

Regular Meeting, Wednesday, August 12, 2009, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Larry C. Howdyshell, Chairman
Gerald W. Garber, Vice-Chairman
David R. Beyeler
Wendell L. Coleman
Jeremy L. Shifflett
Nancy Taylor Sorrells
Patrick J. Morgan, County Attorney
Jennifer M. Whetzel, Director of Finance
Melissa Meyerhoeffer, Assistant Director of Finance
John C. McGehee, Assistant County Administrator
Patrick J. Coffield, County Administrator
Rita R. Austin, CMC, Executive Secretary

ABSENT: Tracy C. Pyles, Jr.

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, August 12, 2009, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 234th year of the Commonwealth....

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Chairman Howdyshell welcomed the citizens present and reminded them to remove their hats and turn off their cell phones.

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Melissa Meyerhoeffer, Assistant Finance Director, led the Pledge of Allegiance.

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

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MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

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MOTOR VEHICLES AND TRAFFIC - ORDINANCE

The Board considered authorization to advertise ordinance incorporating provisions and requirements of Section 46.2 of the Code of Virginia into the Code of the County of Augusta, Virginia.

Patrick J. Morgan, County Attorney, advised currently fines for County Code violations are awarded to Augusta County. He stated fines for violations of the State Code are awarded to the State of Virginia Treasurer. He explained this ordinance will provide flexibility for additional monetary fines to be allocated to the Augusta County Treasurer versus the State of Virginia Treasurer.

Mr. Beyeler moved, seconded by Ms. Sorrells, that the Board approve the request.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

Motion carried.

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August 12, 2009, at 7:00 p.m.

NORFOLK SOUTHERN

The Board considered support of federal funding for I-81 Crescent Corridor project.

Patrick J. Coffield, County Administrator, reported the County has received a request for a letter of support and endorsement for the Crescent Corridor project.

Mr. Beyeler stated Norfolk Southern Railroad is a corporation and he does not want to see money taken away from needed highway funds. He stated he opposes blanket funding. Mr. Beyeler stated he is not opposed to the project, but he believes our support should be measured against other pressing transportation needs.

Mr. Coleman stated he agrees with Mr. Beyeler in that the letter should ensure Norfolk Southern should financially participate and that Federal and State funding should not compromise needed funding for Interstate, primary, and secondary roads. Mr. Coleman also added the interstate rest stops should be reopened.

Mr. Coleman moved, seconded by Ms. Sorrells, that the Board approve the request with the stipulations as noted.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

Motion carried.

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OUTDOOR MUSICAL OR ENTERTAINMENT FESTIVAL

The Board considered application as submitted by New Life Outreach for an outdoor event to be held from 2:00 p.m. to 5:30 p.m., on September 12, 2009, at the Staunton Mal in the Beverley Manor District.

Rita R. Austin, Executive Secretary, reported that an application has been submitted by New Life Outreach for an outdoor event and that all requirements have been met.

Mr. Shifflett moved, seconded by Ms. Sorrells, that the Board approve the application.

Vote was as follows: Yeas: Howdyshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

Motion carried.

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LEGISLATIVE PRIORITIES – 2010

The Board considered 2010 General Assembly draft Legislative Priorities.

John C. McGehee, Assistant County Administrator, advised the 2009 Legislative Priorities has been reviewed by himself, Jane Woods, and Gerald Garber. He stated a red-line proposed 2010 draft has been provided in the agenda package noting these revisions.

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LEGISLATIVE PRIORITIES – 2010 (cont'd)

Mr. McGehee further addressed another item that was attached to the agenda regarding juvenile illegal aliens. He informed the Board of an incident involving a seventeen year old illegal immigrant who has been arrested for illegal drug use. He explained juvenile law requires the child to have a guardian. He explained; therefore, the Department of Social Services has been appointed to serve as his guardian. He stated there has been much confusion as to the financial responsibility for this juvenile, and feels this issue should be included in the legislative package for consideration.

Mr. Garber moved, seconded by Mr. Coleman, that the Board approve the Legislative Priorities for 2010 with the suggested language regarding illegal aliens in the juvenile criminal justice system.

Mr. Beyeler requested this information be available prior to Friday's meeting in Richmond.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

Motion carried.

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REVENUE RECOVERY CONTRACT

The Board considered committee recommendations for approval of Revenue Recovery billing agent.

Mr. McGehee, provided a brief summary on the Revenue Recovery process. He advised the Board has approved advertisement of an RFP jointly with Rockingham County and the City of Harrisonburg. He stated seven proposals have been received. He explained individual review committees from each locality consisting of staff and volunteers have reviewed, evaluated, and short-listed the proposals to four prospects. He further stated the localities agreed to meet to conduct four interviews and have decided on EMS Management Consultants. The next step in the process he explained is to submit a letter of intent to award the prospect. Ten days after the prospect is awarded, a contract can be signed. He stated Augusta County is ready to proceed. Mr. McGehee stated a revised contract has been submitted to the Board prior to tonight's meeting.

Shara Zook, EMS Management Consultants, gave a briefing on the background of EMS Management based in Lewisville, North Carolina. EMS Management has been chosen as the vendor to perform the EMS billing for Augusta County. A notice of intent to award will be mailed.

Melissa Meyerhoeffer, Assistant Finance Director, reviewed the revised contract with provisions. She noted the revisions were in red.

Mr. Beyeler requested that Page 13-5.2 be changed to the following to indicate, "County at a higher rate."

Ms. Sorrells asked if the billing would indicate donations.

Ms. Meyerhoeffer stated a subscription fee was not planned.

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REVENUE RECOVERY CONTRACT (cont'd)

Mr. McGehee stated they were following the Inspector General ruling.

Ms. Zook added this is a soft billing program. She stated it meant those citizens that paid county taxes would not be billed. She explained a claim would be filed to the insurance company and what part insurance did not cover, would be written off.

Mr. McGehee asked if there has been any challenges from insurance companies.

Ms. Zook answered no. She further stated this program could be extended into neighboring counties.

Ms. Sorrells stated those individuals traveling on the interstate from out of town would receive bills for the EMS services. She also asked if first due boundaries changes from Staunton Augusta Rescue Squad and Waynesboro Rescue Squad would be affected.

Mr. Morgan answered there was flexibility and that would cause no affect.

Mr. Beyeler asked about the estimated staff time.

Ms. Meyerhoeffer stated financial and invoice related matters would consume approximately two hours per month.

Mindy Craun, Fire and Rescue Volunteer, stated a full time person would be needed.

Ms. Zook stated she too agrees a full time position would be needed.

Mr. McGehee stated it has not been determined at this time whether a full time position would be for the Fire and Rescue Department or Finance, but whichever, that person would be working closely with the other department.

Chairman Howdysshell stated this has been a long process.

Mr. McGehee stated it is a good committee and they would work it out.

Mr. Beyeler asked if there would be a satellite office.

Ms. Zook stated the offices are currently located in North Carolina and Georgia.

Mr. Garber moved, seconded by Ms. Sorrells, that the Board approve the committee recommendations.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

Motion carried.

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COYOTE ORDINANCE

The Board considered draft of revisions to ordinance.

Mr. McGehee reported during the budget process it was recommended and approved to reduce the coyote bounty expenditure line item by \$3,000 for the current fiscal year.

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COYOTE ORDINANCE (cont'd)

Initially, he explained the bounty for coyotes was \$75.00 during the whelping season (January – April) and \$50.00 for the remaining year. Mr. McGehee stated an ordinance needs to be amended to accommodate this budgetary action.

Mr. Beyeler asked if the coyotes were being brought to the Government Center.

Mr. McGehee stated that in the past they have been brought to the Government Center, but now Animal Control Officers were going to the citizens' residences in an effort to more cost effectively utilize staff's time. He stated the amendment should reflect this language.

Mr. Beyeler moved, seconded by Mr. Shifflett, that the Board authorize staff to advertise the ordinance as revised.

Ms. Sorrells expressed her opposition to the program, stating that bounty programs do not have the "science" to justify the expense.

Vote was as follows: Yeas: Howdysshell, Garber, Beyeler, Shifflett, and Coleman

Nays: Sorrells

Absent: Pyles

Motion carried.

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CONSENT AGENDA

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

MINUTES

Approved minutes of the following meetings:

- Staff Briefing Meeting, Monday, July 20, 2007
- Regular Meeting, Wednesday, July 22, 2009

CLAIMS

Approved claims paid since July 22, 2009.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

Motion carried.

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(END OF CONSENT AGENDA)
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August 12, 2009, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Coleman:

- 1. Shenandoah Valley Partnership Annual Report - distributed to the Board.
- 2. Sweet Dreams Event – Outstanding event with approximately 10,000 people in attendance.
- 3. Wilson Memorial High School Tennis Resolution presented to the coaches and team at their team picnic.
- 4. National Night Out held at the Colonial Mall in Staunton- was a wonderful event.

Mr. Garber – reported Dale Cobb’s father was seriously ill.

Mr. Shifflett:

- 1. Library’s Board meeting update - a new logo has been selected. Mr. Shifflett stated over 50 citizens participated in the creation of the logo. He also stated the library’s website has been redesigned.
- 2. Scholastic Way Sidewalks project update - the Commonwealth Transportation Board has allocated \$300,000 for Phases I, II, and III in the Augusta Farms Subdivision area.

Mr. Beyeler – commended the Sweet Dreams Event. He stated he is happy to represent the “Sweetest Place in Augusta County”.

Ms. Sorrells:

- 1. Commended the Sweet Dreams Event and stated the County Administrator and Economic Development Director were in attendance. She stated she worked the bicycle pedestrian booth and gave out 1,280 helmets in just two hours! She stated the Parks and Recreation Staff needs to be congratulated on a job well done.
- 2. Middlebrook Headwaters Tour - attended
- 3. Middlebrook Library’s birthday party on Thursday, September 11.

Chairman Howdyshell:

- 1. Letter of appreciation from a citizen in Roanoke commending Company 10.
- 2. Congressman Goodlatte’s and Senator Webb’s offices – met with staff to discuss legislative priorities. He also emphasized the need for Federal waiver to prioritize rest areas.
- 3. VACo meeting in Richmond on Friday - travel arrangements will be discussed.
- 4. Augusta County Fair at Expo – thank you to those individuals who have been hosting the Welcome Booth.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

- 1. Infrastructure/Parks & Recreation Matching Grants Account Annual Audit distributed to the Board. Will be placed on the next Staff Briefing.
- 2. September 9, 2009 Board of Supervisors’ meeting – Chairman Howdyshell will be absent and Vice-chairman will chair.
- 3. Library bids – Mr. McGehee announced ten bids were received. Highest bid: \$1,540,000; lowest bid: \$1,267,099 (Nielson in Harrisonburg). This will be placed on the Staff Briefing Agenda. Needed to be added to Contractor’s bid: furniture/fixtures; special inspections; asbestos monitoring; computer wiring; telephone system. Ms. Sorrells asked what the estimate was; Mr. McGehee stated it was \$2.1 million for the construction component of budget. He added

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

the project was not going to be easy with the library remaining open during the project.

- 4. Fire and Rescue Equipment – pumper for Company 10 – normal replacement every ten years. Memo distributed to Board.

Mr. Beyeler moved, seconded by Ms. Sorrells that the Board authorize staff to proceed with an RFP.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

Motion carried.

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- 5. Mill Place Dam – upgrades to comply with Federal requirements range from \$50,000 to \$250,000. Staff is working to design and bid project.
- 6. Regional Radio Communications Systems analysis study has been received. Presentation will be given at future meeting.
- 7. Recreation Matching Grants – funding this fiscal year reduced from \$30,000 to \$15,000. County Administrator suggested that the per project cap not be increased 5% this year.

Mr. Beyeler moved, seconded by Mr. Garber that the Board approve the County Administrator’s recommendation.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

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- 8. Pharmaceutical drug proposal – Regional committee has asked for a participant from the Augusta County Board of Supervisors. The project is to develop a program to properly dispose of unused prescription medicines. Ms. Sorrells volunteered to serve on the committee. Chairman Howdysshell noted that his wife has been working with Delegate Landes’ office regarding disposal. He stated it is going through the legislative process. Ms. Sorrells added the Recycling Committee has also discussed the problem.
- 9. Ordinance Committee – updated schedule distributed to the Board. Augusta County Service Authority is prepared to move forward with Source water protection ordinance and has asked that it be considered as part of the first round of ordinance discussions. Mr. Beyeler and Mr. Garber indicated they would consider but suggested that, due to timing limitations, that the Board may need to separate and discuss separately with Augusta County Service Authority or incorporate as part of second round of ordinance changes.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

- 10. Grand Caverns agreement with Grottoes approved – tentative transfer of operations October 1. Capital funding allocation for Natural Chimneys issue to be discussed at the next Staff Briefing meeting.
- 11. Chairman Howdysshell asked that a letter of appreciation be given to Joe Williams, Chairman of the Industrial Development Authority, for his participation in Economic Development Director search.

Mr. Beyeler moved, seconded by Mr. Shifflett that the Board authorize staff to draft a letter of appreciation to Joe Williams, Chairman of the IDA.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

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CLOSED SESSION

On motion of Mr. Garber, seconded by Mr. Coleman, 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

- (2) **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) Pending Industrial prospect

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett and Coleman

Nays: None

Absent: Pyles

Motion carried.

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CLOSED SESSION (cont'd)

On motion of Mr. Beyeler, seconded by Ms. Sorrells, the Board came out of Closed Session.

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler, Shifflett, and Coleman

Nays: None

Absent: Pyles

Motion carried.

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ADJOURNMENT

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

Vote was as follows: Yeas: Howdysshell, Sorrells, Garber, Beyeler,
 Shifflett and Coleman

Nays: None

Absent: Pyles

Motion carried.

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Chairman

County Administrator