

Regular Meeting, Wednesday, March 10, 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, March 10, 2021, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 245th year of the Commonwealth....

* * * * *

Chairman Garber welcomed those present for the meeting.

* * * * *

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

* * * * *

Mr. Shull, Supervisor for the Riverheads District, delivered the invocation.

* * * * *

RESOLUTION COMMENDING ROCKINGHAM COOPERATIVE ON THEIR 100TH ANNIVERSARY

Dr. Seaton moved, seconded by Ms. Carter, that the Board approve the following resolution:

WHEREAS, in early 1921, over one thousand farmers in Rockingham County met to create a resolution for unfair and unprofitable prices on fertilizer, and vowed to cooperatively purchase fertilizer at affordable prices from area suppliers; and

WHEREAS, from that meeting, 268 members formed an organization in Rockingham County; and

WHEREAS, Rockingham Cooperative acted as a leader and set an example for other area cooperatives in and around Rockingham County, and across the country, to empower the agricultural community; and

WHEREAS, the presence of Rockingham Cooperative since 1921 demonstrates the importance of agriculture in the communities it serves and the value of a cooperative to local residents; and

WHEREAS, Rockingham Cooperative has supplied feed, fertilizer, and other necessary farm supplies for agricultural pursuits over its history with the intent to make a meaningful impact on the operations, and member-owners that work with the cooperative; and

WHEREAS, In 2014 Rockingham Cooperative expanded its operation into Augusta County with its purchase of Draft Feed & Supply, Stuarts Draft Ace Hardware & Stuarts Draft Marine; and

March 10, 2021, at 7:00 p.m.

RESOLUTION COMMENDING ROCKINGHAM COOPERATIVE ON THEIR 100TH ANNIVERSARY (CONT'D)

WHEREAS, In 2019 Rockingham Cooperative invested again in Augusta County with the acquisition of the Verona Ace Hardware; and

WHEREAS, Rockingham Cooperative has proven its value and stood the test of time by providing a valued service to its member-owners and customers for the past 100 years.

NOW, THEREFORE, BE IT RESOLVED; the Augusta County Board of Supervisors hereby commends Rockingham Cooperative on the occasion of their 100th Anniversary and expresses its appreciation for the vital service provided to the agricultural community; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Augusta County Board of Supervisors, and be presented to Rockingham Cooperative.

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

Motion carried.

* * * * *

CHAPTER 17 – ORDINANCE AMENDMENT

CHAPTER 17 – ORDINANCE AMENDMENT
This being the day and time advertised to consider an ordinance to amend Chapter 17, Procurement, Section 17-2 and 17-4.

Kathleen Keffer, Assistant County Attorney, stated that this is an update to Chapter 17 of the County code. This is updating state law code references and no wording is being changed.

Dr. Seaton asked if the County Administrator is the only Purchasing Agent for the County.

James Benkahla, County Attorney, stated that he is the County Purchasing Agent, but has the ability to delegate if need be.

Dr. Seaton asked for an explanation of the meaning of Code Section 17-4(B) where it says "Establishment of procedures for the withdrawal of bids for other than construction contracts."

Mr. Benkahla answered by saying that construction contracts were sometimes treated differently in state law governing the procurement of construction contract.

The Chairman declared the public hearing open.

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

Mr. Shull moved, seconded by Dr. Seaton, that the Board approve the ordinance amendment as presented.

March 10, 2021, at 7:00 p.m.

CHAPTER 17 – ORDINANCE AMENDMENT (CONT'D)

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

Motion carried.

* * * * *

SCHNEIDER PARK DITCH REPAIR

The Board considered allocation of funds for ditch repair.

Funding Source: South River Infrastructure	8016-97	\$3,241.67
Riverheads Infrastructure	8015-87	\$3,241.67
Beverley Manor Infrastructure	8011-103	\$3,241.67

John Wilkinson, Director of Community Development, stated that there has been a request to evaluate an erosion problem at Schneider Park. Mr. Wilkinson showed a map of the area on the screen. This project was put out for bid. H.C. Eavers & Sons submitted with a cost of \$9,750.00.

Mr. Morelli moved, seconded by Mr. Wells, that the Board approve the allocation of funds for Schneider Park.

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

Motion carried.

* * * * *

WAIVERS – NONE

* * * * *

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:

- Regular Meeting, Wednesday, January 13, 2021
- Staff Briefing, Monday, January 25, 2021

CLAIMS

Consider claims paid since February 1, 2021

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

Motion carried.

* * * * *

MATTERS TO BE PRESENTED BY THE PUBLIC -- NONE

March 10, 2021, at 7:00 p.m.

* * * * *

MATTERS TO BE PRESENTED BY THE BOARD

Mr. Shull asked if the Fire-Rescue training that was held at the Staunton Mall was shared with the volunteers.

Dr. Seaton thanked Augusta Health for their hard work with vaccinations.

* * * * *

MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

- 1) VACo Supervisors Forum is April 29-30, 2021
- 2) VDOT Six Year Plan public hearing is coming up. Let him know of any roads that need to be added to the list for discussion.
- 3) Blue Ridge Community College is looking into a Memorandum of Understanding for a School Resource Officer. The college has previously had a Chief of Police on campus and the position is being evaluated.

Ms. Carter asked if the option of a consolidated 9-1-1 with other municipalities.

Mr. Fitzgerald did have conversations with other municipalities and there is no interest at this time.

* * * * *

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
- (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
 - b) Verona Elementary School
 - c) Ladd Elementary School
- (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) Augusta County Courthouse

March 10, 2021, at 7:00 p.m.

CLOSED SESSION (CONT'D)

(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
- b) Hershey Chocolate of Virginia, Inc. v. Augusta County

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

Vote was as follows: Yeas: Garber, Wells, Carter, 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:

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.

Vote was as follows: Yeas: Garber, Wells, Carter, 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.

* * * * *

Mr. Wells moved, seconded by Mr. Shull, that the Board appoint Lyle Moffett to serve an un-expired term on the Economic Development Authority. Effective immediately and to expire on March 25, 2024.

March 10, 2021, at 7:00 p.m.

CLOSED SESSION (CONT'D)

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

Motion carried.

Mr. Shull moved, seconded by Mr. Morelli, that the Board appoint Caroline Stoerker to serve as the alternate for the Metropolitan Policy Organization.

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

Motion carried.

Mr. Slaven moved, seconded by Dr. Seaton, that the Board authorize the County Administrator to negotiate execution of the real estate contract for Verona Elementary School with the County Attorney's approval.

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

Motion carried.

* * * * *

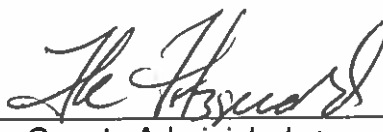
ADJOURNMENT

There being no other business to come before the Board, Dr. Seaton moved, seconded by Mr. Morelli 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