

Regular Meeting, Wednesday, March 12, 2008, 7:00 p.m. Government Center, Verona, VA.

PRESENT: David R. Beyeler, Chairman  
Tracy C. Pyles, Jr., Vice-Chairman  
Wendell L. Coleman  
Larry C. Howdyshell  
Jeremy L. Shifflett  
Nancy Taylor Sorrells  
G. Chris Brown, Interim County Attorney  
John Wilkinson, Zoning Administrator  
Jennifer M. Whetzel, Director of Finance  
John C. McGehee, Assistant County Administrator  
Patrick J. Coffield, County Administrator  
Rita R. Austin, CMC, Executive Secretary

ABSENT: Gerald W. Garber

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, March 12, 2008, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 232<sup>nd</sup> year of the Commonwealth....

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

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Brittany Davidson, a senior at Fort Defiance High School, led the Pledge of Allegiance. Brittany enjoys playing softball and volleyball and hopes to continue her softball career at Lenoir-Rhyne College in Hickory, North Carolina, and pursue a degree in Physical Therapy.

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Tracy C. Pyles, Jr., Supervisor for the Pastures District, delivered invocation.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Roy Berg circulated additional photographs to the Board. He noted that he had previously delivered a package of information to Administration office. He made the following three requests:

1. Require the owner of any structure (building, fence, wall, etc.) to be maintained in proper condition. This would apply only if the structure is in a dilapidated state, in need of repair or unsafe condition and visible to the general public.
2. Weed and trash control – Where land is overgrown with weeds, brush, thorn type bush or trees both on the ground and/or fence, or has storage of rubbish or discarded material, decaying substance or discarded appliance or material, property owner should be required to maintain a 50-foot strip.
3. Dirt-bike track – Noise concerns. Also, possible fire created with sparks from the bikes igniting trash.

Mr. Howdyshell advised that a county-wide ordinance review is underway.

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### MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Pyles: Asked Becky Earhart, Senior Planner, during ordinance review process (tours) to look at old dilapidated buildings (Lehigh Portland Cement Plant in Craigsville) causing a fire hazard. He suggested that Mr. McGehee ask the Fire Chief what the policy is regarding putting out fires in dilapidated buildings.

Ms. Sorrells:

1. Jamestown – Attended the “Time Capsule Ceremony” for the wrap-up of the Jamestown activities. Over 180 communities participated in the program. Of the 180+ communities, four were invited to speak about the program. Augusta County was one of the four asked to give a presentation.
2. NACo Legislative Conference – Attended along with Chairman Beyeler and Mr. Garber. Distributed information on the Public Land Steering Committee.
3. Greenville truck stop accident – The following statement was made:

I am passing around some pictures from a truck accident at Greenville yesterday. Sadly, this is a common sight in our neck of the woods. Every time we see an accident, we hold our breath and hope that no one was injured or killed. Our community has to deal with this situation every hour of every day. And quite frankly they are tired of it. They are not anti-truck or even anti-truck stop. The majority of the calls that I get with people fed up with the situation are from truck drivers.

If and when Pilot and the landowner can clear up that truck issue, then we, as a community are ready to tell the world what we really want up. There are several hundred acres of commercial land up there. I worked with two business classes at Riverheads to develop a survey that went out to the community and we had several hundred responses back. Then the class tallied up all the results and put together a report that we as the county can use to attract businesses. But prospective businesses go up there now and laugh. They are never going to locate there when they have to fight truck congestion.

Yes, Pilot brings in tax dollars – in 2006 they generated about \$26,000 in real estate and personal property tax revenue. But, did you know that every time a truck takes out the guardrail on the exit ramp like happened yesterday that you are paying \$6,800? It has been taken out more than a half dozen times since Pilot went in. Every time you see that “No truck turnaround” sign knocked down that is \$150 of your tax dollars. Signs were knocked down 55 times in one 18-month period. The school grounds have been torn up from illegal truck turnarounds. The bank drive through at Greenville has been severely damaged at least twice by trucks illegally turning around. Part of the failing pavement issues at the Greenville mini-mall is due to illegal truck turnarounds. Sharps garage has incurred tens of the thousands of dollars worth of damage. The wall at the truck turnaround has been damaged. And, of course, we have had one death and several severe injuries from accidents involving trucks.

Here is what scares me the most: 28 fully loaded school buses go through that intersection every day, 180 days a year. New drivers go through that intersection every day and before and after school events like football games and prom have a high percentage of new drivers passing through that intersection.

That is something we can't put a price tag on so we have to remain vigilant every day and keep working on solutions for this problem.

In the last few weeks the sheriff's department has been patrolling and ticketing that stretch with a vengeance and they are writing tons of tickets. The problems have not lessened.

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

That new guardrail that was taken down yesterday had not even been up a week. Yes, more than likely the truck driver's insurance will reimburse that money. But I sure would rather have VDOT out fixing our potholes rather than spending time on repairs caused by an out of state driver. And, yes, the accident was caused by driver error, but if we did not have a half million trucks a year pass through that stretch of road then we certainly would have less opportunity for deadly truck driver error!

Further, what about the cost of running our fire and rescue personnel out there: how much fuel, how much in wear and tear on our equipment, how much in time? In speaking to the rescue workers at the scene yesterday: three fire departments, at least one rescue squad, several state police and at least one sheriff's deputy, I reconfirmed some numbers that I have heard for quite some time: Middlebrook responds to incidents at Pilot 50 or 60 times a year. Raphine has similar numbers. What if, yesterday, there had been a house fire in McKinley – no one from the local fire departments would have been able to respond? In the past 12 months there have been 349 calls to our EOC in regard to Pilot. That's almost a call every single day.

Pilot refuses to be a good neighbor to our community. I asked them for two years to pick up the trash strewn down the hillside below the truck parking area. You know when they picked it up? One day before the public hearing at which they were requesting an expansion. And not since then. Right now we are at a standoff because the Board of Zoning appeals and I have asked them to do a traffic study in order to figure out how to improve the current traffic issues, among them the fact that trucks stack up on Rt. 11, trucks go the wrong way on Rt. 11, trucks continue to miss the turn in, and trucks back up across the rest of the commercial property making it impossible for that property to be developed for businesses that would enhance our community like a grocery store or a pharmacy.

I am not asking the board for anything at this point except to think about these issues and give me any ideas that you might have. Pilot is not going away. They are here. I need them to be a part of our community, not a detriment to our community. The Riverheads citizens are fed up with the situation. There are many pieces to this puzzle. Over the years we have made small improvements but it is not enough. I am working on getting accurate crime statistics from the sheriff's department, fire and rescue response numbers, and property damage numbers from VDOT. From there I will begin formulating some ideas about how we can get a handle on the issues at Pilot, move forward with developing and bringing in businesses in that area that will enhance our community. On that note I find it ironic that we are struggling so hard on the pornography issue and we have a business located a half mile from the schools that has brought in prostitution and drugs. In the meantime, if you have positive ideas and suggestions, those are always welcome.

Chairman Beyeler mentioned the problem of the Pilot sign not being large enough and that the GPS was in error. Requested Ms. Sorrells to provide evidence of generalized claim of prostitution and drugs. Ms. Sorrells suggested that another entrance on Route 11 would possibly solve some of the problem. She noted that Pilot, at this time, is not interested.

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

INDUSTRIAL DEVELOPMENT AUTHORITY – APPOINTMENT

Mr. Shifflett moved, seconded by Ms. Sorrells, that the Board appoint Berkley C. Gray, Jr. to serve a four-year term on the Industrial Development Authority, effective March 26, 2008, to expire March 25, 2012.

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

Nays: None

Absent: Garber

Motion carried.

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

Chairman Beyeler:

- 1. NACo Conference – Very interesting!
- 2. Requested viewings at the next Staff Briefing on March 24<sup>th</sup>:
  - a. Ridgeview Acres – Resident lot concerns
  - b. Old White Hill Road - Commercial lot concerns

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COMMUNITY ACTION AGENCY

The Board considered memorandum of understanding and resolution to partner with Cities of Staunton and Waynesboro to create regional agency.

Carol Blair, Director of Office on Youth, and Elizabeth Middleton, Director of Shenandoah Valley Social Services, were present tonight to request that the Board of Supervisors approve a memorandum of agreement (MOA) and adopt a resolution to establish a Community Action Agency to serve the citizens of greater Augusta County, in partnership with the Cities of Staunton and Waynesboro. Before reviewing the MOA, Ms. Blair presented a brief overview to refresh the Board's memory. She mentioned that, in order to establish a Community Action Agency, there are certain requirements of the State Code as follows:

- 1. Law requires that there be a 15-member board, representing the local government (5), community businesses (5) and low-income (5). The MOA suggests 18—this is negotiable—as is local representation—it can be proportionate to funding. (46% -Augusta County; 28% - Staunton; 26% - Waynesboro)
- 2. The state has strict fiscal and administrative requirements as to the management of CSBG funding that will require administrative support and expertise – they suggest a Coordinator dedicated to this role. Proposal:
  - a. Carol Blair will serve as the initial Coordinator (21 years of service in this area giving her knowledge of community agencies, needs and many strong relationships). Propose the following: 50% of Carol, 25% of Office of Youth Finance Manager, 20% of grant writer. (Freed up funds will hire an Assistant to help with Office on Youth operations.)

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COMMUNITY ACTION AGENCY (cont'd)

- b. Elizabeth Middleton will partner with Ms. Blair. She has experience with Community Action and what it can do for the community.
- c. These two partners, along with the convergence of funding (\$332,000) will help to create an infrastructure to serve many of the 13,200 citizens identified in the 2000 Census who are below the property level (6,100 in Augusta County) to help them become more self-sufficient.
3. Needs Assessments must be done annually. This is very intensive project, best done on a regional basis. Already in process for next year.
4. The majority of agencies that may be funded are regional in nature. Examples that all three localities currently fund are: New Directions, Blue Ridge Legal Aid, the Augusta Free Clinic, and the Health Department. Other agencies that have expressed an interest include: Salvation Army, DSS (for companion care for the elderly), and the Boys and Girls Club.
5. CAP-SAW will help to insure equitable funding to currently funded entities instead of the agencies requesting funding separately from all three jurisdictions. This funding can also provide assistance to additional agencies or to develop new services to meet the needs of the low income.
6. CAP-SAW will incorporate region-wide planning and establish partnerships with AMC, United Way, Community Foundation of the Blue Ridge, and other entities involved with low income populations.
7. This proposal will provide the manpower and financial capital to assure that the unmet needs of our low income population are being addressed.

Mr. Coleman asked what the timeline was. Ms. Blair said the deadline was April 1<sup>st</sup>, but because of this being the first year, more time would be given. The application has to be approved by the CAP-SAW board, which has yet to be developed. Once the resolution is adopted, a Board can be created, and the funding will be available July 1<sup>st</sup>.

Ms. Middleton reported that they have been in constant communication with the State Department of Social Services and they are aware of the process. The timeline for implementation has been developed. She noted that they are very understanding with working with three jurisdictions to make it work.

Mr. Coleman felt that certain agencies needed to be earmarked to receive needed funding. He expressed concern of the administrative overhead. Ms. Blair said that was why it was to be started under the umbrella of the Office on Youth to keep the administrative overhead low, but it was going to require an extensive amount of Ms. Blair's and her staff's time. They hoped to use some of Community Action's funds to offset that cost.

Chairman Beyeler asked if it would be a problem of doing this alone. Ms. Blair felt that it would be a problem. Both Office on Youth and Department of Social Services serve all three localities and she and Ms. Middleton feel it is in the best interest of the three localities to do this on a regional effort. Ms. Middleton added that there would be additional funding and the community-wide allocation of funding. Chairman Beyeler expressed concerns of the money not going where needed (such as the Verona Food Pantry). He did not like losing control of where the money is allocated. Ms. Blair did not see that changing. He felt it would be a problem if they wanted to contribute more money. Ms. Blair explained that would be through the representatives of the Board to advocate that desire. Ms. Middleton pointed out that there was nothing to prevent the Board of Supervisors from allocating any of its monies outside of this organization. The

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COMMUNITY ACTION AGENCY (cont'd)

Board of Supervisors could create a line item that would be completely independent of this program. Chairman Beyeler understood from Ms. Blair that an assessment would be created and it could possibly be determined that an additional need was not assessed for the Verona Food Pantry. Ms. Middleton explained, in terms of the match, Augusta County is contributing more than the match amount to draw down this money from any of a variety of programs. If the Board chose to isolate one out from the others, there is enough of other sources of the required match in-kind and in-cash that is already being provided that that would not have an impact.

Chairman Beyeler referred to the 15-member Board being established. Ms. Blair confirmed that it had to be established and managed. She was not sure she had the time to do that for Augusta County alone if Staunton and Waynesboro wanted to go regionally.

Mr. Howdysshell felt that a five-year projection would be needed before approving the program.

Mr. Howdysshell moved (no second) that the Board table this item until the Board receives more information.

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

Nays: Sorrells, Coleman and Pyles

Absent: Garber

Motion failed.

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Mr. Howdysshell felt it to be a good program but wanted to be aware of future costs. Ms. Blair stated that what it would cost Augusta County would be the 20% match (\$30,600) whether they go alone or join with Staunton and Waynesboro. If the County cannot come up with that amount, it does not mean it cannot participate; it would just not draw down the entire \$153,000 from the state. It would be proportionate to the match. The County is already giving to New Directions, Blue Ridge Legal Aid and Augusta Free Clinic which represents \$23,000. When Verona Food Pantry is included, it "goes over the top". She was sure that other agencies would qualify the match so that it does not cost Augusta County any additional dollars. Ms. Middleton stated that figures had been provided to the Board at the last Staff Briefing. She advised that the reality of the program is that it is entitlement funding that is new and federal and state money that has been around since the 60s that the region has never claimed. It requires no expenditure of any new funds from Augusta County.

Mr. Pyles asked that Ms. Blair discuss the memorandum. She high-lighted the following:

1. The name of the Community Action Agency shall be Community Action Partnership of Staunton, Augusta and Waynesboro.
2. The City of Waynesboro agrees to act as CAP-SAW's fiscal agent. The City of Waynesboro's duties as fiscal agent shall include the following:
  - a. Developing and maintaining a discrete fund, department division, set of accounts for purposes of maintaining an annual budget and necessary cash management purposes, administering financial activity and providing financial reporting.
  - b. Receiving and posting payments from the Localities, State government, and Federal government agencies.

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COMMUNITY ACTION AGENCY (cont'd)

- c. Providing accounts payable, accounts receivable, general ledger, financial reporting and other fiscal administration services, cash management as necessary, and support required for the operation of the agency.
  - d. Administering payroll and benefits as necessary for the CAP-SAW Coordinator as defined by Section 3 of this Agreement.
  - e. Maintaining information and documentation necessary for the fulfillment of the functions described above.
3. A CAP-SAW Coordinator shall be employed to set up the initial structure of the CAP-SAW, to manage the day-to-day administration and coordinate the work of the Board. Until a CAP-SAW Coordinator is employed by the Board for the purposes addressed herein, the Director of the Central Shenandoah Valley Office on Youth shall serve as the CAP - SAW Coordinator.
4. CAP-SAW shall be overseen by a governing board, (hereinafter referred to as, the "Board") comprised of eighteen (18) members in the categories of "Local Government," "Local Business" and "Representatives of the Poor", as defined in Section 5 of this Agreement, established, proportioned and otherwise designated as follows:

	Augusta	Staunton	Waynesboro
Local Government	1- term expires 2009 1- term expires 2010	1- term expires 2011 1- term expires 2009	1- term expires 2010 1- term expires 2011
Local Business	1- term expires 2010 1- term expires 2011	1- term expires 2009 1- term expires 2010	1- term expires 2011 1- term expires 2009
Representatives of the Poor	1- term expires 2011 1- term expires 2009	1- term expires 2010 1- term expires 2011	1- term expires 2009 1- term expires 2010

5. All Board members appointed in the Local Government and Local Business categories shall reside in the jurisdiction represented. Board members who are Representatives of the Poor may be selected from groups that serve a wider geographic area than one of the three localities, and may reside in any of the three localities to be eligible for board service. Board members who are Representatives of the Poor shall be democratically selected by organizations that are primarily made up (at least 51%) of low-income members. (Examples of organization whose members are eligible to serve as representatives of the poor are Head Start policy council, low income housing tenant associations, senior centers, Home Weatherization Clients, minority group representatives, and any other organization primarily made up of low-income members. Organizations that merely work with or serve the low-income individuals, such as local departments of social services do not qualify to select low-income representatives).
6. Initial Board appointments in the categories of Local Government and Local Business shall be made by the respective Board of Supervisors or City Councils.
7. Once the initial Board appointments have been made for the categories of Local Government and Local Business, the Board, or its representative, hereby designated as the CAP-SAW Coordinator, shall work with eligible low-income groups to secure democratically elected Representatives of the Poor.
8. After the initial appointments, Board members shall serve two (2) year terms.

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### COMMUNITY ACTION AGENCY (cont'd)

9. The Board shall elect for two-year terms from its own members the following officers: Chair, Vice-Chair, Secretary, and Treasurer.
10. The Board shall accept names of prospective new members in categories of representatives of the poor and local business to the CAP-SAW Board for their approval; in addition, the Board shall make recommendations, upon request, to each locality's governing bodies for new prospective members to serve as local government representatives.
11. No Board member may serve more than two (2) consecutive terms in any capacity or position.
12. The Localities acknowledge that Section 2.2-5403(C) of the Code of Virginia limits any Board member from serving more than 5 years at any one time, or a total of ten (10) years, except for Local Government Representatives, who serve at the pleasure of a City Council or County Board of Supervisors.
13. Board members who are an employee, board member, act as an agent of or receive financial benefit from any entities seeking funding from CAP-SAW shall abstain from discussions about or voting on any application in order to avoid conflicts of interest.

### Administration of CAP - SAW:

14. The Board shall solicit and evaluate funding requests each year from community organizations that meet CAP-SAW's eligibility criteria.
15. The governing bodies for the Localities shall each determine how much funding their respective locality will contribute to CAP-SAW to be distributed to selected programs through the annual funding process.
16. In order to qualify for funding eligible entities shall be required to demonstrate fiscal responsibility.
17. All funded programs and/or entities shall be required to comply with the terms and criteria of Community Services Block Grants, including annual reporting requirements (specifics of requirements and due dates to be set by the CAP-SAW Board), and shall be subject to audit of these funds by appropriate federal and state authorities.
18. CAP-SAW's fiscal year shall be July 1 - June 30. All grants awarded by CAP-SAW shall be in accordance with this fiscal year.

### Procedures:

19. A notice of funding availability (NOFA) and application guidelines and forms shall be sent by the Board to each entity that received local human services program funding from any of the Localities during the previous year.
20. The Board shall use the amounts allocated by the Localities during the previous year as a guideline in establishing funding proportions and distributions for the first year (fiscal year 2009) for affected agencies. (i.e. agencies whose local allocations are now going to CAP-SAW as the local match). In subsequent years, funding priorities will be established by the Board in accordance with the community needs assessment.
21. Until a CAP - SAW Coordinator is employed by the Board, the Localities hereby designate the following individual as the initial contact for the CAP-SAW.

Carol L. Blair  
Director of the Central Shenandoah Valley Office on Youth  
250 South Wayne Avenue, Suite 101  
Waynesboro, VA 22980  
Phone: (540) 942-6747  
Fax: (540) 942-6785



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22. The furnishing of financial and other assistance by the Localities is contingent on the availability of funds appropriated by their respective governing bodies from which payment may be made and shall not obligate the Localities absent such appropriation.
23. This Agreement may be temporarily suspended by the Localities upon a determination that corrective action by CAP- SAW is needed to meet the provisions of this Agreement.
24. As a further condition of this Agreement, the CAP-SAW shall assure and certify that it shall comply in the course of the Agreement with all applicable laws, regulations, Executive Orders and other controlling legal requirements.
25. This Agreement is effective the date it is fully executed by all of the Localities.
26. This Agreement can be terminated for cause or by mutual agreement of the Localities. Furthermore, if one of the Localities wishes to opt out of this agreement, without mutual consent from the other participating localities, it may do so at the end of any fiscal year, by giving written notice to the CAP-SAW not less than 90 days prior to the end of any fiscal year without return or receipt of any funds or property of CAP-SAW. **\*\*\*It was noted by the Board that they wanted this changed to 60 days (instead of 90).**
27. Upon mutual agreement of the Localities to terminate this Agreement, the funds and the funds from disposition of any property of CAP-SAW shall be distributed to each of the Localities on the basis of the pro rata share of each locality's then current fiscal year appropriation to CAP-SAW.

Mr. Pyles asked if you were able to earmark where the money goes. Ms. Blair said it could be done the first year because that is how the match was decided. These agencies have not had time for assessment. After the first year, it would be up to CAP-SAW board to determine the allocations. If direction is changed on certain agencies, that could cause problems where those particular agencies were dependent on certain amounts. Ms. Middleton pointed out that the local government representatives are members of the Board of Supervisors or designees who would be strong advocates on those particular agencies. He wanted assurance that overhead costs would not affect the money that would be allocated to those agencies (other than the 12%). He asked if a "Wish List" could be given. Ms. Blair said that would be considered. It would be very helpful for the first year because they do not have a strong needs assessment in place. Chairman Beyeler felt that if Augusta County stood alone, they would have better control of the allocation of funding. He referred to No. 20: "funding priorities will be established by the board after the initial year". Ms. Blair explained that would happen if Augusta County goes alone, or regionalizes. He also referred to No. 10, where Board of Supervisors need to appoint their people. He also felt that they needed to appoint the business people and the poor group. Ms. Blair explained that the State Code requires that they have to be democratically selected by groups that 51% of their population fall below the poverty level. She referred to No. 5: "Organizations that merely work with or serve the low-income individuals, such as local departments of social services [or the Board of Supervisors] do not qualify to select low-income representatives.

Mr. Pyles stated "selecting the business people" would mean if they were "business", they would not be poor. He asked what groups could be considered. Ms. Blair stated

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COMMUNITY ACTION AGENCY (cont'd)

that for the business folks: a new funeral home built in Fishersville could be chosen. She reiterated that after the first year, the law states that the CAP-SAW board will accept nominations from the Board of Supervisors, but they will elect those representatives. The Board of Supervisors will continue to elect the government representatives. Ms. Blair suggested that Augusta County could have three out of five slots for government control. The same thing would apply for business; the Board of Supervisors could appoint three business representatives; Staunton would appoint one; Waynesboro would appoint one. After that, it would be up to the government representatives that the Board of Supervisors has appointed to bring other names to the CAP-SAW board to fill those business slots.

Ms. Sorrells clarified that if Augusta County stood alone, they would still need to follow the same requirements. "Sometimes we forget what kind of poverty we have in this area. How many people are hungry; how many people do not have indoor plumbing. If we can leverage this kind of money, it may be worth it to lose a little bit of control knowing that we have good oversight that the law has tried to ensure that it gets put to the right purpose." She felt that duplicating services individually versus regionally would be a waste of taxpayers' money. Chairman Beyeler explained that he wanted assurance that the agencies got the money instead of administrative—that administrative costs were cut (12% of \$400,000). He wanted the money to go where the need is, not administratively. Ms. Blair agreed, but stated that she felt there was some under-estimation of amount of administrative time that was needed. She further explained that every other community action agency has a coordinator: there are board meetings to coordinate; there are funding applications to distribute, to manage; there are quarterly reporting requirements; there are other grants and funding to be leveraged. It is not limited to just the \$400,000. Ms. Middleton added that Waynesboro was excited about this program because when allocations were made to the organizations, quarterly reports would indicate how it is spent. This process requires a quarterly report that is public information from all non-profits and is reviewed annually and audited. There is greater transparency to the taxpayers for how every dollar is spent. Ms. Blair felt that a lot of her time would have to be devoted for the first year to set up the program correctly. Once it is established, it may be able to be done with a part-time person and administrative cost may go down. Ms. Blair explained that out of the \$332,000 of new money, \$60,000 would be deducted, leaving \$270,000 that is not available right now in the community. Chairman Beyeler asked how much was state money. Ms. Middleton said there is federal money and then there is a match requirement for the General Assembly. She did not have the exact amount.

Mr. Pyles suggested reviewing a report from another group to determine what is needed to be done to secure the money. He did not feel that the County would be saving any money by doing it alone. He also wanted to see a breakdown of costs, especially, explaining the breakdown of administrative costs.

Mr. Pyles moved, seconded by Mr. Coleman, that the Board table this item until March 24, 2008, Staff Briefing.

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

Nays: None

Absent: Garber

Motion carried.

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### VIRGINIA POULTRY FEDERATION REQUEST

The Board considered request of Poultry Federation for a public-private partnership in the event of an avian influenza outbreak.

Patrick J. Coffield, County Administrator, advised that over the past several years, there have been incidents regarding poultry and avian influenza. There is a need for processes and procedures to provide a coordinated and scientific response. Mr. Hobey Bauhan, with Virginia Poultry Federation (VPF), has been working on implementing a depopulation method for infected poultry houses that would utilize a water-based foam delivery system approved by the USDA. The use of this system requires public water and a means of transporting it. The County has been contacted by the VPF to develop a cooperative understanding for obtaining and transporting the water needed in the event of an outbreak. The Augusta County Fire & Rescue Department and the Augusta County Service Authority have been contacted and have assisted in the development of a Letter of Agreement between the County and the VPF.

Hobey Bauhan, President of Virginia Poultry Federation, was available to answer questions.

Chairman Beyeler asked if this type of agreement was with any other localities. Mr. Bauhan said they have an agreement with Rockingham County that they can have access to water in Rockingham County in the event of an avian influenza outbreak to utilize the foam technology in the event of the need of depopulation of a poultry flock. Chairman Beyeler stated that if we had an avian influenza outbreak, he hoped that Augusta County would furnish the water at no additional costs. He also suggested, if needed, the County would make donations to a voluntary organization. Chairman Beyeler asked how much water would be needed. Mr. Bauhan said it would take anywhere from 4,000 to 5,000 gallons for each poultry house.

Mr. Coleman felt that this was a reasonable request. He understood the request was for the Board's support of the letter of agreement between Virginia Poultry Federation, Augusta County Fire Department, and Augusta County Service Authority.

Mr. Howdysshell asked if the foam technology was for decomposing of the flock. Mr. Bauhan explained that it was a method of euthanizing the flock, which has been approved by the USDA as a humane method of depopulation. Mr. Howdysshell referred to a past incident where DEQ wanted to take the remains to the landfill. Mr. Bauhan said that composting in-house is first priority; but they do have an agreement with Charles City County landfill to utilize that facility as well, which is a large private landfill 150 miles away.

Mr. Pyles said that if this outbreak occurs, it would be a disaster to a poultry owner, and they would not be asking for water reimbursement. He expressed concerns of quarantine and asked about training for water distribution. Mr. Bauhan explained that, since the disaster outbreak of 2002, they developed a Poultry Disease Task Force, which consists of federal, state, and local officials. Protocols and procedures were developed to provide security. For example, an incident in Mount Jackson this summer, there was a team; there was a wash-in and wash-out station and there was limited access to that site. Everything was done to avoid any kind of bio-security breaches that would potentially allow that flu to spread somewhere else. Mr. Bauhan reiterated that there would be a team in place to guide them and make sure security measures are followed. Mr. Pyles asked about the timing process. Mr. Bauhan explained the importance of having access to water and having an emergency contact with the County instantly. "The timing operation will vary based on the circumstances. It is not something we like to allow to linger around." Mr. Bauhan added that the state

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VIRGINIA POULTRY FEDERATION REQUEST (cont'd)

veterinarian would be on that task force.

Mr. Howdysshell moved, seconded by Mr. Pyles, that the Board approve request.

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

Nays: None

Absent: Garber

Motion carried.

Chairman Beyeler requested if there is an outbreak, with costs occurring, that the Board of Supervisors is contacted because fees may possibly be waived.

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GENERAL ASSEMBLY LEGISLATIVE UPDATE

The Board received a presentation by John C. McGehee, Assistant County Administrator, on General Assembly update.

John C. McGehee, Assistant County Administrator, distributed the most recent VACo printout from the Washington Post. He noted that they placed some additional new funds for the Pre-K program. They have asked public universities to cap their tuition increases to 4%. If the universities abide by compromise, they will be able to share an additional \$17.5 million in state aid. The Senate and House negotiators agreed to drop efforts to readjust funding formulas (methodology) for public schools and give teachers pay raises this year. The agreement will give teachers a 2% pay raise in 2009. The Senate and House negotiators agreed to fund an additional 600 slots in a program (MR Waiver program) that allows mentally retarded people to receive treatment at home and not be institutionalized. They have also agreed to slice an additional \$50 million in aid to local governments. Mr. McGehee also mentioned that the County receives 2/3 of access fees and the state receives 1/3 from the Clerk of the Court. He said that one of the proposals was going to change the formula whereby the County receives 1/3 and the state receives 2/3, which amounts to approximately \$135,000. Mr. McGehee advised that the Transportation issue may have to be looked at in a special session, particularly dealing with the Supreme Court ruling in the Northern Virginia transportation area.

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HIGHWAY FUNDING

Jimmy White, VDOT Residency Administrator, spoke on the problems with highway funding. He explained how the highway funding works and why the issue of maintenance is critical. VDOT's secondary allocations are getting ready to decrease by about \$1 million a year. The secondary allocation is made up where Augusta County has about \$1.8 million in federal funds which is going to remain. Back in July, the County had an allocation of approximately \$2.4 million in state funds. The allocation is based on funds from the federal government and funds from the state budget. The state funds are now decreasing to about \$1.3 million. This affects the construction program because the main focus from the state funds is pave and dirt roads and improving the secondary roads out in the country, which are mostly in Pastures, North

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March 12, 2008, at 7:00 p.m.

GENERAL ASSEMBLY LEGISLATIVE UPDATE (cont'd)

HIGHWAY FUNDING (cont'd)

River, and Riverheads. In the urban areas, South River, Wayne, Beverley Manor and Middle River, you have roads that are eligible for federal reimbursement. Immediately, the dirt road projects are going to be affected. When it becomes clearer, Mr. White and Mr. Fitzgerald plan to create a matrix of prioritizing projects. He explained that projects close to construction were going to need to be advanced quickly.

Mr. Coffield added that currently the money is divided by seven. If this procedure is continued, the number of partially funded projects will increase. Messrs. White and Fitzgerald have been requested to provide a matrix indicating projects that are federally eligible. Money may need to be borrowed from other districts to provide sufficient funding to complete projects. This matrix will be needed to protect the integrity of the Board to make it fair to all 70,000 citizens (seven magisterial districts).

Mr. White stated that if \$400,000 is taken out of the Transportation Trust Fund (Construction Fund), and put into the Highway Maintenance and Operations Fund, state law requires VDOT to fund maintenance before funding construction. If the revenues are going down and the cost of maintenance is going up, there will not be enough money left over for construction. He reiterated that projects were needed to be completed as quickly as possible. He stated that the problem is that the revenues that are to be used are down because of the economy, Northern Virginia, the abusive driver fees that no longer exist, etc.

Mr. Howdysshell appreciated what VDOT does to try to give a better quality of life to people.

Chairman Beyeler was aware of the shortfalls and agreed that money should be put on one project to be completed instead of spreading it out and not completing anything.

Mr. White wanted to make sure that each of the districts get their fair share.

Mr. Coffield added that the Revenue Sharing Program is under another redesign. They have postponed any decisions for two months. They are strongly considering eliminating the match requirement. One of the conditions that they are trying to include is a requirement that someone other than VDOT run the projects. He opined that this would give large urban cities and large urban counties an advantage because they have the engineering staff to actually design and construct the projects. If that criteria comes forward, it puts Augusta County at a disadvantage to other jurisdictions. Mr. White suggested that consultants could be hired to design and build those projects at less money than VDOT.

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GENERAL ASSEMBLY LEGISLATIVE UPDATE (cont'd)

Mr. Pyles, regarding the excess court fees, stated: "This is how the government penalizes smart hard-working honest people we are going to lose money because we don't spend it. What they're looking at is that some localities if they get \$1 million, it costs them \$1.1 million to operate the court system so they keep all the funds. If we take in \$1 million and we only spend \$500,000, then the other \$500,000 is up for grabs (instead of County retaining two-thirds of excess funds). We are penalized for watching our funds. What we find ourselves doing is very unsettling. We need to find a way to spend more money in the courts. Things that we are doing now could apply to that. The money that we put to the court system for construction. There is money put aside for an eventual courthouse. There may be monies that are being spent for officers that

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GENERAL ASSEMBLY LEGISLATIVE UPDATE (cont'd)

could be placed over there. We need to be as smart as the other people in how we spend our money. Either that, or let's just reduce that fund and not give it to these folks. They have us raise the funds with the promise that we are going to be able to keep the money to pay for things that we are going to have to do. Then we raise the taxes on people and then they take it back! So, either, we lower our funds so those people can't waste it in Richmond and keep it at home, or let's find a better way to spend it because we're being penalized for doing a good job. That's the stupidity that is coming out of Richmond!"

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WINTERGREEN EMERGENCY ACCESS

The Board considered endorsement of Wintergreen's proposal to provide emergency access via Blue Ridge Parkway.

Mr. McGehee advised that the Wintergreen resort has one entrance and one exit. It is a significant development. It is mostly in Nelson County; however, there is a portion in Augusta County. For a number of years, Wintergreen has discussed an emergency access onto the Blue Ridge Parkway. Wintergreen Property Owners Association is requesting that Augusta County submit a letter to the National Park Service endorsing their request for emergency egress to Blue Ridge Parkway. He indicated on the aerial where a gravel road would be provided and gated. Chairman Beyeler noted that 365 acres of Wintergreen is in the South River District.

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

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

Nays: None

Absent: Garber

Motion carried.

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CONSENT AGENDA

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

MINUTES

Approved minutes of the following meetings:

- Staff Briefing Meeting, Monday, February 25, 2008
- Regular Meeting, Wednesday, February 27, 2008

CLAIMS

Approved claims paid since February 13, 2008.

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

Nays: None

Absent: Garber

Motion carried.

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March 12, 2008, at 7:00 p.m.

**MATTERS TO BE PRESENTED BY STAFF**

Staff discussed the following:

- 1. VDOT – Invitation to join Local CEO Forum –

Mr. Coleman moved, seconded by Ms. Sorrells, that the Board authorize that Patrick J. Coffield participate in the local forum of County and City Executives.

Vote was as follows: Yeas: Howdyshell, Sorrells, Beyeler,  
Shifflett, Pyles and Coleman  
Nays: None  
Absent: Garber

Motion carried.

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**MATTERS TO BE PRESENTED BY STAFF (cont'd)**

- 2. NACo Prescription Drug Card – Mr. McGehee advised that Mr. Garber had given information regarding the NACo prescription drug card for residents of any county who participate in the program. There is no cost to the citizen. It cannot be used with any other insurance. Mr. Garber had requested that this be placed at the next work session, March 24, 2008.
- 3. Veterans Facility – A meeting has been scheduled to discuss locating a Veterans facility at the Woodrow Wilson Rehabilitation Center (WWRC). Mr. Pyles mentioned that the concept was that it ties in with WWRC. Additional long-term care facilities are being considered by the State.
- 4. Chris Brown’s last meeting serving as interim county attorney – Thank you! It was the consensus of the Board and staff that he has been a “welcomed addition” and enabled “a smooth transition”. Mr. Brown appreciated the opportunity. “I’ve enjoyed working with the Board members and all of the staff. I am tremendously impressed with everyone here.”

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**ADJOURNMENT**

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

Vote was as follows: Yeas: Howdyshell, Sorrells, Beyeler,  
Shifflett, Pyles and Coleman  
Nays: None  
Absent: Garber

Motion carried.

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Chairman

County Administrator