors in prayer are asked to remain standing after the Pledge.
	PUBLIC HEARINGS:
5-13	<u>VDOT 6-YEAR PLAN</u> Consider and receive input in regards to the proposed Secondary System and receive input on the Secondary Road Construction Improvement budget for Fiscal Year 2016-17.
5-14	<u>MARY ANN HEERSCHAP REZONING</u> Consider a request to add the Public Use Overlay to approximately 9.5 acres owned by Mary Ann Heerschap located at 87 Reeves Road, Mt. Solon in the (North River District). The Planning Commission recommends approval of the request with proffers.
5-15	<u>DAYCARE CENTERS ORDINANCE AMENDMENT</u> Consider an ordinance to add Paragraph G to 25-384 of the Augusta County Code allowing daycare centers by special use permit in General Industrial Districts. The Planning Commission recommends approval of the ordinance amendment.
5-16	<u>ILLICIT DISCHARGE DETECTION AND ELIMINATION ORDINANCE</u> Consider an ordinance to enact a new Article II to Chapter 9 of the Augusta County Code entitled Illicit Discharge Detection and Elimination.
5-17	<u>PANHANDLING</u> Consider the repeal of the Article V, of Chapter 11 of the Augusta County Code, Panhandling.
5-18	<u>AMENDMENT TO AUGUSTA COUNTY CODE</u> Consider amending Section 8-32 of the Augusta County Code to move the polling place for the Crimora voting precinct from Crimora United Methodist Church to the Hugh K. Cassell Elementary School.

5-19 **MATTERS TO BE PRESENTED BY THE PUBLIC**

5-20 **WAIVERS/ VARIANCES**

5-21 **CONSENT AGENDA**

5-22 **MATTERS TO BE PRESENTED BY THE BOARD**

5-23 **MATTERS TO BE PRESENTED BY STAFF**

5-24 **CLOSED SESSION**

NOTICE OF VARIOUS MEETINGS/GENERAL INFORMATION