Regular Meeting, Wednesday, October 26, 2016, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Carolyn S. Bragg, Chairman

Tracey Pyles, Jr., Vice-Chairman

Gerald W. Garber Marshall W. Pattie Wendell L. Coleman Michael L. Shull Terry Lee Kelley, Jr.

Becky Earhart, Senior Planner

Timmy Fitzgerald, County Administrator

Jennifer M. Whetzel, Deputy County Administrator

James R. Benkahla, Interim County Attorney

Angie Michael, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of

Supervisors held on Wednesday, October 26, 2016, at 7:00 p.m., at the Government Center, Verona, Virginia,

and in the 241th year of the Commonwealth....

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Chairman Bragg welcomed the citizens present.

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The following student from Wilson Memorial High School led us with the Pledge of Allegiance:

John Garvey is a senior at Wilson Memorial High School. He is the SCA President and is on the golf team, plays baseball and participates in indoor track. Mr. Garvey plans to attend a four year university and is considering becoming a Special Education teacher.

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Terry Kelley, Supervisor for the Beverley Manor District, delivered the invocation.

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EMAD A. AND NEAMT N. MANSOUR-REZONING

This being the day and time advertised to consider a request to rezone from General Agriculture to General Business with proffers approximately 6.3 acres owned by Emad A. and Neamt N. Mansour located in the southwest quadrant of the intersection of Tinkling Spring Road (Rt. 285) and Mule Academy Road (Rt. 642) in Fishersville in the Wayne District. The Planning Commission recommends approval with proffers.

Becky Earhart, Senior Planner, showed a map of the property and then pointed out the four proffers submitted by the applicant:

- 1) Buffer to be installed or maintained for adjacent residential properties.
- 2) No access on to tinkling Spring Road and only one ingress/egress on Mule Academy Road.
- 3) Building height-50 feet maximum.
- 4) Full turn lanes shall be constructed to VDOT standards if warranted by the cumulative traffic generation of the development.

This is in an Urban Service Area slated for business development and there is public water and sewer available.

EMAD A. AND NEAMT N. MANSOUR-REZONING (CONT'D)Ray Burkholder of Balzer Associates, representing the Mansour family, stated that this is a pretty straight forward rezoning. The applicant is looking to put several neighborhood type businesses in such as office, retail, an extended stay option and some senior living type of facility towards the back. A concern that has been brought up is storm water that goes down to the church below them. They will be meeting the state storm water regulations for all of their water. The Mansour family will work with the church as much as possible to

mitigate the situation. Sewer runs through the property and fire flow tests are being done. The Service Authority will be replacing the waterline along Tinkling Springs Road so we will coordinate with them with any improvements needed.

Mr. Coleman pointed out that he was pleased with where the request is at this point and it is a pretty straight forward project. There is already a storm water issue and there has to be a plan in place to handle the additional water that flows to the church.

The Chairman declared the public hearing open.

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

Mr. Coleman moved, seconded by Mr. Shull, that the Board approve the rezoning request with the proffers.

ORDINANCE

A REQUEST TO REZONE FROM GENERAL AGRICULTURE TO GENERAL BUSINESS WITH PROFFERS APPROXIMATELY 6.3 ACRES OWNED BY EMAD A. AND NEAMT N. MANSOUR LOCATED IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF TINKLING SPRING ROAD (RT. 285) AND MULE ACADEMY ROAD (RT. 642) IN FISHERSVILLE 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 number 104 on tax map number 67 containing a total of approximately 6.3 acres is changed from General Agriculture to General Business with the following proffers.

1. If at the time of development of the site, any of the adjacent property (TM#'s 67-102B, 67-100A, 67-105) is still zoned General Agriculture, then a buffer meeting Alternative 1, 2 or 3 described below, shall be installed or maintained as depicted on the attached "Zoning Exhibit A" prepared by Balzer & Associates dated September 16, 2016. The buffer will be maintained until such time as the zoning of the adjacent property is changed to business. This condition shall apply to each individual adjacent property.

Alternative 1: A ten foot (10') wide strip of land with a six foot (6') opaque privacy fence, wall, berm or combination thereof. Opaque privacy fences shall be constructed of good quality materials such as vinyl, pressure treated lumber, brick, stone or other similar materials approved by the Zoning Administrator. For the purposes of this proffer, tarps, car covers, tents, fabric, chain link fences with slats, or similar materials shall not be deemed to satisfy the requirements of opaque fencing.

EMAD A. AND NEAMT N. MANSOUR-REZONING (CONT'D)

Alternative 2: A twenty foot (20') wide strip of land with 2 evergreen trees, 2 canopy trees, 2 understory trees and 24 shrubs planted per one hundred linear feet (100') of buffer.

Alternative 3: Upon a finding by the Director of Community Development, the installation of an additional buffer shall not be required where there is existing vegetation either on the lot or the adjacent lot to provide the required buffer benefits.

- 2. No access shall be permitted on to Tinkling Spring Road (Route 285) and only one ingress/egress on Mule Academy Road (Route 642) shall be permitted.
- 3. Building height shall not exceed 50 feet.
- 4. Full turn lanes shall be constructed to VDOT standards, at the developer's expense, if such turn lanes are warranted by the cumulative traffic generation of the development of the 6.3 acres as quantified during site plan review.

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

and Pattie

Nays: None

Motion carried.

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COUNTY OF AUGUSTA BOARD OF SUPERVISORS-SOURCE WATER PROTECTION OVERLAY AREA 1-BERRY FARM

This being the day and time advertised to consider a request to add the Source Water Protection Overlay District Area 1 designation to two new wells located on the east and west sides of Berry Farm Road (Rt. 626) approximately 1 mile south of the intersection with Quicks Mill Road (Rt. 612) in Verona in the North River and Beverley Manor Districts. The Planning Commission recommends approval.

Becky Earhart showed a map of the 1000 foot radius of the two new well sites that have been identified by the Service Authority and will be added to the Berry Farm water system.

The Chairman declared the public hearing open.

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

Mr. Pyles stated that for each of the source water protection public hearings tonight he has the same comments. This is something that the County encourages and we want to have. It takes quite an amount of work for the Staff to do the detailing that is needed to identify the recharge area i for our water source. We don't go over what is needed, but our supplies are protected.

Chairman Bragg commended the Service Authority on their hard work on this project.

Mr. Kelley moved, seconded by Mr. Shull, that the Board accept the Area 1 overlay area for the new Berry Farm wells.

AN ORDINANCE TO AMEND §25-523
OF THE AUGUSTA COUNTY CODE
ESTABLISHING A SOURCE WATER PROTECTION AREA 1
FOR TWO NEW BERRY FARM WELLS

WHEREAS, the Board of Supervisors of Augusta County adopted an ordinance to protect public health, safety and welfare by preventing adverse impact to critical aquifers which are public groundwater supply sources due to

COUNTY OF AUGUSTA BOARD OF SUPERVISORS-SOURCE WATER PROTECTION OVERLAY AREA 1-BERRY FARM (CONT'D)

contamination and water loss; and

WHEREAS, the said ordinance created Source Water Protection Overlay Districts surrounding wells that produce water for the County's public supply; and

WHEREAS, engineer studies have now identified two new wells that could be developed to produce additional water for the County's public water supply; and

WHEREAS, it is deemed critical to include the wells in Source Water Protection Overlay Districts described as Area 1;

NOW THEREFORE be it resolved that Source Water Protection Overlay Districts described as Area 1 consisting of a one thousand foot (1000') radius around each of the two new wells located on the east and west sides of Berry Farm Road (Rt. 626) approximately 1 mile south of the intersection with Quicks Mill Road (Rt. 612) in Verona and depicted as light blue circles and identified as Potential Berry Farm Wells 1 and 2 on a map entitled "Public Ground Water Facility Map Berry Farm Wells SWP Mapset- Map #28" which is declared part of this ordinance and which shall be kept on file in the Offices of the Department of Community Development.

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

and Pattie

Nays: None

Motion carried.

COUNTY OF AUGUSTA BOARD OF SUPERVISORS-SOURCE WATER PROTECTION OVERLAY AREA 2-BERRY FARM

This being the day and time advertised to consider a request to add the Source Water Protection Overlay District Area 2 designation to properties in the recharge area for the Berry Farm wells and spring. This request contains approximately 2757 acres stretching from the City of Staunton Corporate Limits northeast to Quicks Mill Road and Pleasant View Road (Rt. 612) and on both sides of Berry Farm Road (Rt. 626), Shutterlee Mill Road (Rt. 742), and Spring Hill Road (Rt. 613) in the North River and Beverley Manor Districts. The Planning Commission recommends approval.

Becky Earhart showed a map of the property. Part of the recharge area is in the City of Staunton, however, we can't rezone property in the City of Staunton, but they did receive a letter indicating they were in the recharge area encouraging them to practice good water stewardship in that area.

The Chairman declared the public hearing open.

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

Mr. Pyles moved, seconded by Mr. Coleman, that the Board accept this request to provide for protection for this water source.

AN ORDINANCE TO AMEND §25-523 OF THE AUGUSTA COUNTY CODE ESTABLISHING A SOURCE WATER PROTECTION AREA 2 FOR THE BERRY FARM SPRING AND WELLS

WHEREAS, the Board of Supervisors of Augusta County adopted an ordinance to protect public health, safety and welfare by preventing adverse impact to critical aquifers which are public groundwater supply sources due to contamination and water loss; and

WHEREAS, the said ordinance created Source Water Protection Overlay Districts surrounding wells that produce water for the County's public supply; and

COUNTY OF AUGUSTA BOARD OF SUPERVISORS-SOURCE WATER PROTECTION OVERLAY AREA 2-BERRY FARM (CONT'D)

WHEREAS, engineer surveys have now identified the recharge areas for several wells that produce water for the County's public water supply; and

WHEREAS, it is deemed critical to include the recharge areas of the wells in Source Water Protection Overlay Districts described as Area 2;

NOW THEREFORE be it resolved that a Source Water Protection Overlay Districts described as Area 2 consisting of approximately 2757 acres stretching from the City of Staunton Corporate Limits northeast to Quicks Mill Road and Pleasant View Road (Rt. 612) and on both sides of Berry Farm Road (Rt. 626), Shutterlee Mill Road (Rt. 742), and Spring Hill Road (Rt. 613) and highlighted in blue on a map entitled "Public Ground Water Facility Map Berry Farm Wells SWP Mapset- Map #28" which is declared part of this ordinance and which shall be kept on file in the Offices of the Department of Community Development.

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

and Pattie

Nays: None

Motion carried.

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AUGUSTA COUNTY BOARD OF SUPERVISORS-SOURCE WATER PROTECTION OVERLAY-MIDDLEBROOK

This being the day and time advertised to consider a request to add the Source Water Protection Overlay District Area 2 designation to properties in the recharge area for the Middlebrook well. This request contains approximately 156 acres located south of Middlebrook Road (Rt. 252) and east of Cherry Grove Road (Rt. 670) in Middlebrook in the Riverheads District. The Planning Commission recommends approval.

Becky Earhart showed a map of the property.

The Chairman declared the public hearing open.

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

Mr. Shull moved, seconded by Mr. Garber, that the Board accept the Source Water Protection Overlay for Middlebrook.

AN ORDINANCE TO AMEND §25-523 OF THE AUGUSTA COUNTY CODE ESTABLISHING A SOURCE WATER PROTECTION AREA 2 FOR THE MIDDLEBROOK WELL

WHEREAS, the Board of Supervisors of Augusta County adopted an ordinance to protect public health, safety and welfare by preventing adverse impact to critical aquifers which are public groundwater supply sources due to contamination and water loss; and

WHEREAS, the said ordinance created Source Water Protection Overlay Districts surrounding wells that produce water for the County's public supply; and

WHEREAS, engineer surveys have now identified the recharge areas for several wells that produce water for the County's public water supply; and

WHEREAS, it is deemed critical to include the recharge areas of the wells in Source Water Protection Overlay Districts described as Area 2;

NOW THEREFORE be it resolved that a Source Water Protection Overlay Districts described as Area 2 consisting of approximately 156 acres located south of Middlebrook Road (Rt. 252) and east of Cherry Grove Road (Rt. 670) in Middlebrook and highlighted in blue on a map entitled "Public Ground Water Facility Map Middlebrook Well SWP Mapset- Map #29" which is declared part of

<u>AUGUSTA COUNTY BOARD OF SUPERVISORS-SOURCE WATER PROTECTION</u> <u>OVERLAY-MIDDLEBROOK</u> (CONT'D)

this ordinance and which shall be kept on file in the Offices of the Department of Community Development.

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

and Pattie

Nays: None

Motion carried.

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FRANKLYN EUGENE OR SUE THACKER SMILEY-MIDDLEBROOK AGRICULTURAL AND FORESTAL DISTRICT WITHDRAWAL

This being the day and time advertised to Consider a request to withdraw approximately 97 acres of land from the Middlebrook Agricultural and Forestal District owned by Franklyn Eugene or Sue Thacker Smiley, located on the north side of Pisgah Road (Rt. 620) approximately .4 of a mile west of the intersection of Pisgah Road (Rt. 620) and Middlebrook Road (Rt. 252) in the Riverheads District. The Planning Commission recommends denial.

Becky Earhart showed a map of the property and the boundaries of the Ag District. Ms. Earhart also mentioned the State Code reference which states that any landowner can request removal from the Agricultural and Forestal District "for good reasonable cause". The Planning Commission and the Agricultural Forestal District Committee requests denial of the request based on a determination that the Smileys do not appear to meet the intent of the code section.

The applicant, Franklyn Smiley and his wife Sue stated that they joined the Ag Forestal district in the late 90's. At the time of the public hearing they asked if they could build on the farm at the time of retirement and they were told they could. Later, they found out that the majority of your income has to come from the farm to be able to build on the farm. This is not logical with a 100 acre farm. The Smiley's would like to build a two car garage/storage building on the farm to use as a transition building between selling their property on Middlebrook Road and building a house on the farm. The property is not in the middle of the Ag Forestal district so by removing this land, it does not leave a big hole in the middle of the district. There are no plans of building anything else on the farm other than keeping it agriculture. The area neighbors have no objection to this. We feel like building a home to retire, and a garage on the farm that we own is a very reasonable request.

The Chairman declared the public hearing open.

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

Mr. Shull stated that we are supposed to be here to help people. Citizens come to us to resolve issues. Things change over the years just like the Comprehensive Plan. It was set up to be a guideline for all of the land in the County, but we have a right to change things with the Comprehensive Plan. Mr. Shull hopes the Board understands the situation and will help the Smileys out.

Mr. Shull moved, seconded by Mr. Kelley, that the Board accept the request to withdraw the 97 acres from the Agricultural and Forestal District.

Mr. Pyles commented on why he is going against the Planning recommendation.

FRANKLYN EUGENE OR SUE THACKER SMILEY-MIDDLEBROOK AGRICULTURAL AND FORESTAL DISTRICT WITHDRAWAL (MR. PYLES CONT'D)

When the Districts were established in the 1990's, the question was why would anyone voluntarily put their land where it had less options and very little benefit from it? When this program was formed, the people wanted to get a synergy of all being together and it would stop other things from interfering with agriculture. During the pipeline, we did find a value with these districts. The pipe couldn't go through the Conservation Districts, so there is some value to it. Mr. Pyles was interested to see if anyone came to the meeting to speak in opposition of the withdrawal and no one came. The Board should not be harsh with the decision, the Board needs to be reasonable with these types of requests. So in this case Mr. Pyles is going to go against the Planning Commission's recommendations and approve it.

AN ORDINANCE TO REVISE THE MIDDLEBROOK AGRICULTURAL AND FORESTAL DISTRICTS IN AUGUSTA COUNTY

WHEREAS, it is the public policy of the Commonwealth of Virginia, as set forth in the Agricultural and Forestal Districts Act (Title 15.2, Chapter 43, Code of Virginia, 1950, as amended), to conserve and protect agricultural and forestal lands as valued natural ecological resources;

WHEREAS, by ordinance adopted on December 9, 1998, the Middlebrook Agricultural and Forestal District was created;

WHEREAS, pursuant to § 15.2-4314 owners of land lying in such districts may file with the locality a written request to withdraw all or part of their land from the district for good and reasonable cause;

WHEREAS, Franklyn Eugene and Sue Thacker Smiley, Tax Map Parcel Nos. 80-24 have made application that their property be removed from the Middlebrook Agricultural and Forestal District; and

WHEREAS, such removal will not affect the review period for the District.

NOW, THEREFORE, be it ordained by the Board of Supervisors of Augusta County, Virginia, that the Code of Augusta County be, and hereby is, amended by the revision of Chapter 3, Article III, § 3-22 entitled "District described," as follows:

§ 3-22. District described.

The Middlebrook Agricultural and Forestal District shall generally consist of the following territory:

Approximately 2759 2662 acres of land lying on the south side of the intersection of Middlebrook Road (Route 252) and Dutch Hollow Road (Route 726) and as far south as the Rockbridge County line and including parcels shown on County Real Estate maps as of the effective date of this Article as parcels numbered 80 24, 80-27, 80-30, 80-30B, 80-63, 80-64, 80-67, 81-1A, 81-2, 81-3, 81-3A, 81-4, 81-11, 81-15, 81-19, 87-3A, 87-5A, 87-7, 87-8C, 87-24, 87-24A, 87-26A, 87-29, 87-30, 87-30A, and 87-30B.

The specific boundaries of the Middlebrook Agricultural and Forestal District are established as shown on a map entitled "Middlebrook Agricultural & Forestal District," and dated <u>October 28, 2016</u>. Such map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this article. A copy of the map, properly attested, shall be filed in the office of the Director of the Community Development Department and shall be available for inspection by the public.

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

and Pattie

Nays: None

Motion carried.

END OF PUBLIC HEARINGS

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MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

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ASSESSMENT REFUND

The Board considered a refund as certified by the Commissioner of Revenue and approved by the County Attorney for ProBuild Company in the amount of \$2,510.50.

James Benkahla, Interim County Attorney, stated that ProBuild was purchased by Builder's First Source Atlantic Group, LLC, who also bought a Business License. The Treasurer has found that the documentation provided by the taxpayer was sufficient.

Mr. Pyles moved, seconded by Mr. Coleman, that the Board approve the refund request for ProBuild.

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

and Pattie

Nays: None

Motion carried.

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VDOT ROADS

The Board considered a road abandonment resolution for Route 285-Tinkling Springs Drive.

Chairman Bragg and Mr. Coleman stated they would be abstaining from this vote because they are both members of the church. Mr. Fitzgerald showed a map of the property and pointed out that this is the Exit 91 VDOT project that was recently completed. There has been a new entrance built into the Tinkling Springs Church and also the secondary road that goes down to a couple businesses and homes. The main portion that is in the abandonment, is the old entrance into the Church facility. The new entrance has been added to the secondary system.

Mr. Garber moved, seconded by Mr. Kelley, that the Board approve the following Road Abandonment Resolution:

RESOLUTION

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated September 1, 2016 depicting the additions, discontinuances and abandonments required in the Secondary System of State Highways as a result of Project 0064-007-111, C-501, 8-627 which sketch is hereby incorporated herein by reference,

WHEREAS, the new road numbered as Route 627 serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Commissioner to abandon from the Secondary System of State Highways those portions of old road Route 627 identified by the sketch to be abandoned, pursuant to Section 33.2-912, Code of Virginia, and

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to add to the Secondary System of State Highways those portions of road Route 627 identified by the sketch to be added, pursuant to Section 33.2-705, Code of Virginia, and

 $\hbox{\bf BE\ IT\ FURTHER\ RESOLVED, this\ Board\ does\ hereby\ guarantee\ rights-of-way\ and}$

VDOT ROADS (CONT'D)

any necessary easements for cuts, fills, and drainage for this street, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the local representative of the Virginia Department of Transportation.

Vote was as follows: Yeas: Shull, Garber, Pyles, Kelley,

and Pattie

Nays: None

Abstain: Bragg & Coleman

Motion carried.

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BROADBAND GRANT

The Board considered extending scope of work to expend State planning grant funds.

Jennifer Whetzel, Deputy County Administrator, stated that a fairly thorough presentation was given on Monday of the survey results and the plan that the consultant has drafted. We have approximately \$10,000 in State grant funding and local match that needs to be expended. That scope of work would be extended to having meetings with providers that show interest in network build out in the County and applying for future grant funding, as well as preparing marketing material for some of the communication towers that are needed in the County. The funds have been previously approved and are ready to be expended. The funds are State and local.

Economic Development-Broadband 70-80000-8145-18 \$10,000

Dr. Pattie moved, seconded by Mr. Kelley, that the Board approve extending scope of work to expend State planning grant funds.

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

and Pattie

Nays: None

Motion carried.

WAIVERS/VARIANCES - NONE

MATTERS TO BE PRESENTED BY THE BOARD

Mr. Coleman moved, seconded by Mr. Pyles to re-appoint James Curd to the Planning Commission effective immediately and to expire on June 30, 2020.

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

and Pattie

Nays: None

Motion carried.

Mr. Garber moved, seconded by Mr. Shull to re-appoint Kitra Shiflett to the Planning

MATTERS TO BE PRESENTED BY THE BOARD (CONT'D)

Commission effective immediately and to expire on June 30, 2018.

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

and Pattie

Nays: None

Motion carried.

Chairman Bragg:

Reminders:

- 1) October 29 is a Courthouse Tour.
- 2) October 30 there is a pinning and advancement ceremony for Fire and Rescue.
- 3) November 1 is a Broadband Meeting at the Government Center.
- 4) November 3 is a Courthouse open house at the Government Center from 4pm-7pm.
- 5) Several folks attended the Hospital/Government Social and it was requested that the Board consider passing a resolution of support for the Certificate of Public Needs (COPN). A copy of what has been suggested has been provided for the Board to look at, but no action will be taken at this time.

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MATTERS TO BE PRESENTED BY STAFF

Timothy Fitzgerald, County Administrator discussed the following issues:

- 1) Hosted a FOIA training here at the Government Center. Ms. Whetzel is setting up another one for a future date.
- 2) It has been mentioned to have the Board email addresses through the County email system verses having individual email account. The County has the capability to provide each Board member with an email address similar to that of a County employee. This would make FOIA requests easier and less time consuming.

Mr. Pyles stated that if the Board was provided with tablets or something of that nature it would be easier to keep up with strictly County business. It's an expense, but it's something to think about.

Chairman Bragg mentioned that she has two email addresses, one for personal and one for business so switching her business email address to a County email address wouldn't be a problem. FOIA is something that is going to continue to come up and it can be time consuming. Retention requirements is also something to think about. Even after going off the Board, it is a requirement to retain information for a certain length of time. If it's something the County has on their servers it would be easier and more readily accessible.

Mr. Benkahla stated that it was advisable to have separate email accounts for personal and business.

Mr. Coleman stated that he is not a person that tends to communicate by email. He prefers to call or talk in person. Some people have voiced a concern about that in terms of transparency. Mr. Coleman is not a person that tends to put a lot of things in writing, but that doesn't mean he does not communicate when there's a need.

Mr. Fitzgerald stated that it is Board decision and it doesn't have to be decided on tonight.

Chairman Bragg suggested making the switch at the first of the year.

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CLOSED SESSION

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

(1) the real property exemption under Virginia Code § 2.23711(A)(3)
[discussion of the acquisition for a public purpose, or
disposition, of real property]:

A) Buffalo Gap Property

On motion of Mr. Shull, seconded by Dr. Pattie, the Board came out of Closed Session.

Vote was as follows: Yeas: Bragg, Pyles, Garber, Wendell, Shull, Kelley

and Pattie

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: Bragg, Garber, Kelley, Coleman, Shull, Pattie

And Pyles

NAY: None

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

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

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

and Bragg

Nays: None

Motion carried.																	
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Chairman h:10-26min.16

County Administrator