

Regular Meeting, Wednesday, November 8, 2023, 7:00 p.m., Government Center, Verona, VA.

PRESENT: Michael Shull, Chairman
Jeffrey Slaven, Vice-Chair
Butch Wells
Carolyn Bragg
Pam Carter
Scott Seaton
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
James Benkahla, County Attorney
Doug Wolfe, Director of Community Development

ABSENT: Gerald Garber
Angie Michael, Executive Assistant

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Wednesday, November 8, 2023, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 248th year of the Commonwealth....

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Chairman Shull welcomed those present at the meeting.

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Local veterans led the Board in the Pledge of Allegiance:

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Ms. Carter, Pastures District, delivered the invocation.

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CHAPTER 5-ANIMAL ORDINANCE AMENDMENTS

This being the day and time that the Board consider the Chapter 5-Animal Ordinance amendments.

The Chairman opened the public hearing.

Sherry Helsel, 115 Summercrest Avenue, Waynesboro, stated that there is a misconception in the area that ordinances are co-mingled and related and they are not. How enforcement happens in each of the localities is not related to the fact that there is a shared animal shelter. Ms. Helsel stated for the record that she is pro Animal Control Officer and pro sheltering. There are a lot of opinions of how things should look, but it should be brought back to what is lawful, what is proper and what is correct. She reviewed issues within the proposed ordinance that, in her opinion, need to be reviewed further before approval. Her recommendation is to not pass this ordinance as it is. The ordinance needs to be scaled back and simplified. Vote on the simplified version and then start adding back in what is needed or desired.

Sheri Laubach, Waynesboro, commended Ms. Helsel on her presentation. She recommended holding off on voting to allow for further review.

Ms. Carter stated that the Board has been given a lot of good information and she does not feel comfortable moving forward until the ordinance is reviewed further.

Ms. Carter moved, seconded by Mr. Slaven, that the Board approve tabling the ordinance amendment to allow for further review.

Dr. Seaton stated that this ordinance has portions that do not follow Virginia code and it could potentially put our Animal Control Officers and pet owners at risk if fees are charged that are not part of the Virginia Code.

Vote was as follows:

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

Motion carried.

The Board considered the draft Legislative Package.

Timothy Fitzgerald, County Administrator, stated that this is the first draft of the legislative package for this year's General Assembly session. There may be some changes that need to be made to the package after the VACo Conference. Mr. Fitzgerald reviewed the priorities of the Board for this session. One addition to the package is regarding the state's grant program for school construction. Regional programs, such as Valley Career and Technical Center, are not eligible for grant funds under the current code. The County is requesting a change to allow regional programs to be eligible for those upgrades and funds. The Valley Career and Technical Center is over fifty years old and needs some remodeling.

The Board accepted the draft Legislative Package as information.

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

Consider claims paid since October 1, 2023.

Vote was as follows:

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

Motion carried.

November 8, 2023, at 7:00 p.m.

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(END OF CONSENT AGENDA)

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MATTERS TO BE PRESENTED BY THE PUBLIC

Scott Cline, Mt. Sidney, congratulated the Republican candidates on their win for the election. He is concerned with the State level elections and its consequences.

Linda Ellis, Verona, reminded the Board that they represent everyone in their district, not just the conservative citizens.

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MATTERS TO BE PRESENTED BY THE BOARD

Ms. Bragg was pleased with the first Comprehensive Plan Information meeting.

Ms. Carter asked the County Attorney to give an update on the collection of delinquent taxes.

Mr. Benkahla stated that the total owed in 2001 in delinquent real estate taxes was \$5,806,769.51. The total owed as of October 2023 was \$4,111,180.63.

Mr. Wells mentioned a letter of support for all Planning District Commissions for the 2025-2026 biennial budget to increase funding.

Dr. Seaton expressed appreciation to the voters of the Wayne District.

Mr. Slaven reassured the citizens that the Board members respect the opinions of all citizens and appreciates feedback.

Mr. Shull thanked his constituents for their vote.

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MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

- 1) Reminded to every one of the Comprehensive Plan Information Meeting on Thursday at Riverheads Elementary School from 5:00 p.m.-7:00 p.m.
- 2) There was a ribbon cutting on the Crimora Park boat ramp.
- 3) In order to establish a burn ban there will need to be a resolution passed to declare a local emergency for the drought and the fire risk. The second requirement would be the ordinance that prohibits open air fires.

A RESOLUTION DECLARING A LOCAL EMERGENCY DUE TO ABNORMALLY DRY AND DROUGHT CONDITIONS, CREATING A HEIGHTENED RISK OF UNCONTROLLED FIRE

WHEREAS, pursuant to §15.2-922.1, of the Code of Virginia, 1950 as amended, the County of Augusta is empowered to regulate or prohibit the making of fires in streets, alleys, and other public places and, when a declared emergency exists, pursuant to §44-146.21, of the Code, regulate making of fires on private property; and,

WHEREAS, the entire territory of the County of Augusta has recently experienced and continues to experience abnormally dry and/or moderate drought conditions, which create a high risk of wildfires; and,

WHEREAS, in order to protect the public health, safety and welfare of the people and

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MATTERS TO BE PRESENTED BY STAFF (CONT'D)

Vote was as follows: Yeas: Shull, Slaven, Wells, Bragg, Carter
and Seaton
Nays: None
Absent: Garber

Motion carried.

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CLOSED SESSION

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

- 1) the economic development exemption under Virginia Code § 2.2-3711(A) (5) [discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of its interest in locating or expanding its facilities in the county]:
 - a) Proposed Office space, flex space, storage facilities, manufacturing facilities, utility and mixed use development.

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

Vote was as follows: Yeas: Shull, Slaven, Wells, Bragg, Carter
and Seaton
Nays: None
Absent: Garber

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: Shull, Slaven, Wells, Carter, and Seaton
Nays: None
Absent: Garber

Motion carried.

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CLOSED SESSION (CONT'D)

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

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ADJOURNMENT

Dr. Seaton moved, seconded by Ms. Bragg, that the Board adjourn the meeting.

Vote was as follows: Yeas: Shull, Slaven, Wells, Bragg, Carter
and Seaton
Nays: None
Absent: Garber

Motion carried.


Chairman


County Administrator

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