

Regular Meeting, Wednesday, May 10, 2023, 7:00 p.m., Government Center, Verona, VA.

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

ABSENT: Scott Seaton

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Wednesday, May 10, 2023, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 247th year of the Commonwealth....

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Chairman Shull welcomed those present at the meeting.

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The following students from Stuarts Draft Middle School led the Pledge of Allegiance:

Braden Gerber is in 8th grade.
Maddie Gore is in 8th grade.
Steele Towler is in 8th grade.

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Mr. Shull, Riverheads District, delivered the invocation.

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PERFORMANCE AGREEMENT UPDATE

The Board received an update on outstanding performance agreements.

Jennifer Whetzel, Deputy County Administrator, presented the Performance Agreement Update. She explained that the Board considers extending a performance agreement to businesses that locate or expand in the County. This could be through helping fund infrastructure to attract businesses or provide matching grants. The performance requirement usually is matched with a tax rebate. This works with matching state grants like the Commonwealth Opportunity Fund; the County would then match the funding with a tax rebate. She summarized the Outstanding Economic Development Agreements:

- Hershey Chocolate 2019 & 2020 Expansion: completed in 2024 or 2025

May 10, 2023, at 7:00 p.m.

PERFORMANCE AGREEMENT UPDATE (CONT'D)

- Augusta County Mill Place Water Tank: completed in 2024 or 2025
- Augusta County Route 636: involved VDOT, currently completed in 2033 but will work with the Commissioner's Office to attempt to review footprint of map to pay it back simultaneously with the debt
- CAVA: reimbursing Augusta County for the land

The list has more agreements but many have been paid off since last update. The County had 20 agreements some extending 30 years back. The County has offered over \$15 million in economic development incentives.

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CONSENT AGENDA

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

MINUTES:

Consider minutes from the following meetings:

- Regular Meeting, Wednesday, March 22, 2023

CLAIMS:

Consider claims paid since April 1, 2023

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

Motion carried.

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(END OF CONSENT AGENDA)

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MATTERS TO BE PRESENTED BY THE PUBLIC

Dave Zimmerman, 120 Lee Highway, Verona, apologized for not stepping off the podium last meeting after he had run out of time. He still wished to impress upon the Board on the seriousness of the matter he discussed.

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MATTERS TO BE PRESENTED BY THE BOARD

Ms. Carter moved, seconded by Mr. Garber, that Board approve the funding request for Churchville Diamond Club concession equipment.

Funding Source: Pastures Parks & Rec Infrastructure 8024-31 \$6,661.29

May 10, 2023, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD (CONT'D)

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

Motion carried.

Ms. Carter explained that the Craigsville Library wished to increase their hours open by four hours, but since that was not in the finalized budget she and Dr. Brown have been working with Mr. Fitzgerald and Administration to work that out. Until that time, she wished to cover that cost with the Pastures infrastructure account.

Ms. Carter moved, seconded by Ms. Bragg, that the Board approve the funding request from the Craigsville Library increase in hours.

Funding Source: Pastures Infrastructure 8014-118 \$3,490.79

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

Motion carried.

Mr. Wells thought that the suggestion last meeting to have the Planning Commission and the Board of Zoning Appeals livestream their meeting was not necessary or proper for the Board of Supervisors to request of those boards. He believes the members are all highly competent individuals and that the majority of items each of those boards review are passed through the Board of Supervisors. He asked the board not to instruct these board to livestream the meetings.

Mr. Wells moved, seconded by Mr. Slaven, that the Board approve that livestreaming of the Planning Commission and Board of Zoning Appeals meetings should be decided by the individual boards.

Ms. Carter said it should not be mandatory or requested from the Board of Supervisors, but she wished to still have a conversation with those boards saying that it was an option open to them.

Ms. Bragg said she had talked to the Planning Commission as requested at their last meeting. Five people did not really want that, one person would not stay on the commission, another person thought it had always been occurring due to COVID-19, and one person did not care either way.

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

Motion carried.

Mr. Slaven attended the transportation meeting at Blue Ridge Community College. He shared his experience and overall found it very interesting.

May 10, 2023, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD (CONT'D)

Ms. Bragg explained there was a request for assistance from Library Stuarts Draft Station since it only has one person and is just as busy as Churchville. The Library needs someone there part-time.

Ms. Bragg moved, seconded by Mr. Wells, that the Board approve funding an additional part-time position at the Stuarts Draft Library.

Funding Source: South River Infrastructure	8016-106	\$7,165.19
Beverley Manor Infrastructure	8011-108	\$7,165.18

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

Motion carried.

Ms. Bragg commented that she enjoyed attending the Market Animal Show
Mr. Shull thanked everyone for participating in the Market Animal Show and the buyers of the animals. He thought that there used to be more recognition for the Animal Show and he was sad to see there is not so much publicity for the kids. He asked if we could place on the website.

Mr. Fitzgerald confirmed that pictures were posted

Mr. Shull stated that the public should look at the website and see the pictures. He spent money on the animal show and thought the kids received a life lesson in business. He then mentioned that he received a letter of concern from person in Verona. The person thought Fishersville got more attention in the County. Fishersville is one of the main growth areas of the County. The courthouse in Verona will be a big investment from the County in that area and will increase business there.

Mr. Shull discussed calls he has received about internet.

Ms. Whetzel informed the Board that All-Points will be at the next staff briefing. There has been pole analysis and upgrades. They will see how the fiber will be able to be put down. No one is actually digging yet, but the process has started. She has given feedback on the areas unserved. She agreed that it is frustrating to not have the project be completed as soon as wished. The public needs more information about the project's progress, and Administration will work with press to share how the project is coming along.

Mr. Shull was told some cable is being pulled through, so he hopes for the best.

Vice-Chairman Slaven followed up on Chairman Shull's comment about coverage for the Market Animal Show and had invited press to the show. The press did come and had a good time; they had not heard of the show before and were surprised by the professionalism of the kids.

Ms. Bragg said she is committed to having more listening sessions and hear more people's opinions. She will be at the Stuarts Draft Library on May 17th 6:30-7:30.

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May 10, 2023, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

1. Mr. Fitzgerald explained that the Blue Ridge Parkway would be going through a Comprehensive Planning Process all the way from North Carolina to Augusta County. They will hold a focus meeting on June 13th. He asked if Ms. Bragg would attend as the representative for the Board

Ms. Bragg was happy to attend and asked if there was a time set.

Mr. Fitzgerald did not have a time for the meeting yet but would share it once he had it.

2. He mentioned that this week was Economic Development week and thanked Rebecca Castle and Julia Hensley for working hard in the Economic Development Department.
3. Kathleen Keffer, Assistant County Attorney, presented the draft for the charging of services for fire-rescue. This was a draft ordinance at the request of Ms. Carter. There are certain billings for firefighter response that are allowed during situations like a DUI. This was not an advertised draft, so this was just to begin discussion.

Mr. Fitzgerald said the specific codes were referenced. The charges could not exceed the total of \$1,000 for one incident and the flat fee would be \$350; these are following statute. The Board could look over the draft and then get back to it to advertise it and hold a public hearing.

Mr. Shull asked that the Board could discuss at the next Staff Briefing.

4. Ms. Whetzel explained that the second set of school bonds for the two middle school wings had been sold at a rate of 3.5%, which is lower than last time.
5. Mr. Fitzgerald presented a map of the government center. He was at the Blue Ridge Community College CDL meeting and is on the driver training advisory board. The County has been working with them to relocate the training school so the site is available to construct the Courthouse. They have looked for temporary locations and none have worked out. There is an area south of the government center that might work and asked if he could work with Blue Ridge Community College to have a temporary place for a couple years. He thought the program is wonderful and currently the program has 2.5 million in state budget to build a permanent location in Weyers Cave. The state funding is not official but it would be good to work with the college to provide the space. They prefer it be paved, but he does not. The program can train and test their students. VDOT sends drivers there as well as other localities to get training.

Mr. Slaven moved, seconded by Mr. Garber, that the Board support the CDL program on a temporary location at the Government Center.

Ms. Bragg asked about who would be funding the project changes for the program.

Mr. Fitzgerald said the program would pay for it and explained how the roads would look.

May 10, 2023, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (CONT'D)

Mr. Garber said the money for the temporary place is approved for the program, and the sooner the program got a permanent place the sooner the County could spend money on other projects.

Ms. Carter asked if the stormwater management would be affected.

Mr. Fitzgerald does not think so but the program would be asked to do the changes as required.

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

Motion carried.

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CLOSED SESSION

On motion of Mr. Slaven, seconded by Mr. Garber, 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 (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:
 - a) Boards & Commissions: Youth Commission, Ag & Forestal Dist., Recycling, Broadband Committee, Economic Development Authority.
- (2) the real property exemption under Virginia Code § 2.2-3711(A) (3)
 [discussion of the acquisition for a public purpose, or disposition, of real property]:
 - a) Augusta County Courthouse
- (3) the legal counsel exemption under Virginia Code § 2.23711(A) (8)
 Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.
 - a) Legal advice and legal strategies for collection of delinquent business license taxes and engagement of outside counsel for such purposes.

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On motion of Mr. Garber, seconded by Ms. Bragg, the Board came out of Closed Session.

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

Motion carried.

May 10, 2023, at 7:00 p.m.

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CLOSED SESSION (CONT'D)

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, Garber, Wells, Bragg, and Carter
Nays: None
Absent: Seaton

Motion carried.

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

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Ms. Bragg moved, seconded by Mr. Garber, that the Board authorize the County Administrator to negotiate real estate as discussed in Closed Session.

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

Motion carried

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May 10, 2023, at 7:00 p.m.

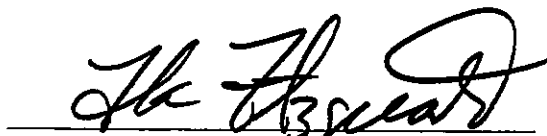
ADJOURNMENT

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

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

Motion carried


Chairman


County Administrator

h:5-10min.23

Staff Briefing Meeting, Monday, May 22, 2023, 1:30 p.m., Government Center, Verona, VA.

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

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Monday, May 22, 2023, at 1:30 p.m., at the Government Center, Verona, Virginia, and in the 247th year of the Commonwealth....

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VDOT ROADS

Don Komara, Residency Administrator, discussed the VDOT status report of May 21, 2023.

The Board accepted the report as information.

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FIRE AND RESCUE

Bryan Mace, Deputy Chief of Operations, discussed the month Fire-Rescue report.

The board accepted the report as information.

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BROADBAND PRESENTATION

All Points Broadband gave a presentation on the VATI 2022 project.

The Board accepted the presentation as information.

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DOMINION ENERGY EASEMENT

Candy Hensley, Assistant County Administrator, discussed a request from Dominion Energy to grant power easement in order for DISH Network to gain access to a transformer on County property.

The Board authorized placing on the May 24, 2023 regular meeting agenda.