

Regular Meeting, Wednesday, April 14, 2021, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald Garber, Chairman
 Butch Wells, Vice-Chair
 Pam Carter
 Michael Shull
 Scott Seaton
 Jeffrey Slaven
 Steven Morelli
 Timothy K. Fitzgerald, County Administrator
 Jennifer M. Whetzel, Deputy County Administrator
 John Wilkinson, Director of Community Development
 Angie Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, April 14, 2021, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 245th year of the Commonwealth....

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Chairman Garber welcomed those present for the meeting.

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Mr. Morelli, Supervisor for the South River District, led the Pledge of Allegiance.

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Dr. Seaton, Supervisor for the Wayne District, delivered the invocation.

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CHILD ABUSE PREVENTION MONTH

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

WHEREAS, preventing child abuse and neglect is a solution that requires involvement among people throughout the community; and

WHEREAS, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, there are 46 Augusta County children currently in foster care; and

WHEREAS, in 2020 there were 439 investigations of child abuse or neglect in Augusta County; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community;

WHEREAS, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment, and there are 45 foster/adoptive families through the Department of Social Services in our area; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among Shenandoah Valley Social Services, the Valley Children's Advocacy Center the Office on Youth, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

Eric Remske, CPA Investigator for Shenandoah Valley Social Services and Rebecca Simmons, Executive Director of Valley Children's Advocacy Center, were present to receive the adopted resolution.

Motion carried.

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WHEREAS, Section 33.2-213 provides that the Virginia Department of Transportation shall place and maintain appropriate signs indicating the names of highways, bridges, interchanges, and other transportation facilities named by the CTB and requires that the costs of producing, placing, and maintaining such signs shall be paid by the localities in which they are located; and

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K9 CARA MEMORIAL BRIDGE RESOLUTION (CONT'D)

NOW, THEREFORE, BE IT RESOLVED, that Augusta County, in accordance with the requirements of Section 33.2-213 of the Code of Virginia, does hereby request that the Commonwealth Transportation Board name the bridge on Route 640 Old White Bridge road, over the CSX railroad, bridge number 6064 in Augusta County as the K9 Cara Memorial Bridge; and;

BE IT FURTHER RESOLVED, that Augusta County agrees to pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

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

Motion carried.

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PUBLIC HEARINGS – Director of Finance Presentation

Misty Cook, Director of Finance, announced that there would be two public hearings. They can be held as one public hearing once opened. One hearing is on the proposed tax rate and the second hearing is on the revised budget for 2020-2021 and the proposed budget for 2021-2022. Ms. Cook gave a PowerPoint presentation with the following highlights:

The Code of Virginia (§ 15.2503) does the following:

- Sets the fiscal year for localities (July 1 through June 30)
- Sets deadline for presentation of budget to Board of Supervisors by April 1 (Work session March 29th)
- Sets public hearing notice requirements (seven days before the public hearing)
- Sets minimum period before budget approval
- Sets deadline for State agencies to provide information to localities after General Assembly session (within 15 days)
- The County is required to approve a budget by July 1

Budget process is a cooperative effort:

- Departments of the County
- Community Agencies
- School Board
- Shenandoah Valley Social Services
- Regional Agencies

The budget is a cooperative effort that is affected by many components. Departments/Schools/Regional entities draft a budget, Finance and Co. Admin compile a balanced budget within current revenue streams, the Board of Supervisors reviews and decides what to advertise. At the public hearing, the public input is shared with the Board of Supervisors and taken into consideration before approving the budget and setting a tax rate. The budget is set to be approved Wednesday, April 28, 2021.

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REVISED BUDGET FOR 2020-21

This being the day and time advertised to consider public input on the revised budget for 2020-21.

The Chairman declared the public hearing open.

There being no speakers, the Chairman declared the public hearing closed.

PROPOSED TAX RATES FOR 2021

This being the day and time advertised to consider public input on the real and personal tax rates for 2021.

	<u>Current:</u>	<u>Proposed</u>
Real Estate	\$0.63	\$0.63
Personal Property – auto & motorcycle, campers boats, boat trailers, horse trailers airplanes, trailers	\$2.50	\$2.60
Personal Property – business, large trucks and trailers, machinery & tools	\$2.00	\$2.00

The Chairman declared the public hearing open.

There being no speakers, the Chairman declared the public hearing closed.

PROPOSED BUDGET FOR 2021-22

This being the day and time advertised to consider public input on the proposed budget for 2021-22.

Budget Advertisement Summary:

Recommended budget \$105,151,468
Work session revisions:

Expenditures	
FY22 Budget:	
3% Payroll Increase	\$ (683,791)
Change in tourism expense, Per VA Code	\$ (10,314)
Public Safety Contingency	\$(1,253,091)
PC Tech-IT	\$ (54,076)
	<u>\$(2,001,272)</u>
Revenues	
Less Transfer from Tourism Capital	\$ (56,526)
Meals increase 4% to 6%	\$ 1,250,000
Lodging 4% to 6%	\$ 187,500

Board Consensus to advertise the personal property \$2.50 tax rate at \$2.60 per \$100 (\$65,000 x 10=\$650,000 x 96.5% collections rate)	
	<u>\$ 620,298</u>
	\$ 2,001,272
Total Advertised budget	\$107,152,740

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PROPOSED BUDGET FOR 2021-22 (CONT'D)

The advertised proposed tax rates for 2021 are:

Rate per \$100/assessed value as advertised:		
	2020	2021
Real Estate	\$0.63	\$0.63
Personal Property:		
Vehicles	\$2.50	\$2.60
Other ⁽¹⁾	\$2.00	\$2.00
Other ⁽²⁾	\$2.50	\$2.60

(1) Business, large trucks and trailers, machinery & tools

(2) Campers, boats, boat trailers, horse trailers, airplanes and trailers.

Total revenue in the FY22 Budget: \$207,024,975

Property Taxes	\$ 70,583,848
Local Revenue	\$ 42,275,751
State Revenue	\$ 81,084,575
Federal Rev.	\$ 12,234,615
Other ⁽¹⁾	\$ 846,186

⁽¹⁾non-revenue receipts

Expenditures for the FY22 Budget: \$209,392,690

General Govt	\$ 5,241,767
Judicial	\$ 2,831,024
Public Safety	\$ 25,596,085
Public Works	\$ 4,647,202
Health & Welfare	\$ 19,792,231
Recreation	\$ 2,410,374
Community Dev.	\$ 2,321,980
Contributions	\$ 3,050,200
Education	\$127,183,825
School Capital Improv.	\$ 1,474,300
Debt Service	\$ 7,829,364
Capital Improvements	\$ 7,014,338

The Chairman declared the public hearing on the FY22 budget to be open.

Tracy Pyles, Churchville, made the following statement:

This budget represents the accumulative impact of 3 years of Supervisors abusing taxpayers resulting in an additional, annual, transfer of \$22 million of wealth from us to you. Before you, all previous Boards believed Agriculture was a blessing to be nurtured not suffocated. Yet, this Board has seen fit to directly and indirectly support tax increases on farming of over 50% since 2017. During my last year on the Board, Supervisor Garber called me into Mr. Fitzgerald's conference room to ask for my silence should Mrs. Shrewsbury choose to raise land-use values. I could not agree. However, he informed me that raising the land-use values was an option for the Commissioner, not something mandated by facts. However, here is a fact. In 2015 the annual average price for a feeder steer of medium and large frame, weighing 600-700#, was \$2.08/#. In 2020, it was \$1.34. So to a 36% drop in sales revenue the County added 51% of additional tax on what was then less revenue productive land. Beef are acreage dependent. Cattlemen are revenue dependent and tax obligated. More than oranges are being squeezed in Augusta County. Augusta County has a

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PROPOSED BUDGET FOR 2021-22 (CONT'D)

significant senior population. According to the U. S. Census, the median age for the U. S. is 38.1. For Augusta County, it is 45.1. Those 65 and over represent 20.5% of our residents. These folks, and some as young as 62, have a Social Security dependence. Since 2017, SS recipients have seen benefit increases of just under 8%. Since the same 2017, Augusta County Supervisors have increased property tax—real and personal—by just over 24%. These are the taxes one of you referenced as not being a choice. They are not and these unavoidable increases hurt us all but are most harming for our elderly. If you eat out, or have out of town visitors, the cost of meals and beds were just increased 50%. This done just before the Budget added a 4% personal property tax increase. Why not do together? Was there a hope we would not notice? As to what to do; I have suggestions. Reverse each of the tax rate increases enacted since 2017. The \$.58 tax rate had served us very nicely for over 50 years. Reassessments and new constructions keep revenues apace with inflation and growth. This is how it works in the world we live in. If we are lucky, our employers give us raises sufficient for us to keep up. We do not have the authority, as you do, to just demand and get more. Please, put a pause on any new Courthouse plans and obligation. The people, you know your bosses, said “no” to a \$45 million Court construction. The vote was surely because of the cost not the location. The folks have never shown any resistance to any of the earlier moves from Staunton to Verona. This county center, the jail, social services, the sheriff’s offices, the juvenile detention center have all been a positive for public access and cost savings. The people want a better plan. Prepare it and sell it in 2026. Until then improve what you can and better use what you have. You own one building adjacent to the General District Court Building and have an option on the Echols Building adjoining the Circuit Court parcel. Renovate them as prudent to give space to the Commonwealth Attorney and the County Clerk but with an eye to an eventual commercial resale. Court activities need to be available more hours, not just have space added. If Courts operated 7 am to 7 pm M-F and 8-12 on Saturday the use is less concentrated and more accessible for the general public. Adding more people is less expensive than a \$4 million annual mortgage. Forget any plans to increase MRRJ capacity. The more space we have the more the state will take advantage. The former jail had a rated capacity of 100 and we routinely hit 200. Because the jail was tight, the state took prisoners more quickly. As we added space, the state kept delaying transfers more and more. This will not change. Adding space simply will be costly in building and an invitation for the state to delay transfers more and more. Ask the Judges, who are ordering the state to take prisoners, to demand the state assume what they are legally bound to assume. If that fails; our local state legislators need to come before a gathering of the 5 funding localities for a frank discussion on the need for the state to increase per diems for their prisoners and a commitment to provide more state capacity for state prisoners. Finally, as regards new firefighter. This Board has only to look to what we tried to do in 2017 when intending to close company 10. The justification is even more evident today. The savings in operational expenses and the ability to reassign existing staff can allow 18 firefighter to be placed where they better serve Augusta not Staunton. We have been asked to be the first due responders to an area that is essentially a cash cow for the city. However, without compensation, we are expected to be Staunton’s third fire station at a cost of \$1.5 million in annual Augusta taxes. This is Augusta County’s First Due area in Staunton. Here is Staunton’s in Augusta. In the first 3 months of this year, Staunton ran 55 fire responses in support of Augusta. In the same time frame, the County ran 120 responses for Staunton. Twenty-five of the responses were rescue calls. Staunton does not have a rescue squad. They are primarily dependent on Staunton Augusta Rescue Service (SARS) but when calls overwhelm SARS, it is Augusta County to the rescue—literally. Rescue responses were worked by Churchville, Riverheads, and even Weyers Cave during the first three months this year. Augusta County, in being Staunton is first due for Interstate exits adjacent Staunton land, is fully responsible for all I-81 emergency needs. These can be particularly gruesome and dangerous events. While Staunton enjoys the benefit of I-81, it comes at a cost to Augusta. Instead of

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PROPOSED BUDGET FOR 2021-22 (CONT'D)

spending another \$1.250 million for additional emergency service personnel, stop giving away the \$1.5 million it cost to operate in and for Staunton. Simply advise Staunton they need to co-fund the station or it will be closed. The money saved, and the firefighters made available for use in actual county service, will improve county responses while lowering the burden on our taxpayers. You are a Board of seven Republicans, supposedly conservatives. Act like it.

Donald Smith, Augusta County Sheriff, made the following statement:

Good afternoon, I am a little bit on the other side of the fence of that. If you move the County tax rate back to fifty-eight cents, my deputies will starve to death. I debated whether I was going to come in front of the Board tonight and I do not think it would be fair to you all as a Board if I did not show up with the amount of requests that I have asked for. Since being Sheriff, I have asked for positions from the State. I have asked for positions from the County. I have been given two Judges with running court longer than ever before since employed with the Sheriff's office. If it were not for the County funding the deputies, he would not have the Bailiff's to keep the Judges on the bench. I understand that I am a Constitutional Officer and State funded, but I would starve to death if it were not for the Board. I come to you tonight to ask for help. I have asked for vehicles and I have asked for smartphones. It is because of this Board's infrastructure money, not the tax rate, that I got the armored vehicle to replace the 1978 model truck that desperately needed to be replaced to protect our men and women that protect this County. I have requested radar units and radar trailers to deal with complaints throughout the County and the speeding that comes in daily just to be cut to make sure the budgets are met year after year. This year alone, I asked for vehicles and deputies. I have asked for a new radio system for a failing system that has become an officer safety issue up and down the interstate and part of the County where the deputies are out in areas where their cell phones do not work, their computers do not work and now the radio system is failing. I feel like if I set silent, it is not fair to Board when I am pushing so hard from behind the scenes. It is not easy to stand up here because I have always said I work for the people not a political party. I know the strain that a tax increase puts on the citizens of Augusta County. I have talked to family, friends, and people in the community about what I was going to do tonight. They said you have to do what you think is right. For the last several years, I have tried to get a drone program started and it has been cut from the budget because there is not enough money. I am fighting tooth and nail to bring the Sheriff's Office to a new level to be able to serve the community. The tax rate is very beneficial to the community and it attracts many people. People are moving into the area and we cannot keep providing the services to Augusta County that the people expect if we do not have the support and the infrastructure in place to do it. I have put one drone in the budget, which would give me forty minutes of fly time. I want to get the program started and provide services that phones and radios will not provide. My budget has been cut as much as possible. As the County's Sheriff, I have a responsibility to fight for the people and my employees. I need the help from the Board and the County. The teachers get a five percent increase. The Service Authority gets a seven percent increase last year and a three percent increase this year. I voted on a budget last week for the Jail Authority that approved a five percent increase. I want you to consider when looking over the budget, giving the deputies the five percent that they were given by the State. The deputies have had a hard year. The deputies are the biggest asset of the County. I cannot do this job without them. There is a letter on my desk addressed to Mr. Fitzgerald asking him to change the starting salary of the deputies. I am asking him to be more competitive with the surrounding jurisdictions. I have not signed it because I feel like I owe to the current deputies to fight for them and not fight for employees coming in the door. Please find the money.

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PROPOSED BUDGET FOR 2021-22 (CONT'D)

Ms. Carter stated that as the Board reviews the budget the requests are not always seen. Things are cut from the budget before the process is complete.

Stephen Grepps, 63 Eastgate Drive, made the following statement:

Good evening Mr. Chairman and members of the Board of Supervisors and thank you for your time. My name is Steve Grepps, I am the President of the Augusta County Professional Fire Fighters Paramedics and 911 Dispatchers, representing over 40 members here in Augusta County. Tonight I rise to speak in favor of the proposed ten cent increase on personal property tax and encourage all members of the Board to support the proposed \$263,000 for Fire and Rescue Career Development. Without a doubt both of these are sizeable "asks" for our citizens, but it is absolutely necessary to ensure that we as a County, as a Fire Department, and as a Community can recruit and RETAIN qualified Firefighter/EMS personnel, while recognizing our tenured employees who selflessly devote their time and talents to this county. I would first like to speak about the proposed Career Development.

For too long, we have watched as talented men and women are recruited into our agency, only to leave in short order for better pay, and realistic opportunities for vertical growth in their careers. The proposed funding for Career Development would have an immediate impact on two of our biggest hurdles in recruitment and retention: Promotional opportunities and recognition for time in grade. Providing Fire and Rescue employee's additional promotional opportunities is one of the quickest stopgaps that we can put into place regarding our retention crisis. I say "crisis" because that is where we are currently operating as a department. At this time, we have nine open positions and two on long term medical in Fire Rescue. This proposed career development plan will immediately have a direct impact on morale, and I am certain will help retain our well-trained fire fighters/EMS personnel. Also included in the career development proposal is a "longevity step". It is crucial that we recognize our incumbent personnel that have been unwavering in their dedication to this community. In addition, the first step is to recognize time in grade for our tenured employees.

Next, I would like to briefly speak in favor of the proposed ten cent increase of personal property tax. In my role as President of Local 4664, I have had the unique experience of speaking with citizens all across the county. Repeatedly I hear the same thing from our citizens, "we don't mind the tax increase, as long as it goes to public safety." And to be clear, when "we" talk about public safety, I mean it to be inclusive of Law Enforcement, Fire Rescue, and the men and women of our 911 dispatch center, which is currently understaffed by at least five positions per their organizational chart. Our community is willing to step up to the plate to ensure their safety, and I respectfully ask that you do too.

Should we not receive Federal Funds through the SAFER grant, the proposed personal property tax increase would help offset the \$897,000 needed for fifteen additional fire fighters. The fifteen new positions seems like a lot at first glance, but when you consider how understaffed we are, even when we are not facing a retention crisis, fifteen fire fighters is still far below the NFPA recommendation, and industry standards. If we are successful in implementing the proposed Career Development Plan, I am certain we will be ready to recruit and most importantly retain fifteen new firefighters, and finally brings the stability to the Augusta County Fire Rescue department that it deserves. Thank you for your time.

Rick Hanley, 50 Bowman's Run Drive, Stuarts Draft, made the following statement:

Chairman Garber and Members of the Board of Supervisors:

My name is Rick Hanley, and I live in Stuarts Draft. I live in Stuarts Draft, and I have

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PROPOSED BUDGET FOR 2021-22 (CONT'D)

no title but that of citizen and taxpayer. I have been a resident of Augusta County for the past 11 years. I have come to voice my strong and unequivocal opposition to any increase in personal property taxes for the 2021-2022 budget. The timing could not be more ill-conceived and wrong, we are recovering from a pandemic and now is not the time to even entertain the fallacy of tax hikes!

If some of our residents and board members want to make a voluntary contribution to the county budget to cover the increase, then that is their right. It is not your right; however, to levy taxes that place an undue burden or hardship upon those who do not want to pay "their fair share" more than they have already done.

In a representative form of government, our money is not taken without our consent. You as the Board of Supervisors work for us the taxpayers, and are accountable to we the people of Augusta County. It is not your money that will be spent to fund "pet projects," it is OUR MONEY that will be spent-please remember that when you vote on the proposed tax increase.

British Prime Minister Margaret Thatcher said, "It is your tax which pays for public spending. The government has no money of their own. There is only taxpayers' money." President Ronald Reagan also said, "The problem is not that the people are taxed too little, the problem is that government spends too much." Government is an entity that never has enough, and it is a foreign idea to trim budgets and cut the excess spending in order to support the basis: fire, police, and infrastructure.

Last year was very challenging financially for me and my family. We did not receive a raise, we had to budget like every other taxpaying citizen of Augusta County, and cut expenses. Like every other family in this county, we had to squeeze the money out of our budget for the privilege of living in Augusta County.

When the property tax bill came due, we were not exempt from paying taxes (as some citizens of the county currently are, such as disabled veterans). When my tax bill comes due, I am not given an option on whether or not I choose to pay taxes. It is levied on me, and taken from me and I am sanctioned if I do not pay them on time. We had to postpone a planned vacation, reduce our discretionary spending, cut back on going out to eat, and explore other creative ways to stretch our dollars. I invite the Board of Supervisors to do the same when it comes to the county budget.

I wholeheartedly agree with supervisor Pam Carter (Pastures Magisterial District), who has stated her opposition to the proposed tax increase. She was quoted in the News Leader as saying, "I believe we can address the revenue shortfall without raising taxes, but it requires alternative ways of thinking rather than the easy 'go-to' of raising taxes." Once again, I invite the other board members to come around to Supervisor Carter's way of thinking, as it is the way of thinking that is in line with a majority of the citizens of Augusta County.

She also suggested pursuing the "near-six million dollars in delinquent taxes the county is waiting on, or utilizing the money from the prospective sale of Ladd Elementary school." What a novel idea! My question is: why are those who are delinquent in paying the near-six million dollars in taxes owed given a pass, while others like me who work and sacrifice are not given the same leniency?

Lastly, during any discussion of raising taxes, we are told that "we must do our fair share to support education, the children, and the police" ad nauseam. That if we do not go along with higher taxes and greater spending, then we are against education, the arts, that teachers will do without, the children will suffer, and others will starve. I taught public school for years (so I can speak plainly on this matter), and if there is one thing that can be cut its school budgets, which are full of wasteful spending, new administrative positions, etc. During the COVID pandemic last year, restaurants and businesses were shut down because of unnecessary fear and hysteria. Maybe if they were allowed to remain open, the tax revenues would be in place.

Unlike teachers who did not work for many months and sat at home teaching on a computer with a guaranteed job/salary, I worked throughout the pandemic, and did not receive a raise. I worked 60-hour weeks in a factory, and was not able to stay at home and remain on the public sector dollar. I had to make my money work for me, and come

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up with creative ways to save money. I suggest the Board of Supervisors and those who support the idea of raising my taxes do the same.

In closing, Thomas Jefferson once said, "eternal vigilance is the price of liberty." I along with many of Augusta County citizens and taxpayers will ever be watchful and vigilant in opposition to any tax increase and our vote in November and future elections will reflect this. Thank you for your time.

Steve Morris, 203 Hotchkiss Road, Churchville, spoke in opposition of the tax increase. He questions why there are so many Fire and Rescue personnel leaving. Public safety should always be number one on the Board's agenda. Spending on the Courthouse should be considered. Think about all of the options before spending. Delinquent taxes should be collected and should be a priority.

Dr. Seaton stated that 97% of the citizens in Augusta County pay their bills on time. Delinquent taxes are a problem, but not the main problem.

Danny Link would like to see money added to the Animal Control budget and more support for the animal shelter. He is in favor of raising the Personal Property tax verses Real Estate tax. Personal Property takes everybody into consideration.

There being no other speakers, the Chairman declared the public hearing closed.

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BLUE RIDGE COMMUNITY COLLEGE UPDATE

The Board heard a presentation from Dr. John Downey, President of Blue Ridge Community College.

Dr. Downey thanked the Board for the opportunity to give an update on the college. This has been a challenging year. The plan is to resume full operations for the fall 2021 semester that begins August 23rd. For the past year, classes have been primarily online, but about fifteen percent of the career-oriented instruction has been in person. He is optimistic about enrollment in the fall. The State Government is providing extensive financial aid for opportunities for students who wish to pursue in demand career and technical programs. Dr. Downey reviewed several construction projects that are taking place on the campus. He provided the Board with their annual report.

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INFRASTRUCTURE – VOLUNTEER F&R PAGING APP

The Board considered funding a one-year trial of a paging app for Fire and Rescue. Funding will be from the Board's infrastructure accounts in the amount of \$714.29 for each account.

Jennifer Whetzel, Deputy County Administrator, stated that the Board discussed funding a one-year trial of the paging app requested in the FY22 Volunteer F&R budget. The budget request noted "text message program at 12.50 per license". There are approximately 400 volunteers actively running calls. The total cost for one year will be approximately \$5,000.00. It was discussed that the Board would use infrastructure funds.

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INFRASTRUCTURE – VOLUNTEER F&R PAGING APP

Mr. Shull verified that this covered all volunteer agencies.

Mr. Fitzgerald stated that this includes the number for Augusta County volunteer agencies.

Mr. Shull would like staff to review how many outside agencies there are that would need to be added to the total number beyond the 400.

Mr. Shull moved, seconded by Mr. Wells, that the Board approve this funding request and to leave it open for the volunteers outside of Augusta County.

Ms. Carter is not willing to leave the funding open with not knowing how many outside people are interested. She is not opposed to it, but she would like to have a definite number and what the exact cost is going to be.

Misty Cook, Director of Finance, stated that the original request was \$12.50 per license and for 625 volunteers, the total request was \$7,813.00, which would be \$1,116.14 per infrastructure account. This is the total that Fire and Rescue requested.

Mr. Fitzgerald will look into it and bring back the exact number of volunteers interested.

Dr. Seaton moved, seconded by Mr. Shull, that the Board table until the next meeting.

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

Motion carried.

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REFUND REQUESTS

REFUND REQUESTS
The Board considered the following refund request from the Commissioner of the Revenue:

- a. Freedom Respiratory, Inc. in the amount of \$6,277.47.

James Benkahla, County Attorney, stated that Freedom Respiratory, Inc. purchased a 2020 Augusta County Business License in the amount of \$7,735.39. They incorrectly reported Augusta, Georgia instead of Augusta, Virginia. They have now provided the Virginia gross on the 2020 license and for the 2021 license and are due a refund in the amount of \$6,277.47.

Dr. Seaton moved, seconded by Mr. Shull, that the Board approve the refund requests.

Vote was as follows:

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

Motion carried.

b. Nissan of Staunton, Inc. T/A Valley Nisan of Staunton in the amount of \$9,707.25.

Mr. Shull moved, seconded by Ms. Carter, that the Board approve the refund requests.

Motion carried.

Mr. Benkahla stated that the Commissioner of the Revenue confirmed through the U.S. Department of Veteran Affairs that William Byron Ayres has qualified for one hundred percent disability since December 22, 2013. The Commissioner has certified that the sum of \$11,216.62 was overpaid due to the exemption from real estate taxes provided to disabled veterans under the provisions of Virginia Code 58.1-3219.5.

Motion carried.

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

- Regular Meeting, Wednesday, January 27, 2021
- Regular Meeting, Wednesday, February 10, 2021
- Staff Briefing, Monday, February 22, 2021
- Regular Meeting, Wednesday, February 24, 2021
- Regular Meeting, Wednesday, March 10, 2021
- Staff Briefing, Monday, March 22, 2021

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CONSENT AGENDA (CONT'D)

CLAIMS

Considered claims paid since March 1, 2021

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

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC -- NONE

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MATTERS TO BE PRESENTED BY THE BOARD

Ms. Carter would like to see more involvement from the Board around the monies from the American Rescue Plan. She attended a session regarding this money and how it can benefit broadband.

Mr. Slaven moved, seconded by Dr. Seaton, that the Board re-appoint Richard Halterman to serve a term on the Economic Development Authority. Effective immediately and to expire on March 31, 2025.

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

Motion carried.

Mr. Wells stated that this is Animal Control Officer Appreciation Week.

Mr. Wells stated that under the provisions of Virginia Code Section 2.2-3110 (A) (1) it is his recommendation 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 employee of the County in the preparation of dealings of the lease.

Mr. Wells moved, seconded by Mr. Morelli, that the Board authorize staff to draft a lease agreement.

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

Motion carried.

Mr. Morelli moved, seconded by Ms. Carter, that the Board authorize funding the additional costs for the Stuarts Draft Diamond Back dugout project of \$3,817.00 from the South River Infrastructure.

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

Mr. Shull suggests that a questionnaire be placed in the personal property bills regarding the courthouse and jail or any other big ticket items for the County.

* * * * *

Mr. Fitzgerald discussed the following:

- Vote was as follows: Yeas: Garber, Wells, Shull, Slaven,
and Morelli
Nays: Carter and Seaton

- 3) Augusta County Service Authority request for property in Ridgeview Acres. This is a piece of property directly behind Ridgeview School in Stuarts Draft. The Service Authority has an easement on the property for water facilities. While looking to purchase additional land for the easement, it has been determined that there are two difference pieces of property that were not deeded to the Augusta County Service Authority. The Service Authority would like the County Attorney work through the process of deeding that property to the Service Authority for their use.
- 4) This is Animal Control Officers Week and ECC Dispatchers Week. Thanked all of the officers and dispatchers for their hard work.
- 5) Reminder of the VACo Supervisors Forum is April 29-30 virtually.

April 14, 2021, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (CONT'D)

- 6) Jennifer Whetzel, Deputy County Administrator, stated that the Board heard a presentation at a previous meeting by CTA Consulting who were procured by the City of Staunton to analyze the communication systems throughout the three localities; Staunton, Waynesboro and Augusta County. This assessment included improving radio communication coverage and replacing the equipment when needed. There were different methods of procurement presented as well. The Board's consensus at that time was to move forward with getting a quote on a scope of work on the next steps and that would be to review and refine the conceptual design and the recommendations from the original report, define the functional specifications for the key system requirements and assist with the procurement procedure. The quote for the next steps is \$140,000.00 for all three localities. Staunton is willing to be the lead on this contract. The cost split three ways would be approximately \$47,000.00 for each and the ECC Capital Funding would be used for the County's portion of that cost. This process takes about sixteen months to complete.

Mr. Shull moved, seconded by Mr. Wells, that the Board authorize moving forward with the radio project.

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

Motion carried.

* * * * *

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 (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:

- a) Boards and Commissions: Youth Commission, Ag & Forestal Dist., Ag Ind. Brd., Recycling, Valley Community Services Board, Economic Development Authority
b) Board of Supervisors

- (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 § 2.2 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. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. 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.

April 14, 2021, at 7:00 p.m.

CLOSED SESSION (CONT'D)

- a) Mckee Foods Corp. vs Augusta County
- b) Hershey Chocolate of Virginia, Inc. v. Augusta County

(4) 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) Augusta County Courthouse
- b) Alphonso P. Boxley, III, et al. v. Board of Supervisors of County of Augusta, Virginia, et al.

(5) 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.

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

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

Motion carried.

* * * * *

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:

Public business matters lawfully exempted from statutory open meeting

1. 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.

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

Motion carried.

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

April 14, 2021, at 7:00 p.m.

CLOSED SESSION (CONT'D)

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Dr. Seaton moved, seconded by Mr. Shull, that the Board authorize no appeal as directed in Closed Session.

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

Motion carried.

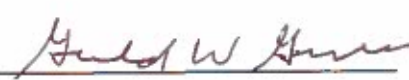
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ADJOURNMENT

There being no other business to come before the Board, Dr. Seaton moved, seconded by Mr. Shull that the Board adjourn subject to call of the Chairman.

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

Motion carried.



 Chairman



 County Administrator