

Staff Briefing Meeting, Monday, March 22, 2021, 1:30 p.m., Government Center, Verona, VA.

PRESENT: Gerald Garber, Chairman
 Butch Wells, Vice-Chair
 Pam Carter
 Michael L. Shull
 Scott Seaton
 Jeffrey Slaven
 Steven Morelli
 Timothy K. Fitzgerald, County Administrator
 Jennifer M. Whetzel, Deputy County Administrator
 John Wilkinson, Director of Community Development
 Leslie Tate, Senior Planner
 Misty Cook, Finance Director
 James Benkahla, County Attorney

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Monday, March 22, 2021, at 1:30 p.m., at the Government Center, Verona, Virginia, and in the 245th year of the Commonwealth....

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VDOT

Timothy Fitzgerald, County Administrator, discussed the VDOT monthly report.

The Board accepted the monthly report as information.

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ECONOMIC DEVELOPMENT

Rebekah Castle, Marketing Assistant, discussed the Economic Development monthly report of December 2020.

The Board accepted the monthly report as information.

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FIRE AND RESCUE

Mr. Fitzgerald discussed the Fire and Rescue monthly report.

The Board accepted the monthly report as information.

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EXTENSION OFFICE UPDATE

John Benner, Extension Office Agent, updated the Board on the spotted lantern fly.

The Board accepted as information.

March 22, 2021, at 1:30 p.m.

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CAP-SAW UPDATE

Anna Leavitt, Director of CAP-SAW, presented the Board with an update.

The Board accepted as information.

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BLUE RIDGE COURT SERVICES UPDATE

Megan Roane presented the Board with an update.

The Board accepted the report as information.

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MS4 CHESAPEAKE BAY TMDL IMPLEMENTATION

- a. Doug Wolfe, County Engineer, discussed authorizing the County Administrator to contract with Cold Springs, LLC for nutrient credits to meet the county' 2023 MS4 TMDL requirement of \$805,480.00 and apply for Stormwater Local Assistance Fund (SLAF) funding (50/50).

Funding Source: SWM Capital 80000-8164

- b. Mr. Wolfe discussed authorizing the County Administrator to contract with Ecosystem Services, LLC to identify sites, preliminary engineering and develop SLAF applications for potential county projects (stream restoration/land conversion). Fee proposal \$30,441.00 plus contingency of \$3,044.10 for a total of \$33,485.10.

Funding Source: SWM Capital 80000-8164

The Board authorized placing on the March 24, 2021 regular meeting agenda.

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VERONA PEDESTRIAN PROJECT

Mr. Wolfe discussed authorizing the County Administrator to enter into project agreement with Timmons Group for Construction Phase services for the Verona Pedestrian Project. Fee proposal \$123,384.59 plus contingency of \$12,338.46 for total of \$135,723.05.

Funding Source: 80000-8162-5

The Board authorized placing on the March 24, 2021 regular meeting agenda.

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EASEMENT FOR SHENTEL

The Board discussed an easement with Shentel for the Shenandoah Valley Juvenile Detention Center.

The Board authorized placing on the March 24, 2021 regular meeting agenda.

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March 22, 2021, at 1:30 p.m.

ORDINANCE AMENDMENT – MEALS AND LODGING TAX

Jennifer Whetzel, Deputy County Administrator, discussed an ordinance amendment to Augusta County Code Section 22-62, which would change the rate for lodging tax from four percent to six percent and an ordinance amendment to Augusta County Code Section 22-72, which would change the rate of meals tax from four percent to six percent.

The Board authorized placing on the March 24, 2021 regular meeting agenda.

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PLANNING COMMISSION/PUBLIC HEARING

Ms. Tate discussed the following:

- a. A Request to rezone from Single-Family Residential 10 to General Business approximately 4.16 acres owned by Maybelle R. Alexander, Estate of David D. and Donald Alexander located on the north side of Laurel Hill Road approximately 0.3 miles east of the intersection of Lee Highway and Laurel Hill Road. The Planning Commission recommends approval.
- b. Various ordinance amendments.

The Board authorized placing all ordinance amendments on the March 24, 2021 regular meeting agenda.

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WAIVERS –NONE

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MATTERS TO BE PRESENTED BY THE BOARD

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MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

- 1) Meeting room fee policy for the Government Center.

The consensus of the Board in regards to the meeting room fee policy was to not charge for the use of rooms.

- 2) Reminder of the VACo Supervisors Forum April 29-30, 2021.
- 3) There will be a vaccine clinic at the Government Center on Thursday for County employees starting at 12:00 p.m.
- 4) VATi Grant update.

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CLOSED SESSION

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

March 22, 2021, at 1:30 p.m.

CLOSED SESSION (CONT'D)

- (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) County Administrator
 - c) County Attorney
- (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
- (2) 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
- (4) 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.
- a) McKee Foods Corp. vs Augusta County

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

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

March 22, 2021, at 1:30 p.m.

CLOSED SESSION (CONT'D)

Roll Call Vote was as follows:

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

Nays: None

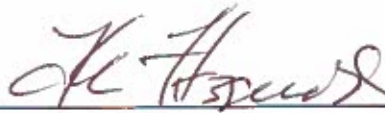
Motion carried.

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

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Chairman



County Administrator

H3-22sbmin.2021