Regular Meeting, Monday, November 24, 2025, 7:00 PM Government Center Main Board Room

ROLE CALL:

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

ABSENT: Scott Seaton

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Monday, November 24, 2025, at 7:00 PM at the Government Center Main Board Room, and in the 250th year of the Commonwealth...

* * * * * * * * * * * * * * * *

Chairman Garber welcomed those present at the meeting.

* * * * * * * * * * * * * * * *

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

Ember Etienne

* * * * * * * * * * * * * * *

Michael Shull, Riverheads District, delivered the invocation.

* * * * * * * * * * * * * * * *

****Community Academy Recognition****

Mia Kivlighan, Communications Manager, gave an overview of the Community Academy.

The following were recognized as participants in the academy:
Mary Beth Barbagallo
Ray Eppard
Danny Link
Val Ryan

The following were recognized as completing the academy:
Anna Finch
Anne Gordon
Linda Greene
Samantha Hughes
Deborah Koons
Casey McCracken
Bill McKenna
Vanessa McMullen
Joe Moore
Liz Parrott
Ronette Poole
Steven Rea
Tammy Rowe
Marie Santiago
Tara Tyler
Ruth Worrell

Timothy Fitzgerald, County Administrator, thanked everyone who played a part in the academy.

* * * * * * * * * * * * * * * *

PUBLIC HEARING:

1. **<u>Rezoning Request-Charles and Carroll Weatherman and Herbert Kent McMath</u>**

This being the date and time advertised to consider a request to rezone from General Agriculture to Rural Residential approximately 9.41 acres owned by Charles and Carroll Weatherman and Herbert Kent McMath located off Shutterlee Mill Road in Staunton in the Pastures District.

Julia Hensley, Planner II, stated that the two parcels in a Community Development Area of the Comprehensive Plan and are planned for Low Density Residential. Ms. Hensley showed a zoning map of the property showing that one of the subject parcels is zoned entirely general agriculture. The other parcel is already zoned Rural Residential with the exception of a very small section connecting to Shutterlee Mill Road that is currently zoned General Agriculture.

Chairman Garber opened the public hearing.

There being no speaker, the Chairman closed the public hearing.

Ms. Carter moved, seconded by Ms. Bragg, that the Board approve the rezoning request as presented.

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

Motion carried.

* * * * * * * * * * * * * * *

****(END OF PUBLIC HEARINGS)****

2. **<u>Route 358 Wilson Complex Easement Request</u>**

The Board considered an easement request.

Doug Wolfe, Director of Community Development, stated that this is a project at the Wilson Complex, to help with traffic issues in that area. In order to complete the project, VDOT requires a right-of-way donation on County owned property.
Mr. Wells moved, seconded by Ms. Carter, that the Board approve the easement request.

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

Motion carried.

* * * * * * * * * * * * * * *

3. **<u>Mill Place Commerce Park Lease Agreement</u>**

The Board considered awarding a lease agreement to Maple Springs Farm in the amount of $4,680.00.

Mr. Fitzgerald stated that this is property in Mill Place, which the County leases out to Maple Springs Farm for the maintenance of that property. The contract is up for reconsideration and an RFP was sent out. There was one bid received on the project from Maple Springs Farm in the amount of $4,680.00.

Mr. Wells commented to say that under the provisions of Virginia Code section 2.2-3110.1, he recommends that staff draft and enter into a lease agreement for Mill Place Commerce Park with Maple Springs Farm. Mr. Slaven has not participated as an officer or an employee of the County in the preparation or dealings of the lease.

Mr. Wells moved, seconded by Ms. Carter, that the Board approve awarding a lease agreement to Maple Springs Farm in the amount of $4,680.00.

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

Motion carried.

* * * * * * * * * * * * * * * *

4. **<u>Staunton-Augusta-Waynesboro Animal Shelter Memorandum of Understanding</u>**

The Board considered an MOU for the Staunton-Augusta-Waynesboro Animal Shelter.

Mr. Fitzgerald stated that this a new MOU with both the City of Staunton and the City of Waynesboro as result of the new animal shelter. Both cities will be considering the same MOU at their next regular meetings.

Ms. Bragg moved, seconded by Mr. Wells, that the Board approve the MOU.

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

Motion carried.

* * * * * * * * * * * * * * * *

5. **<u>School Year-End Fund Balance</u>**

The Board considered Augusta County School's year end fund balance request.

Mr. Fitzgerald stated that the school's year end fund balance this year was a total of $824,749. The Board is requesting approval from the Board of Supervisors to place $550,000.00 directly into the School Debt Service Capital Fund and $274,749.00 to be placed into the School Capital Improvement Fund to allow for the start of construction of a new softball field at Buffalo Gap High School.

Mr. Wells moved, seconded by Mr. Shull, that the Board approve the request as presented.

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

Motion carried.

* * * * * * * * * * * * * * * *

6. **Reimburse Legal Fees for Officers**

PREVIOUSLY POSTPONED
The Board considered reimbursement of legal fees and expenses for law enforcement officers.

Nicole Price, County Attorney, stated that this is a request from two Sheriff Deputies for reimbursement of legal fees and expenses. The first request is for William Mikolay in the amount of $25,000.00 and the second request is for Charles Taylor in the amount of $29,128.67.

Mr. Slaven stated that it is his understanding that the County has a contingency that the State reimburses the locality at the rate of two thirds for these funds.

Ms. Price confirmed and stated that if the Board approves these requests, the reimbursement request would be submitted to the Compensation Board through the Sheriff's Department budget and the County would be reimbursed two thirds. The next step, if the Board is not inclined to approve the requests, would be a petition to the Circuit Court by the officers seeking reimbursement, and the Circuit Court Judge may order the County to reimburse. It is an open question whether the County would then be reimbursed at all. There is no case law on it and there has been no response from the Compensation Board regarding the question.

Mr. Slaven moved, seconded by Mr. Wells, that the Board approve the reimbursement requests as presented.

Mr. Shull questioned the pending misdemeanor charges for one of the officers.

Ms. Price stated that there is a pending misdemeanor charge pending for Mr. Mikolay that is scheduled for dismissal by the court in February 2026. Those fees are not a part of this request for reimbursement.

Mr. Shull stated that he is not certain he can vote one way or another on this matter. Mr. Shull stated it is not complete exoneration.

Ms. Price stated that a Board member can vote either way, but cautions against reaching any conclusions about their guilt or saying anything in that regard because the facts presented show the officers not guilty. It is only a court of law that can determine that. Opinions can be formed, but it should be done carefully when saying they have done something that they are not convicted of.

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

Motion carried.

* * * * * * * * * * * * * * * *

7. **Consent Agenda**

Mr. Wells moved, seconded by Mr. Shull, that the Board approve the Consent Agenda as follows:

MINUTES:
Consider minutes from the following meetings:

- Joint Meeting, Wednesday, September 17, 2025
- Regular Meeting, Wednesday, October 8, 2025
- Staff Briefing, Monday, October 20, 2025

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

Motion carried.

* * * * * * * * * * * * * * *

(END OF CONSENT AGENDA)

* * * * * * * * * * * * * * *

(END OF CONSENT AGENDA)

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

NONE

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

NONE

10. **Matters to Be Presented by the Board**

Ms. Bragg moved, seconded by Mr. Wells, that the Board re-appoint Gerald Garber to serve a term on the Airport Commission.

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

Motion carried.

Mr. Wells moved, seconded by Ms. Bragg, that the Board approve funding from the Beverley Manor Infrastructure account in the amount of $18,000.00 for three benches on Rt. 636.

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

Motion carried.

Mr. Wells moved, seconded by Mr. Slaven, that the Board approve funding from the Beverley Manor Infrastructure account in the amount of $16,000.00 for speed signs at Fort Defiance High School.

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

Motion carried.

Mr. Wells moved, seconded by Ms. Bragg, that the Board approve giving Staff a half day off on Wednesday, November 25, 2025.

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

Motion carried.

Ms. Carter thanked everyone that participated in the Community Academy.

* * * * * * * * * * * * * * *

11. **Adjournment**

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

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

Motion carried.

Minutes approved by the Board on Wednesday, January 28, 2026. The signed minutes can be reviewed in the County Administrator's Office.

__________________________________ __________________________________
Chairman County Administrator