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Regular Meeting, Wednesday, April 9 2008, 7:00 p.m. Government Center, Verona, VA.

PRESENT: David R. Beyeler, Chairman  
Tracy C. Pyles, Jr., Vice-Chairman  
Wendell L. Coleman  
Gerald W. Garber  
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

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, April 9, 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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Veronica Randolph, a senior at Stuarts Draft High School, led the Pledge of Allegiance. Veronica is a cheerleader and plans to attend George Mason University and become a pediatrician.

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Larry C. Howdyshell, Supervisor for the North River District, delivered invocation.

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MATTERS TO BE PRESENTED BY THE PUBLIC

SCHOOL BUDGET

Chad Shomo, Chairman of Augusta County School Board, advised that the Board had been given the Augusta County School Board 2008-2009 Budget last week and thanked the Board of Supervisors for its support. He highlighted a few points of the budget which totaled \$102 million, which represented a 3.8% increase over the revised budget for the 2007-2008 year. Of that, he noted an increase in state funding of 6.1% (due to the re-benchmarking). Local funding increased 1.6% and a reduction of federal funding of 2%. He felt it was significant that the School Board was able to accomplish its budgetary goals. He mentioned that he had sent a letter to Chairman Beyeler asking for support from the Board of Supervisors to assist in getting revenue information earlier as well as helping the School Board understand the process by which new dollars are determined (growth figures). He noted that Dr. McQuain advised that the two Boards' Directors of Finance, Dr. McQuain and Mr. Coffield have gotten together and started that project. He was available to answer questions.

Ms. Sorrells asked for an update report on the Riverheads soccer field. Mr. Shomo said lights would come on next week. The field has been renovated; lights have been installed and in place; shortly after the electric hookups are installed, media, as well as others, will be invited to ceremony.

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

BUFFALO GAP HIGH SCHOOL SEPTIC SYSTEM – PHASE 1

Dr. Gary D. McQuain, Superintendent of Augusta County School Board, reported that at the last School Board meeting, the School Board approved a motion to request funding in the amount of \$244,710 from the School Board CIP account to fund Phase 1 of the septic system replacement project at Buffalo Gap High School. He noted that the building was built in the early 1960s and was upgraded in 1977. Phase 1 has been completed – temporary field in place; infrastructure to move forward this summer with the additional drainfields that are necessary, along with the reserve that is required by the Health Department. A letter was distributed to the Board, including the Buffalo Gap Wastewater Treatment Plant Project Expenditure Summary. Dr. McQuain advised that at the end of the summer, he will be coming back before the Board requesting funding for the final phase of the project.

Mr. Pyles moved, seconded by Mr. Howdyshell, that the Board approve the appropriation of \$244,710 from the School Board CIP account (#80000-8134) for Phase 1 of the Buffalo Gap High School septic system replacement project.

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

Nays: None

Motion carried.

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

WINDWARD POINTE – NAME CHANGE

Andy Piplico, owner of a parcel of land in Windward Pointe Subdivision in Fishersville, Virginia, requested a name change. He purchased the property last September with the legal description recorded as “Tract A, Windward Pointe, Section 2”. He noted that this is the multi-family parcel that is located behind the new Food Lion. His intention is to develop some condominiums. He mentioned that after discussion with Community Development, they have come to an agreement of renaming it to “Mountain Vista Condominiums at Windward Pointe”. This would delineate the improvements to separate them from the single-family residence and the commercial property to identify as condominiums and it would be consistent with the legal description and the recorded subdivision plat to identify the property in Windward Pointe for 911 and emergency services.

Mr. Coleman stated that Community Development and the developer were comfortable with the recommendation and that he would support the request.

Mr. Coleman moved, seconded by Ms. Sorrells, that the Board approve the name change from Windgate Village to “Mountain Vista Condominiums at Windward Pointe”.

Mr. Pyles asked how many acres was the property. Mr. Piplico said it was a little over 8 acres.

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Howdyshell: Stokesville/Sangersville vandalisms/thefts – Asked that Sheriff be contacted to provide extra patrol in the area.

Mr. Pyles:

- 1. Craigsville decal reimbursement – Asked that it be considered at the next Board meeting – April 23<sup>rd</sup>.

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CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION REAPPOINTMENT

Mr. Pyles moved, seconded by Mr. Garber, that the Board reappoint Jeremy Sharp to serve another three-year term on the Central Shenandoah Planning District Commission, effective July 1, 2008, to expire June 30, 2011.

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

Nays: None

Motion carried.

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YOUTH COMMISSION – APPOINTMENT

Mr. Pyles moved, seconded by Mr. Shifflett, that the Board appoint John W. Swett to serve an unexpired three-year term on the Youth Commission, effective immediately, to expire June 30, 2009.

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

Nays: None

Motion carried.

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

Ms. Sorrells: St. Mary’s Fire – Pictures distributed. Requested that thank you letters be sent out to those who helped. “Biggest fire in Augusta County history!”

Ms. Sorrells moved, seconded by Mr. Coleman, that the Board authorize staff to mail thank you letters.

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

Nays: None

Motion carried.

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ECONOMIC STRATEGIC PLAN - PRESENTATION

The Board received a presentation from Moran Stahl & Boyer – FL, LLC regarding a proposed scope of work.

Dale L. Cobb, Director of Community Development, introduced John Rhodes, from Moran, Stahl & Boyer, to brief the Board on the Strategic Plan for Augusta County. He reported that Mr. Rhodes has been with Moran, Stahl & Boyer (MS&B) since 1994. Prior to MS&B, he worked with General Electric Company for 18 years and has a Master of Engineering degree.

Mr. Rhodes distributed a summary of their plan.

Chairman Beyeler felt that the group was well capable of doing the job. Mr. Pyles asked for the individuals' expertise.

Ms. Allen will manage, coordinate and facilitate all public meetings. She brings experience in developing and managing a wide range of planning projects, including downtown strategic plans, economic revitalization plans, brownfield redevelopment plans, comprehensive plans, zoning ordinances, subdivision regulations, design guidelines, visual analysis, recreational studies, and plan review for numerous communities.

Ms. Pemrick is a professional planner with twenty years' experience in economic development, community planning and policy analysis working both in the public and private sectors.

Mr. Syden has about seventeen years of local planning, government experience, and economic development. He has an extensive background in program development and implementation, land use planning, economic development, and grant writing and management. His comprehensive experience focuses on developing realistic plans that can be implemented over time, by skillfully coordinating community needs with the priorities of local, regional and state agencies.

Mr. Rhodes worked for General Electric for eighteen years in engineering, marketing and sales management roles in businesses engaged in the manufacturing of power generation and distribution equipment, engineered plastics, military equipment and nuclear propulsion as well as in equipment service and repair. He has led the MS&B consulting practice since 1994, focusing on both economic development and corporate site selection projects throughout North America.

Ms. Allen added that the first round of public meetings have been scheduled for June 9<sup>th</sup> through June 12<sup>th</sup> from 7:00 p.m. to 9:00 p.m. (June 9<sup>th</sup> – Stuarts Draft High School; June 10<sup>th</sup> - Riverheads High School; June 12<sup>th</sup> – Augusta County Government Center).

Mr. Howdyshell asked if the group would be working with staff regarding the ordinance review. Ms. Allen said they would review the County's recommendations and also look at the ordinances from their perspective and then give recommendations.

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HERLOCK ROAD – TRAFFIC CONTROL

The Board considered request of Herlock Road residents to erect "Watch for Children" signage. Estimated cost \$150 (Beverley Manor District).

Funding Source: Beverley Manor Infrastructure Account #80000-8011-33

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HERLOCK ROAD – TRAFFIC CONTROL (cont'd)

Rita Austin, Executive Secretary, reported that a request had been submitted to erect "Watch for Children" signage. The request, a petition, and a map indicating the location of the sign had been included with the agenda package. Greg Helmick, from VDOT, had reported that that the cost would not exceed \$150. Ms. Austin had spoken with Jeremy Shifflett to confirm that he supported the request and that it would be taken out of his infrastructure account.

Mr. Shifflett reported that he had met with some people who had made the request.

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

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

  Nays: None

Motion carried.

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RESIDENTIAL CODE ENFORCEMENT

The Board considered draft of enforcement letter regarding removal of trash, garbage, etc., from residentially zoned properties.

Patrick J. Morgan, County Attorney, advised that he had been instructed at the last Board meeting to draft a letter of enforcement. The property had been viewed by the Board on Flint Mountain Road and recalled that when the Health Department looked at the property, they did not find any health problems; however, there were some branches and other things that constituted asking Fire and Rescue for their input. Fire and Rescue expressed concern for the safety of their people if they were to respond to a fire or rescue situation on that property. Based on those comments, the letter was drafted. He noted that he had received a suggestion from a supervisor to address the letter to both property owners (instead of one) and to delete any reference to needing additional time.

Chairman Beyeler asked that Mr. Morgan read the leader to the public because there were some residents of that community present.

Ms. Sorrells, Mr. Pyles and Mr. Howdyshell expressed concerns of mailing the letter. They agreed that the conditions were not conducive to a nice neighborhood. The Board viewed the property because of trash in bags, but a letter is being written about "fallen limbs" which could be anywhere. They also noted that there were other properties that were in much worse condition. Mr. Pyles also expressed concerns of this being a "whole new process enacted if approved".

Chairman Beyeler stated that this is not a new issue and referred to the ordinance regarding grass being too tall.

Mr. Garber moved, seconded by Mr. Coleman, that the Board approve the request.

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

  Nays: Howdyshell, Sorrells and Pyles

Motion carried.

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April 9, 2008, at 7:00 p.m.

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CONSENT AGENDA

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

MINUTES

Approved minutes of the following meetings:

- Staff Briefing Meeting, Monday, March 24, 2008
- Regular Meeting, Wednesday, March 26, 2008
- Budget Work Session Meeting, Monday, March 31, 2008

CLAIMS

Approved claims paid since March 12, 2008.

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

1. Reassessment – Board of Assessors met this week, working diligently to have work done this summer in time for notices to be mailed late September or early October. Encouraged Supervisors to speak with their appointees.
2. Budget Worksession – Response to questions distributed to Board. John C. McGehee, Assistant County Administrator, Mr. Shifflett and Mr. Howdysshell briefed the Board on Fire and Rescue Committee proposals.

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Mr. Howdysshell moved, seconded by Mr. Shifflett, that the Board revise the Grant Committee to include 2 additional persons (citizens/businessmen) (instead of 1).

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

Nays: None

Motion carried.

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Chairman Beyeler asked Mr. McGehee if the proposed revisions could be shortened to a two-page document for the Board's review and made available to the Fire personnel if requested. Chairman Beyeler stated that these revisions are not in the current budget and asked what was going to happen.

Patrick J. Coffield, County Administrator, explained that the public hearing is next Wednesday, April 16<sup>th</sup>, and can be adopted on April 23<sup>rd</sup>. For approval, this would represent an amendment to the advertised budget.

Chairman Beyeler thanked the Committee for what they have done, recognizing that they have spent many hours in discussion.

Mr. Garber stated that this is just the first step toward awareness of the total problems.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

Budget Worksession Responses (cont'd)

“This is the foundation and the money part that we have to deal with. We have a lot on this subject to talk about.”

Mr. Pyles was not fully convinced of the decal elimination savings and asked for more detail. He did not feel that any money was saved. “We just moved it to another pot.” Mr. Coffield suggested getting with Mr. Pyles, Mr. Homes, and Ms. Whetzel to discuss.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

3. FIRE AND RESCUE EQUIPMENT GRANT PROGRAM

The Fire & Rescue Grand Committee met this afternoon (April 9<sup>th</sup>) to review the March 15<sup>th</sup> round of grants. There were two grant applications submitted, Craigsville Fire Company and Verona Fire Company.

Mr. Howdyshell moved, seconded by Mr. Shifflett, that the Board approve the request of the Verona Volunteer Fire Company of \$12,865 for extrication equipment.

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

Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

- 4. Budget Hearing – April 16<sup>th</sup> Agenda package distributed to Board.
- 5. Growth Calculation – Information distributed to Board. Red data reflects changes since March 31<sup>st</sup>.
- 6. VDOT Hearing – April 30<sup>th</sup>, 6:00 p.m., at Rockingham County. Since distribution of draft letter, suggested adding Route 256/Route 11, Triangle Drive. Asked for Board to review and give input.
- 7. Department of Historical Resources historical marker – If approved, will be located 1 mile off of Route 42, 372 Kyles Mill Road, Mount Solon (Mossy Creek Presbyterian Church).

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- 8. Road Abandonment – Consider abandonment of portions of an alley located in the Middle River Magisterial District, at Weyers Cave - Dr. A. C. Byers Subdivision - request received; handout distributed to Board.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

ROAD ABANDONMENT (cont'd)

Mr. Howdysshell moved, seconded by Ms. Sorrells, that the Board adopt the following resolution:

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF AUGUSTA COUNTY, VIRGINIA**

WHEREAS, the Board of Supervisors of Augusta County, Virginia (“Board”) has received a petition from James N. III and Sandra S. Riddel, Courtney A. Crawford and Everette Breeden, Geneva G. Jackson, J. Paul Wilson and Martha Hall Carper for the abandonment of portions of an alley located in the Middle River Magisterial District of Augusta County, Virginia, at Weyers Cave, as more particularly shown on that certain plat dated June 11, 2007, plotted April 9, 2008, titled “Vacation of Alley Dr. A.C. Byers Subdivision, Village of Weyers Cave, Middle River District, Augusta County, VA,” made by Jerry L. Brunk, Land Surveyor, on behalf of Brunk & Hylton Engineering, Inc. (“The Alley”).

WHEREAS, it appears to the Board that such portions of the Alley are no longer necessary for public use and the safety and welfare of the public would be best served by the abandonment of the same.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AUGUSTA COUNTY, VIRGINIA:

1. That the Clerk of the Board is directed to post and publish notice of the Board’s intent to abandon such portions of the Alley, pursuant to § 33.1-156 *et seq.* of the Code of Virginia (1950), as amended.

2. That all officers, employees and agents of Augusta County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the proposed abandonment of such portions of the Alley, and any such action previously taken is hereby ratified and confirmed.

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

Nays: None

Abstained: Garber

Motion carried.

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MATTERS TO BE PRESENTED BY STAFF (cont'd)

9. Panorama Estates Setback Violation – VDOT has proposed a right-of-way adjustment as it relates to lot owned by Old Dominion Investors. State is willing to adjust right-of-way lines if variance approved by Board of Zoning Appeals and/or Court. Solicited Board input on whether they would support right-of-way adjustment. Board’s views mixed, but general consensus in support if right-of-way adjustment is requested.

10. Greater Augusta Regional Tourism (GART) – Mr. McGehee distributed a memorandum to the Board, noting that an update was required by the Agreement.

Chairman Beyeler suggested that this type of item should be listed as a separate item on the agenda so that it would bring notice to the media.

11. Hershey Chocolate – Rail Industrial Access Funds - Dale L. Cobb, Director of Community Development, advised that Hershey Chocolate requested that the Board adopt a resolution endorsing the rail access grant. The endorsement of the rail access program will allow Hershey to receive \$300,000 from the State of Virginia. The State will provide an additional \$150,000 if matched by the locality



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MATTERS TO BE PRESENTED BY STAFF (cont'd)

Hershey Chocolate – Rail Industrial Access Funds (cont'd)

or Hershey themselves. Hershey is requesting that the Board of Supervisors match \$150,000 of the additional state money. If this happens, the State of Virginia will provide \$450,000 towards the rail project and Augusta County Board of Supervisors will provide \$150,000 for a total of \$600,000. The total cost of the project would be \$3.5 million, which includes the rail siding and a new building.

Mr. Coleman moved, seconded by Ms. Sorrells, that the Board adopt the following resolution and match the \$150,000 (Funding Source: Economic Development CIP #80000-8145):

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF AUGUSTA COUNTY, VIRGINIA**

WHEREAS, Hershey Chocolate of Virginia, Inc. has expressed its intent and desire to the Augusta County Board of Supervisors to expand its commercial, business or industrial operations in Augusta County; and

WHEREAS, Hershey Chocolate of Virginia, Inc. and its operations will require expanded rail access; and

WHEREAS, the officials of Hershey Chocolate of Virginia, Inc. have reported to the county their intent to apply for industrial access railroad track funds from the Commonwealth of Virginia's Department of Rail and Public Transportation in the amount of \$450,000; and

WHEREAS, Hershey Chocolate of Virginia, Inc. has requested that the Augusta County Board of Supervisors provide a resolution supporting its application for said funds which are administered by the Virginia Department of Rail and Public Transportation.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Augusta County, Virginia hereby endorses and supports the application of Hershey Chocolate of Virginia, Inc. for \$450,000 in industrial access railroad track funds.

BE IT FURTHER RESOLVED THAT the Board of Supervisors of Augusta County, Virginia hereby makes known its desire and intent to assist the Commonwealth Transportation Board in providing the maximum financial assistance to Hershey Chocolate of Virginia, Inc. for the purpose of expanding its business, commercial or industrial facilities in Augusta County.

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

Motion carried.

Mr. Coleman pointed out that this is a \$3.5 million project that would result in Hershey receiving approximately 150 additional rail cars a year while reducing the annual truck traffic by 750 trucks.

Mr. Howdyshell asked if there would be an assessed value put on the track as part of property tax. Mr. Coffield explained that if it is owned by Hershey, it will; if it is owned by the railroad, it will be assessed by the State of Virginia as part of their rail siding. He reiterated that there will be an increased assessment as a result of the investment. Jennifer Whetzel, Director of Finance, stated that public service corporations are assessed by the State Department of Taxation. Chairman Beyeler pointed out that the County would get some of the money because of the building. Mr. Cobb explained that it depended on where the switch is located. Hershey is extending the rail on their property so that they can get more cars on to their property so that it will not back up.

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ADJOURNMENT

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

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

Motion carried.

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Chairman

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County Administrator