

Regular Meeting, Wednesday, March 12, 2025, 7:00 PM Government Center Main
Board Room

1. **ROLE CALL:**

Gerald Garber
Butch Wells
Jeffrey Slaven
Pam Carter
Michael Shull
Carolyn Bragg
Scott Seaton
Timothy K. Fitzgerald County Administrator
Jennifer M. Whetzel, Deputy County Administrator
James Benkahla, County Attorney
Angie Michael, Executive Assistant

VIRGINIA: At an adjourned meeting of the
Augusta County Board of
Supervisors held on Wednesday,
March 12, 2025, at 7:00 PM at
the Government Center Main
Board Room, and in the 249th
year of the Commonwealth...

Chairman Garber welcomed those present at the meeting.

The following students from Riverheads High School led the Board in the Pledge of Allegiance:

Will Gardner is a senior and enjoys playing basketball.

Grayson Howell is a senior. He plans to run an auction business after high school.

Carson Kuhn is a senior and plays baseball. He plans to major in business in college.

Alex Nichols is a senior and plays golf. He plans to attend Stevenson University and major in psychology and play for the men's golf team.

John Craft delivered the invocation.

2. **Resolution-George Weller**

a. Consider resolution.

Mr. Slaven moved, seconded by Mr. Wells, that the Board adopt the following resolution:

RESOLUTION

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During American Red Cross Month in March, we recognize the compassion of people in Augusta County and reaffirm our commitment to care for one another in times of crisis.

5. ERP Financial Software

- The Board considered a contract for Avenity software.

Ms. Bragg moved, seconded by Ms. Carter, that the Board approve the contract for Avenity software contingent upon review by the County Attorney.

Motion carried.

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a. Consider resolution for Courthouse borrowing.

The Board considered a resolution for courthouse borrowing.

Ms. Whetzel stated that the courthouse project is progressing and it is time to borrow for the remaining project costs. An application was submitted to the Virginia Resources Authority (VRA) for the spring 2025 pool bond sale. Staff is working with the financial advisor (Davenport) to finalize an amount, taking into account interest earnings on the bond proceeds, savings in sales tax due to direct purchases, use of contingency balances to date and estimated market conditions. The initial borrowing was

approximately \$40 million and it is anticipated to be approximately \$30 million for this tranche. The bonds sale is in May 2025. In approving this resolution, the Board will approve the execution and delivery of the amendments to the VRA Lease and related matters, and the term of the “Final Lease” will be authorized to extend through December 31, 2055. Initial drafts of the Amended and Restated Prime Lease, Amended and Restated Financing Lease, and Amended and Restated Deed of Trust are included for reference in the agenda package. Interest rates in 2024 were approximately 4.34% and 2025 is estimated to be about the same at 4.32%. This rate will not be finalized until the bonds are sold.

Mr. Wells moved, seconded by Ms. Carter, that the Board approve the resolution for courthouse borrowing.

Vote was as follows:

Yeas:	Garber, Wells, Slaven, Bragg, Shull, Seaton and Carter
Nays:	None

Motion carried.

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7. Arts Grant

- a. Consider award for FY26 Arts Grant.

The Board considered award for FY26 Arts Grants.

Ms. Whetzel stated that the Arts Grant is due April 1. This year, nonprofit arts organizations serving Augusta County residents were invited to apply for a matched grant from the Virginia Commission of the Arts and Augusta County. The application deadline was February 23, 2025. Eligible organizations must have 501(C)3 status and demonstrate a commitment to enhancing arts activities within the local community.

Nine grant applications were received for consideration by the Board. Consideration is given to the extent to which the organization or project broadens and enhances arts activities in Augusta County, including reaching diverse audiences. Each organization meets a need in the community. Staff recommends ShenanArts, Stonewall Brigade Band, Oak Grove Theater and Staunton Augusta Arts Center as programs that serve a larger community of participants and patrons. They also cover the disciplines of music, theater and visual arts. The total amount of grants awarded will not exceed \$9,500.00 (\$4,500.00 Grant, \$5,000.00 County).

Mr. Slaven stated that he would like to see the money go to an organization within the County. He recommends that the funds go to Oak Grove Theater.

Ms. Bragg agrees with the request. In looking at all of the applications received, Oak

Mr. Slaven moved, seconded by Ms. Bragg, that the Board awarding the FY26 Arts Grant funds to Oak Grove Theater.

Motion carried.

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

- Regular Meeting, Wednesday, January 8, 2025
- Staff Briefing, Tuesday, January 21, 2025

- Bridgeport Phase 2, Sections 3 & 4

Motion carried.

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(END OF CONSENT AGENDA)

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a. Consider minutes from the following meetings:

- Regular Meeting, Wednesday, January 8, 2025
- Staff Briefing, Tuesday, January 21, 2025

b. Street Addition

Consider Community Development's and VDOT's recommendations to adopt resolution for acceptance of the following into the Secondary Road System in accordance with VDOT requests:

- Bridgeport Phase 2, Sections 3 & 4

c. Claims:

Consider claims paid since February 1, 2025

9. **Matters to Be Presented by the Public**

NONE

10. **Matters to Be Presented by Staff**

Ms. Bragg moved, seconded by Mr. Wells, that the Board approve the Half-Staff Flag Policy for Augusta County.

Vote was as follows: Yeas: Garber, Wells, Slaven, Bragg, Shull, Seaton and Carter

Nays: None

Motion carried.

Chief Greg Schacht recognized Deputy Chief Chris Shaver on completing the Executive Fire Officer Program from the National Fire Academy. This is a two-year graduate level program. Chief Schacht read a letter from the Virginia Fire Chief's Association.

Ms. Whetzel informed the Board that when the water tank was built in Mill Place there was an agreement between the County and the Service Authority to transfer the owner of the tank to the Service Authority as it was paid off. The transfer has been completed.

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11. Matters to Be Presented by the Board

Dr. Seaton moved, seconded by Mr. Shull, that the Board approve funding from the Wayne Infrastructure for speed zone signs at Hugh K. Cassell Elementary School in the amount of \$15,435.91.

Vote was as follows: Yeas: Garber, Wells, Slaven, Bragg, Shull, Seaton and Carter

Nays: None

Motion carried.

Dr. Seaton stated that he would like to solve the problem of the Bunny Lu Rabbit Rescue. It is not common in Virginia; it is a 501-C-3 and has been operating for twenty-four years. It has been operating in the Wayne District for a while and is located in a Single-Family Home zoned area. The rescue saves the animal shelter money by avoiding rabbits being turned in to the shelter. The rabbits are well taken care of, the smell is minimal and the manure on the property has been taken care of. Currently, Administrative Permits are allowed for home occupations. The operator lives in the home. The head of the rescue has appealed to the BZA, but would like the County to step in.

Dr. Seaton moved, seconded by Mr. Shull, that the Board direct staff to look at options in changing the ordinance to allow the Bunny Lu Rescue.

Vote was as follows: Yeas: Garber, Wells, Slaven, Bragg, Shull, Seaton and Carter

Nays: None

Motion carried.

Mr. Shull asked if there is a known issue with the radio system.

Mr. Fitzgerald stated that if the radios are coming to the end of life there may be some static.

Ms. Bragg requests that the Board direct staff to work on site plans for pickleball courts in Stuarts Draft Park.

12. Closed Session

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

(1) the personnel exemption under Virginia Code § 2.2-3711(A)(1)

[discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body]:

1. Boards and Commissions: Shenandoah Valley Partnership and Library Board

(2) the real property exemption under Virginia Code § 2.2-3711(A)(3)

[discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body]:

a) Augusta County Courthouse-1 E. Johnson St. Staunton

1. the legal counsel exemption under Virginia Code § 2.2-3711(A)(7):

[Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.]

a) The purpose of the closed session is consultation with legal counsel and briefings by staff members pertaining to probable litigation. The subject matter of the closed session is probable litigation between Augusta County and a certain commercial property owner pertaining to the 2024 reassessed valuation of the owner's real property for purposes of taxation.

Vote was as follows: Yeas: Garber, Wells, Slaven, Bragg, Shull, Seaton and Carter

Nays: None

Motion carried.

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

Vote was as follows: Yeas: Garber, Wells, Slaven, Bragg, Shull, Seaton and Carter

Nays: None

Motion carried.

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The Chairman advised that each member is required to certify that to the best of their knowledge during the closed session only the following was discussed:

1. Public business matters lawfully exempted from statutory open meeting requirements, and

2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Roll Call Vote was as follows:

Yeas: Garber, Wells, Slaven, Bragg, Shull, Seaton and
Carter

Nays: None

Motion carried.

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

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BOARDS AND COMMISSIONS

Mr. Slaven moved to appoint Linda Mohler to serve a term on the Library Board.

Vote was as follows: Yeas: Garber, Wells, Slaven, Bragg, Shull, Seaton and
Carter

Nays: None

Motion carried.

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13. **Adjournment**

Mr. Shull moved, seconded by Ms. Bragg, that the Board adjourn the meeting.

Vote was as follows: Yeas: Garber, Wells, Slaven, Bragg, Shull, Seaton
and Carter

Nays: None

Motion carried.

Minutes approved by the Board on Wednesday, May 14, 2025. The signed minutes can be reviewed in the County Administrator's Office.

Chairman

County Administrator