

CHAPTER 2. ADMINISTRATION.

ARTICLE I. Officers Appointed by the Board of Supervisors.

- § 2-1. County Administrator.
- § 2-2. County Attorney.

ARTICLE II. Departments.

- § 2-11. Community Development Department.
- § 2-12. Economic Development Department.
- § 2-13. Emergency Services Department.
- § 2-14. Department of Finance.
- § 2-15. Department of Library Services.
- § 2-16. Maintenance Department.
- § 2-17. Information Services.
- § 2-18. Department of Parks and Recreation.
- § 2-19. Department of Social Services.

ARTICLE III. Boards, Commissions and Other County Agencies.

- § 2-31. Augusta County Service Authority.
- § 2-32. Economic Development Authority of Augusta County, Virginia.
- § 2-33. Agricultural & Forestal District Advisory Committee.
- § 2-34. Agriculture Industry Board.

ARTICLE IV. Multi-jurisdictional Boards, Commissions and Agencies.

- § 2-41. Blue Ridge Community College Board.
- § 2-42. Central Shenandoah Planning District Commission.
- § 2-43. Community Policy and Management Team.
- § 2-44. Disability Services Board.
- § 2-45. District Home Board. Repealed 11/23/04.
- § 2-46. Shenandoah Valley Airport Commission.
- § 2-47. Valley ASAP Policy Board.
- § 2-48. Valley Community Services Board.
- § 2-49. Regional Youth Commission and Office on Youth.

CHAPTER 2. ADMINISTRATION

ARTICLE I. Officers Appointed by the Board of Supervisors

§ 2-1. County Administrator.

A. The Board of Supervisors shall appoint a County Administrator who shall devote his full time to the work and service of the county under the direction of the Board of Supervisors, to whom he shall be accountable.

B. The County Administrator shall not be appointed for a definite tenure, but shall be removable at the pleasure of the Board of Supervisors. (Code 1969, § 2-3.)

State law reference—Virginia Code §§ 15.2-1540 and 15.2-1541.

§ 2-2. County Attorney.

A. The Board of Supervisors shall appoint a County Attorney who shall be accountable to the Board of Supervisors in the performances of his duties.

B. The County Attorney shall not be appointed for a definite tenure, but shall be removable at the pleasure of the Board of Supervisors. (Code 1969, § 2-15.)

§ 2-3. Director of Economic Development. *Repealed 9/23/15 (see § 2-12).*

§ 2-4. through § 2-10. Reserved.

State law reference—Virginia Code § 15.2-1542.

ARTICLE II. Departments.

§ 2-11. Community Development Department.

A. The administration of county policies and ordinances with respect to present and long-range comprehensive planning, land subdivision and development, zoning, storm drainage management, flood plain management, and Uniform Statewide Building Code compliance shall be the responsibility of the Community Development Department.

B. The department shall consist of the Director of Community Development, who shall be the head of the department, and such additional employees as may be necessary to perform the planning, community development and related engineering functions of the county.

C. The department shall also consist of the Building Official, who shall be the chief building inspector of the county and such additional employees as may be required to administer and enforce county and state building codes.

D. There is hereby established within the department the Augusta County Planning Commission, whose composition, duties and responsibilities are prescribed in the Code of Virginia.

E. There is hereby established within the department a Board of Building Code Appeals, whose composition, duties and responsibilities are prescribed in the Uniform Statewide Building Code.

(Ord. 6/27/12), (Ord. 9/23/15)

State law reference—Virginia Code, Title 15.2, Chapter 22 and Virginia Code § 36-105.

§ 2-12. Economic Development Department.

A. The administration of county policies and ordinances with respect to present and long-range economic development of Augusta County.

B. The department shall consist of the Director of Economic Development, who shall be the head of the department, and such additional employees as may be necessary to perform the economic development functions of the county.

(Ord. 9/23/15)

State Law Reference—Virginia Code § 15.2-1503.

§ 2-13. Emergency Services Department.

A. The administration of county policies and ordinances with respect to fire and rescue services and the operation of the Emergency Communications Center shall be the responsibility of the Emergency Services Departments.

B. The departments shall consist of the Chief of Fire-Rescue, the Director of the Emergency Communications Center, and such additional employees as may be necessary to administer fire and rescue services and to operate the Emergency Communications Center. All fire and rescue agencies in Augusta County shall be formed into one large fire/rescue district, forming a partnership in public safety under the jurisdiction of the Chief of Augusta County, in accordance with § 27-23.1 and § 27-6.1 of the Code of Virginia.

C. The county has recognized the following in county fire companies or departments or rescue squads as an integral part of the official safety program of the county for the purpose of qualifying them under the Virginia Line of Duty Act:

- Augusta County Fire Department Volunteers, Inc.
- Augusta County Fire Rescue (Career)
- Craigsville Volunteer Fire Department, Incorporated
- Churchville Volunteer Fire Department and First Aid Crew, Incorporated
- Deerfield Valley Volunteer Fire Department, Inc.
- Dooms Volunteer Fire Company, Incorporated
- Middlebrook Volunteer Fire Department, Incorporated
- Stuarts Draft Volunteer Fire Company, Incorporated
- Verona Volunteer Fire Company, Incorporated
- Weyers Cave Volunteer Fire Department, Incorporated
- Stuarts Draft Rescue Squad, Inc.
- ACFR, Inc. (Craigsville-Augusta Springs First Aid Crew Station)
- ACFR, Inc. (Preston L. Yancey Station)
- Swoope Volunteer Fire Company
- Wilson Volunteer Fire Company
- Mt. Solon Volunteer Fire Co. & Rescue Squad, Inc.
- New Hope Volunteer Fire Department, Inc.
- Riverheads Volunteer Fire Department, Inc.

(Ord. 8/25/10)

D. The county has further recognized the following out of county fire companies or departments or rescue squads as an integral part of the official safety program of the county for the purpose of providing for public safety per individual or jurisdictional mutual aid agreements and having first due response areas within Augusta County. They will be covered by their jurisdiction where they are geographically located for the purpose of the Virginia Line of Duty Act:

- Bridgewater Volunteer Fire Company, Incorporated
- Raphine Volunteer Fire Company, Inc.
- Grottoes Volunteer Fire Department, Incorporated
- Staunton-Augusta Rescue Squad, Inc.
- Waynesboro First Aid Crew, Incorporated
- Grottoes Rescue Squad, Inc.
- Bridgewater Volunteer Rescue Squad, Inc.
- Walkers Creek Fire Department
- Wintergreen Fire and Rescue
- Clover Hill Volunteer Fire Company, Inc.

E. There is hereby established within the departments the Augusta County Emergency Services Officers Association which may adopt policies and procedures governing the operations of its represented organizations consistent with applicable state and county laws and policies and subject to the approval of the Board of Supervisors. The Association shall consist of the Chief Officer, or their designee, of each of the fire companies or departments or rescue squads listed in

subparagraphs C and D of this section who shall represent their respective organizations within the Association.

(Ord. 02/25/09), (Ord. 6/25/14)

State law reference—Virginia Code §§ 9.1-400 *et seq.*

§ 2-14. Department of Finance.

A. Planning, organizing and administering the financial activities of the county, including the budget, the administration of insurance and risk management programs, and the operation of general procurement procedures shall be the responsibility of the Department of Finance.

B. The Department of Finance shall consist of the Director of Finance, who shall be the head of the department, and such additional employees as may be required to establish and maintain such systems of bookkeeping, accounting and controls as are necessary to the proper operation of the county government.

§ 2-15. Department of Library Services.

A. Operation of the Augusta County Library, the county bookmobile service and various book stations shall be the responsibility of the Department of Library Services.

B. The Department of Library Services shall consist of the Library Director, who shall be the head of the department, and such additional employees as may be required to operate the library services of the county.

C. There is hereby established within the department the Augusta County Library Board, which shall be composed of one member from each magisterial district, to be appointed by the board of supervisors and chosen from the citizens at large with reference to their fitness for such office. The Board's duties and responsibilities are prescribed in the Code of Virginia. (Code 1969, Chapter 9A.)

State law reference—Virginia Code § 42.1-35.

§ 2-16. Maintenance Department.

A. Care, maintenance and improvement of the county administrative buildings, equipment and grounds shall be the responsibility of the Maintenance Department. The department shall have custody of such equipment and supplies as the County Administrator may authorize.

B. The Maintenance Department shall consist of the Maintenance Manager, who shall be the head of the department, and such additional employees as may be required from time to time to perform assigned construction, maintenance and repair tasks.

§ 2-17. Information Services.

A. The planning, development, implementation and maintenance of the county's electronic data processing operations shall be the responsibility of Information Services.

B. Information Services shall consist of the Information Services Manager, who shall be the head of the department, and such additional employees as may be required to perform the system analysis, programming and computer operation functions of the county.

§ 2-18. Department of Parks and Recreation.

A. The administration of county policies and programs with respect to the provision of a system of public recreation and playgrounds shall be the responsibility of the Department of Parks and Recreation.

B. The Department of Parks and Recreation shall consist of the Director of Recreation, who shall be the head of the department, and such additional employees as may be required to administer the county recreation programs and facilities.

C. There is hereby established within the department the Augusta County Parks and Recreation Commission, which shall consist of seven members appointed by the board of supervisors for terms of four years. The commission shall adopt bylaws, rules and regulations governing its procedure and not inconsistent with applicable state and county laws and policies and subject to approval by the board of supervisors. The commission shall be vested with the power, duties and obligations necessary to evaluate and advise the Board of Supervisors on the county system of recreation. (Code, 1969, §§ 12B-6 et seq.) (Ord. 07/23/08)

D. Youth athletic activities promoted or sponsored by the various Ruritan Clubs and Community Associations in the county are recognized as being a part of the recreational program of the county.

State law reference—Virginia Code §§ 15.2-1806 and 35.1-26.

§ 2-19. Department of Social Services.

A. The Department of Social Services shall, subject to the rules and regulations of the Virginia Board of Social Services, administer the provisions of state and county laws and policies with respect to welfare and other social services.

B. The County Administrator, or his designee, shall be the officer in charge of the department and, as such, shall be the local Board of Social Services for Augusta County.

C. There shall be a joint advisory board with the City of Staunton and the City of Waynesboro to be known as the Shenandoah Valley Social Services Advisory Board whose composition, duties and responsibilities are prescribed in the Code of Virginia. It shall serve in an advisory capacity to the officer in charge of the department with respect to the duties and functions imposed upon him by law. (Ords. 3/9/94, 6/25/03, 4/14/04, effective retroactively to April 1, 2004)

State law reference—Virginia Code §§ 63.1-38 et seq.

§ 2-20 through § 2-30. Reserved.

ARTICLE III. Boards, Commissions and Other County Agencies.

§ 2-31. Augusta County Service Authority.

A. There is hereby created a water and sewer authority under the Virginia Water and Sewer Authorities Act with such public and corporate powers as are set forth in said Act.

B. The name of the Authority shall be the Augusta County Service Authority.

C. The purposes for which the Authority is created are:

- (i) to acquire, finance, construct, operate and maintain one or more water systems and one or more sewer systems, or both, for the purpose of furnishing water and/or sewer service to residences, places of business and industry in Augusta County, Virginia, or any county, city or town lying within the bounds of or immediately adjacent to Augusta County, Virginia.
- (ii) to own, acquire, finance, construct, operate and maintain one or more sewage disposal systems or one or more garbage and refuse collection and disposal systems, or both, for the purpose of furnishing sewage, garbage and refuse collection and disposal services to residences, places of business and industry in Augusta County, Virginia, or any county, city or town lying within the bounds of or immediately adjacent to Augusta County, Virginia.
- (iii) to continue to operate and/or complete the construction of any water system, sewer system, sewage disposal system, or garbage and refuse collection and disposal system presently owned, operated or under construction by the Authority.
- (iv) to exercise all of the powers conferred by the Virginia Water and Sewer Authorities Act.

Charter reference - Articles of Incorporation approved 2/22/66 and amended 10/25/66, 6/14/67, 6-25-68, and 7/10/74.

State law reference—Virginia Code §§ 15.2-5100 et seq.

§ 2-32. Economic Development Authority of Augusta County, Virginia.

A. There is hereby created a political subdivision of the Commonwealth of Virginia with such public and corporate powers as are set forth in the Virginia Industrial Development and Revenue Bond Act.

B. The name of the political subdivision hereby created shall be the Economic Development Authority of Augusta County, Virginia. (Ord. of 3/25/69; Ord. 8/24/11.)

State law reference—Virginia Code §§ 15.2-4900 et seq.

§ 2-33. Agricultural & Forestal District Advisory Committee.

There is hereby established the Augusta County Agricultural & Forestal District Advisory Committee, whose composition, duties and responsibilities are prescribed in the Virginia Agricultural and Forestal Districts Act.

State law reference—Virginia Code § 15.2-4304.

§ 2-34. Agriculture Industry Board.

A. Establishment, composition and organization.

1. There is hereby established the Augusta County Agriculture Industry Board.
2. The board shall consist of seven (7) members appointed by the board of supervisors. One (1) member shall represent each of the seven magisterial districts.
3. Unless waived by the board of supervisors, each member of the board shall be a resident of the county and the magisterial district such member represents.
4. The members of the board shall serve at the pleasure of the board of supervisors. The initial terms of the members shall be as follows: the initial terms of the members from the Beverley Manor, North River and Riverheads Magisterial Districts shall be for two (2) years; and the initial terms of the members from Middle River, Pastures, South River and Wayne Magisterial Districts shall be for four (4) years. Thereafter, all appointments shall be for four year terms, except appointments to fill vacancies, which shall be for the unexpired terms.

5. The members of the board shall receive compensation and reimbursement of expenses in accordance with the general policy established by the board of supervisors.
6. The board shall elect a chairman, vice chairman and secretary at its first meeting of each calendar year. The secretary need not be a member of the board.
7. Except as otherwise provided in this section, the board may establish procedures as may be most conducive to the conduct of its business.
8. The board shall hold quarterly meetings at a time and place designated by the board, and shall hold such additional meetings as are deemed necessary. A majority of the members of the board shall constitute a quorum and no action of the board shall be valid unless authorized by a majority vote of those present and voting.

B. Powers and duties. The board shall have the powers and duties to:

1. Review and advise the Board of Supervisors concerning issues related to the preservation and promotion of agriculture in the county.
2. Make an annual report to the board of supervisors concerning the operation of the board and the state of the agriculture industry in the county.
3. Perform such additional functions or duties as may be assigned from time to time by the board of supervisors.

C. Staff support. The Extension Service Unit Director shall serve as the executive director of the board and shall provide staff support to the board to assist the board in the exercise of its powers and duties. (Ord. 08/13/08)

State law reference—Virginia Code § 15.2-1411.

Note: Ordinance adopted 4/13/94 repealed former § 2-34 entitled "Transportation Safety Commission."

§ 2-35 through § 2-40. Reserved.

ARTICLE IV. Multi-jurisdictional Boards, Commissions and Agencies.

§ 2-41. Blue Ridge Community College Board.

A. The Blue Ridge Community College Board has been established to act in an advisory capacity to the State Board for Community Colleges and to perform such duties with respect to the operation of a single comprehensive community college as may be delegated to it by the State Board.

B. The board of supervisors appoints two representatives to the Blue Ridge Community College Board.

State law reference—Virginia Code § 23-220.

§ 2-42. Central Shenandoah Planning District Commission.

A. The Central Shenandoah Planning District Commission has been established by charter agreement between Augusta County and the other participating jurisdictions. Its composition, duties and responsibilities are established by the charter agreement and the Virginia Area Development Act.

B. The board of supervisors appoints four representatives to the Central Shenandoah Planning District Commission, two of whom are elected officials and two of whom are citizen representatives.

State law reference—Virginia Code §§ 15.2-4200 et seq.

§ 2-43. Community Policy and Management Team.

A. There is hereby established in conjunction with the cities of Staunton and Waynesboro, the Community Policy and Management Team, whose composition, duties and responsibilities are prescribed in the Virginia Comprehensive Services Act for At-Risk Youth and Families.

B. The Community Policy and Management Team shall facilitate a collaborative system of services and funding that is child-centered, family-focused and community-based when addressing the strengths and needs of troubled and at-risk youths and their families in the county.

State law reference—Virginia Code §§ 2.1-745 et seq.

§ 2-44. Disability Services Board.

A. There has been established by concurrent resolutions with the City of Harrisonburg and the County of Rockingham, the Blue Ridge Disability Services Board, whose composition, duties and responsibilities are prescribed in the Code of Virginia.

B. The Disability Services Board shall provide input to state agencies on service needs and priorities of persons with physical and sensory disabilities, provide information and resource referral to the county regarding the Americans with Disabilities Act, and provide such other assistance and advice to the county as may be requested.

State law reference—Virginia Code §§ 51.5-47 et seq.

§ 2-45. District Home Board. *Repealed 11/23/04.*

§ 2-46. Shenandoah Valley Airport Commission.

A. For the purposes of this section, the term "joint airport commission" shall be taken to mean "The Shenandoah Valley Joint Airport Commission."

B. There is hereby established, in conjunction with the participating cities and counties, a joint airport commission, to be known as the Shenandoah Valley Joint Airport Commission, for the Counties of Augusta and Rockingham and the Cities of Harrisonburg, Staunton and Waynesboro, Virginia. Such joint airport commission shall exercise its powers and functions in such participating counties and cities.

C. The joint airport commission shall consist of one member from each of the participating counties and cities, appointed by the governing bodies thereof respectively. Original appointments shall be for terms as follows: From Rockingham County and the City of Harrisonburg, one year; from Augusta County and the City of Staunton, two years; and from the City of Waynesboro, three years. Thereafter all appointments shall be for three-year terms, except appointments to fill vacancies, which shall be for the unexpired terms. The governing body appointing any member may remove such member at any time and appoint his successor.

D. All members of the joint airport commission shall serve without compensation.

E. The joint airport commission shall have power to elect a chairman, a secretary and a treasurer.

F. The joint airport commission shall have power to adopt rules and regulations for its own procedure and government.

G. The joint airport commission shall have the power to employ such technical experts and such other agents and employees as it may require for the purpose of making studies, surveys and investigations for a suitable site on which to establish, construct and maintain an airport or landing field; to recommend to the governing bodies of the participating counties and cities a suitable site for such airport or landing field; upon the acquisition of title of such site for such airport by the participating counties and cities to care for, manage and control the airport property and its facilities including, but not by way of limitation, the authority to enter into leases, as lessor, for any land or facility embraced within such property, but not extending over a term of

more than two years, including renewals, unless approved by such governing bodies, to contract for mail, cargo and passenger service with the United States Government, any commercial airlines and others; to enter into employment contracts for any purpose embraced within this authority, to enter into contracts with concessionaires but not extending over a term of more than two years unless approved by such governing bodies; to contract for all necessary utility services; to establish and enforce all rules and regulations pertaining to the use of the airport and its facilities; to establish and charge fees or other charges for the use of the airport and the landing field and accompanying facilities; to accept gifts and grants from the state or any political subdivision thereof, and from the United States and any of its agencies or from any person, firm or corporation; and to designate the State Corporation Commission agent for the joint airport commission and the participating counties and cities to accept, receive and receipt for the disbursement of such funds as may be granted by the United States under the Federal Airport Act in accordance with the applicable laws, rules and regulations.

H. The financial basis upon which each of the participating counties and cities, as provided for in sub-section C, shall participate shall be determined by agreement between their governing bodies.

I. The joint airport commission shall prepare annually and submit to the governing bodies of the respective participating counties and cities a proposed budget showing the estimated revenues it may reasonably expect to receive for such year, and its estimated expenses for all purposes for such period. After approval of such budget the commission shall be limited in its expenditures for such year to the estimated expenses shown therein; and shall not commit the participating subdivision beyond appropriations actually made. The participating subdivisions shall appropriate funds necessary to meet any deficit in the proportions in which they are financially interested in the operations of the joint airport commission.

J. All disbursements by the joint airport commission shall be by check drawn by the treasurer and approved by the chairman.

K. The joint airport commission shall keep proper records of its operations, dealing transactions and meetings, which records shall be open to inspection by the participating counties and cities at all times.

The joint airport commission shall make reports to the participating counties and cities annually and at such other times as they may require.

L. In serving on the joint airport commission and when acting within the scope of the authority herein conferred, no member of the joint airport commission shall be personally subject to liability upon any suit or claim by any person contracting with the joint airport commission, using the airport or its facilities; and in the event of any such suit or claims against the joint airport commission or any of its members, the participating counties and cities shall be obligated in the proportions in which they are financially interested in the operation of the joint airport commission to indemnify such member of the commission from any loss which he or the joint airport commission may sustain. (Code, 1969, §§ 3-1 through 3-12.)

State law reference—Virginia Code §§ 5.1-35 et seq.

§ 2-47. Valley ASAP Policy Board.

- A. The board shall consist of not more than twelve (12) members. Two persons shall be appointed by the governing body of each participating locality and will serve for a term of three (3) years.
- B. The officers of the Board shall consist of a Chairman, a Vice-Chairman, a Secretary-Treasurer, and such subordinate officers as may from time to time be elected or appointed by the Board. Each of said officers shall serve without compensation. The officer of Chairman and Vice-Chairman shall be held by members from different participating localities. Each officer shall be elected at the annual meeting of the Board to serve for a term of one (1) year unless sooner removed by the Board, or until his successor be elected and qualify.
- C. The Board shall be responsible for the operation of the program within the participating localities, and shall hire and supervise an Executive Director who shall be responsible for implementing operational policies for the Program, hiring and supervising the staff of the Program, and controlling all revenue and expenditures of the Program.
- D. Regular meetings of the Board shall be held quarterly and are open to the public. Special meetings may be called by the Chairman at his or her discretion or by any seven (7) board members upon five (5) days' notice to all members in writing or by telephone of the time, place, and purpose of the special meeting. A simple majority of members of the Board shall constitute a quorum for transaction of any and all business.
- E. The Executive Director shall prepare and submit an operating budget for approval by the Board each fiscal year. The budget shall include projected revenue from client fees and other available funds as deemed appropriate by the Board and operating expenses. The participating localities will at no time incur any costs for the operation of the Program. The Commission on VASAP shall be responsible for funding any deficit occurring in the operation of the Program.
- F. The Commission on VASAP shall be responsible for conducting financial audits of the Program at such times as determined by the Commission.
- G. The Executive Director shall prepare and submit an annual report for approval by the Board within ninety (90) days of the close of the fiscal year. The annual report shall be presented to the governing body of each participating locality after approval by the Board.
- H. The Program shall be operated by the Board in compliance with the Commission on VASAP Policies and Procedures.

- I. Title to all property acquired by Valley ASAP shall be vested within the Alcohol Safety Action Program so long as two (2) or more localities continue to participate in its operation. In the event that all localities withdraw and the Commission on VASAP withdraws its endorsement, the property owned by the Program shall be disposed of in accordance with the then applicable provisions of the Code of Virginia.
- J. This agreement shall remain in effect continuously from year to year until termination. Participating localities may withdraw at any time by official action of the governing body and after ninety (90) days written notice to the Board. If a locality withdraws, its representative shall no longer serve on the Board.

(Ord. 12/11/13)

§ 2-48. Valley Community Services Board.

A. The Valley Community Services Board has been established in conjunction with Highland County and the cities of Staunton and Waynesboro. Its composition, duties and responsibilities are prescribed in the Code of Virginia.

B. The core of program services to be provided by the Valley Community Services Board within Augusta County shall include emergency services and may include inpatient services, outpatient and day-support services, residential services, prevention and early intervention services, and other appropriate programs necessary to provide a comprehensive system of mental health, mental retardation and substance abuse services.

State law reference—Virginia Code §§ 37.1-194 et seq.

§ 2-49. Regional Youth Commission and Office on Youth.

(A) Subject to continuing agreement among the governing bodies of Augusta County, Staunton, and Waynesboro, and subject to the provisions of the Code of Virginia, 1950, § 66-29, as amended (except that no participating locality shall withdraw its portion of the budgeted funding of the Regional Youth Commission Office hereby established, except at the beginning of any fiscal year and then only after 90 days written notice to the other participants), there has been established by ordinance a Regional Youth Commission, which shall consist of fifteen members, five of which shall be representatives of the County appointed by the Board of Supervisors. The Regional Youth Commission shall adopt its own by-laws, subject to approval of the three governing bodies, which by-laws may be amended from time to time, subject to the same approval.

(B) There is hereby established a Regional Office on Youth, covering these three localities, for the purpose of facilitating the wholesome development of the youth of the region and to insure the provision of comprehensive delinquency prevention and youth development programs.

State law reference—Virginia Code § 66-26 et seq.