

Regular Meeting, Wednesday, March 8, 2023, 7:00 p.m., Government Center, Verona, VA.

PRESENT: Michael Shull, Chairman
Jeffrey Slaven, Vice-Chair
Butch Wells
Gerald Garber
Pam Carter
Scott Seaton (Via Electronic)
Steven Morelli
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

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Wednesday, March 8, 2023, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 247th year of the Commonwealth....

* * * * *

Chairman Shull welcomed those present at the meeting.

* * * * *

The following students from Stuarts Draft High School led the Board of Supervisors in the Pledge of Allegiance:

Dean Altis is a senior. He plays three sports and plans to get his real estate license after graduation.

McKenzie Tillman is a three-star athlete. She plans to attend Mary Baldwin University to play softball and become a Physical Education Teacher.

* * * * *

Mr. Shull, Riverheads District, delivered the invocation.

* * * * *

Mr. Slaven moved, seconded by Mr. Morelli, that the Board allow Dr. Seaton to join the meeting electronically.

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

Nays: None

Absent: Garber and Seaton

Motion carried.

* * * * *

March 8, 2023, at 7:00 p.m.

AUGUSTA COUNTY SHERIFF'S DEPARTMENT ACCREDITATION PRESENTATION

Todd Clingenpeel, DCJS Accreditation Program Manager Division of Law Enforcement, presented Sheriff Donald Smith and the Augusta County Sheriff's Department with their accreditation certificate.

Sheriff Donald Smith thanked Mr. Clingenpeel for all of his help in achieving this accreditation. He also thanked his Deputies for their hard work and effort in protecting the community. Sheriff Smith thanked the Board of Supervisors, the Administration Office and the community for their support.

Mr. Shull thanked Sheriff Smith and all of his officers for their dedication to the County and their community.

Mr. Wells is proud of the Sheriff's Department's accomplishments.

Ms. Carter thanked Sheriff Smith and his department for all that they do.

Mr. Slaven thanked Sheriff Smith and his department for what they do every day.

Dr. Seaton congratulated the Sheriff and his Deputies.

Mr. Morelli congratulated the Sheriff, his deputies and his administrative office.

Mr. Garber congratulated the Sheriff and his Deputies.

* * * * *

The Board took a five-minute break.

* * * * *

AMERICAN RED CROSS PROCLAMATION

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

**AMERICAN RED CROSS MONTH, 2023
A Proclamation**

WHEREAS, During American Red Cross Month in March, we celebrate the humanitarian spirit of Augusta County and reaffirm our commitment to help ensure no one faces a crisis alone.

WHEREAS, Caring for one another is at the heart of our community and exemplified by the people of Augusta County, whose simple acts of kindness through the Red Cross provide help and hope in people's most difficult moments — continuing the lifesaving legacy of Clara Barton, who founded the organization more than 140 years ago to prevent and alleviate human suffering.

WHEREAS, Every day, these ordinary individuals lend a helping hand to make an extraordinary difference for neighbors in need — whether it's providing emergency shelter, food and comfort for families displaced by home fires and other disasters; donating lifesaving blood for cancer patients, accident victims, and people with sickle cell disease and other life-threatening conditions; supporting military members and veterans, along with their families and caregivers, through the unique challenges of service; using vital skills like first aid and CPR to help others survive medical emergencies; or delivering international humanitarian aid and reconnecting loved ones separated by crises around the world.

March 8, 2023, at 7:00 p.m.

AMERICAN RED CROSS PROCLAMATION (CONT'D)

WHEREAS, Their support, volunteerism and generous donations are critical to our community's resilience. We hereby recognize this month of March in honor of all those who fulfill Clara Barton's noble words, "You must never think of anything except the need and how to meet it," and ask everyone to join in this commitment.

NOW, THEREFORE, The Augusta County Board of Supervisors, of Augusta County by virtue of the authority vested in me by the laws of Augusta County and Virginia, do hereby proclaim March 2023 as Red Cross Month. We encourage all citizens of Augusta County to reach out and support its humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this day of March, in the year of our Lord two thousand twenty-three, and of Augusta County, Virginia.

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

Motion carried.

* * * * *

RESOLUTION OF SUPPORT FOR ABANDONMENT OF OLD ROUTE 42

The Board considered a resolution of support.

Doug Wolfe, Director of Community Development, stated that VDOT has requested a resolution of support from the Board of Supervisors on the abandonment of a section of old discontinued Buffalo Gap Highway (Route 42) from .31 miles north of the centerline of Morris Mill Road (Route 720) to .45 miles north of the centerline of Morris Mill Road (Route 720), a distance of 0.14 mile. The section of old (Buffalo Gap Highway) route 42, to be abandoned, was discontinued from the primary system of state highways on September 5, 1957. VDOT is asking the Boards support for the abandonment due to the fact that this portion of Old Route 42 no longer serves any public necessity and is no longer necessary to be part of the VDOT Secondary System for State Highways.

Ms. Carter moved, seconded by Mr. Slaven, that the Board approve the resolution of support.

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

Motion carried.

* * * * *

ADDITIONS/ABANDONMENTS OF PRIMARY AND SECONDARY ROUTES
RESOLUTION

The Board considered abandonments of segments of Scenic Highway (Route 42) and Iron Works Road (Route 809) and also approve the addition of replacement segments for both routes.

Mr. Wolfe stated that VDOT has requested a resolution from the Board of Supervisors to approve abandonments of segments of Scenic Highway (Route 42), and Iron Works Road (Route 809) and also approve the addition of replacement segments for both routes. VDOT has inspected both street segments and found them to be acceptable for maintenance and VDOT has been maintaining both segments of road since 2011.

Mr. Slaven moved, seconded by Ms. Carter, that the Board approve the resolution as presented.

Vote was as follows:

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

Motion carried.

* * * * *

OPioid RESOLUTION
The Board considered resolution for inclusion in opioid settlement.

Jennifer Whetzel, Deputy County Administrator, stated that new national opioid settlements have been reached with Teca, Allergan, CVS, Walgreens, and Walmart. Virginia has elected to participate in one or more of the five national opioid settlements with Teva, Allergan, CVS, Walgreens, and Walmart. The County may participate in each settlement for which Virginia has elected to participate. The County participated in the national opioid settlements with Johnson Johnson/Janssen or the three Distributors. Your subdivision or special district must “opt” in to participate in the new settlements by adopting a resolution for inclusion.

Mr. Garber moved, seconded by Mr. Morelli, that the Board approve the opioid resolution for inclusion in the opioid settlement.

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

Motion carried.

* * * * *

Presentation by Staff.

Ms. Whetzel stated that the County launched a Community Survey in March 2022 as a way to holistically understand the residents concerns and learn more about community priorities. The survey measures how satisfied residents are with their community and government services. It also compares the County and time to similar or cohort counties that are also involved in the survey. Statistically, the report covers responses that are digitally recruited, so it is over social media, mobile apps, local websites and survey panels. This was between the period of July to December 2022. Ms. Whetzel reviewed the results of the survey.

Mr. Shull encourages citizens to participate in surveys because that is how information is gained pertaining to the County.

* * * * *

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

Consider claims paid since February 1, 2023.

Motion carried.

* * * * *

(END OF CONSENT AGENDA)

* * * * *

Amy Swope, 902 Battlefield Road, Fort Defiance, is the owner of Blue Ridge Canine Safe House. Ms. Swope is concerned with the operation of the Shenandoah Valley Animal Services Center. She requests that Augusta County stop the old accepted policy requiring citizens to pay fines before collecting their animals from the shelter. Ms. Swope provided the Board with a packet of information regarding her request.

Dorothy Via, 92 Provence Drive, Stuarts Draft, is an employee of the Animal Shelter. She stated that staff tries to make the best decisions for the shelter in taking care of the animals.

Carol Stanton, 523 Stover Shop Road, Churchville, requests that the shelter be able to accept payments on site for the three localities.

Ashley Dulaney, 1756 Englewood Dr., Staunton, read a statement from Jessica Evans regarding a euthanasia at the animal shelter.

Billy Little, 1658 Estaline Vallay Road, Craigsville, has concerns with the Augusta County Animal Control.

Paula Arella, 68 Black Ford Way, Lyndhurst, is a staff member at the shelter and was an Animal Control Officer for thirty years. She was involved in making the decision to

ethanize certain dogs at the shelter. It is a touch decision, but sometimes it is necessary.

Page Hearn, 151 Old White Hill Road, Staunton, is concerned with the actions of the shelter. Change is needed at the shelter with the dog program.

Renee Clark, Staunton, stated that the shelter needs to reach out for help with it is needed. Post it on social media, make phone calls and get the word out. The fees and ways to make payments needs to be evaluated.

Robin Hopkins is a volunteer at the shelter and a foster for the shelter. She addressed issues that she has experience as a foster.

* * * * *

Ms. Carter moved, seconded by Dr. Seaton, that the Board approve livestreaming of all worksessions.

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

Motion carried.

Ms. Carter would like to have a courthouse status update.

Dr. Seaton moved, seconded by Mr. Wells, that the Board re-appoint Leah Thomas to serve a term on the Economic Development Authority and David Kirby to serve a term on the Recycling Committee. Effective immediately and to expire on March 30, 2027.

Vote was as follows:

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

Motion carried.

Dr. Seaton stated that it is important to fund the body and dash cameras for the Sheriff's Department. He appreciates the animal shelter staff and there are lessons to be learned from the instances of the past week.

Mr. Garber moved, seconded by Mr. Slaven, that the Board appoint Kevin Phillips to serve a term on the Ag Industry Board. Effective immediately and to expire June 30, 2026.

Vote was as follows:

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

Motion carried.

Mr. Garber moved, seconded by Ms. Carter, that the Board appoint Anne Gordon to serve a term on the Parks & Recreation Commission. Effective immediately and to expire June 30, 2026.

March 8, 2023, at 7:00 p.m.

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

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

Nays: None

Motion carried.

Mr. Shull asked for clarification on the VATI Grant.

Ms. Whetzel stated that the VATI 2021 Grant is with MGW and the VATI 2022 Grant is with All Points.

Mr. Shull is concerned about All Points coverage and what other companies will cover.

Dr. Seaton stated that is very sorry for the owner's loss of their dog.

* * * * *

MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

- 1) Reminder of the joint School Board and Board of Supervisors meeting on March 16th at 5:00 p.m.
- 2) A question has been raised on who receives funding the Arts Grant traditionally. It is suggested to offer it to the Oak Grove Theater, Stonewall Brigades Band and the Wayne Theater. Direction is needed from the Board on moving forward with the existing recipients or the new ones that have been suggested.

Mr. Slaven moved, seconded by Dr. Seaton, to divide the funding as follows and direct Staff to approach the new associations to get their willingness to participate in the funding:

- Wayne Theater 30%
- Stonewall Brigades Band 30%
- Oak Grove Theater 40%

Ms. Carter is concerned that the new possible recipients have not been notified and it is unknown if they are interested.

Dr. Seaton questions if an amendment can be made to the motion to say if it cannot be worked out with the proposed recipients for this year, the funding goes to the default recipients from previous years.

James Benkahla, County Attorney, stated that it would be cleaner to have it as two separate motions.

Mr. Slaven withdrew his previous motion.

Mr. Slaven moved, seconded by Dr. Seaton, that Board approve for staff to approach the two new entities to see if they are interested in participating in the grant funding.

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

Motion carried.

March 8, 2023, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (CONT'D)

- 3) The budget for the County is complete and balanced. It is anticipated to be delivered to the Board before the next Board of Supervisors meeting. The budget worksession is on March 27th•
- 4) An RFP for the Comprehensive Plan went out on March 1st. With previous Comp Plan projects, the Board appointed a steering committee that worked hand in hand with staff and the consultant to work through the comprehensive plan. It consisted of individuals from each magisterial district and the Planning Commission. This is something for the Board to think about for the near future.
- 5) Mr. Fitzgerald addressed statements made regarding the Animal Shelter and euthanasia of dogs. He pointed out that the shelter staff works hard every day to take care of the animals and they do a great job for the County. An enormous amount of work has been done at the shelter since the County took over as the fiscal agent. Staffing has been reworked and staffing has been increased. The budget has been significantly increased and veterinary services has been brought in. Policy issues are being worked through and future plans at the Verona Elementary School is in the works. There is no social media policy for the shelter. A policy is currently in review by the owners, but a policy has not been adopted. There has been discussion with the director and his staff about being encouraging on social media and to show a positive light on what is going on at the shelter. The three dogs that were euthanized that have a bite history. In talking to shelter staff, the decision was a group decision. There were space issues and input was given from each employee who worked with the dogs to get their thoughts on the situation. Several staff agreed that they were not comfortable working around those dogs. The shelter body, City of Staunton, City of Waynesboro and Augusta County, does not want behavioral type dogs put back into the community. With any situation there are lessons learned and things that can be considered going forward. Mr. Fitzgerald is sorry for the case of Ms. Evans dog. When an animal gets brought to the shelter as a stray, it gets put on a stray hold to allow for the owner to retrieve the animal. This dog was not a stray. When Ms. Evans decided that she would surrender the dog and filled out a document to say that she was going to surrender the dog to the shelter and then put notes on the document to denote that the dog was not co habitable with cats or any farm animals, had to eat alone, had a food aggression, but did do well with other dogs and gave its name as Annabelle. Animal Control did not share with Mr. Fitzgerald that a conversation was had about surrendering the dog and then adopting later. If that discussion was had at the Treasurer's Office or where she filled out the form, there may have been a misunderstanding that this was a stray. It is unfortunate that the dog was euthanized in the short time it was at the shelter. It is clearly written on the surrender form that when an animal is surrendered you are giving up all rights of the animal and there is a potential that the animal could be euthanized at that point.

The Lyndhurst shelter location opened in 2011. There was an expansion of that location in 2015. The owners agreed in April 2022 to look at a feasibility study for the Verona Elementary School as a new location for the shelter. The current space of the shelter is 5,000 square feet. Verona Elementary will provide 39,000 square feet. This is a significant difference in size. Citizens are concerned that the size is not increasing. That is based on the number of runs. Currently there are forty-six runs and that is what will be at the new shelter in the beginning. There is space in the new facility to add more as needed. It is a convenient location for most of the county and the city residents. There are areas in the plan that provide for future growth. The design is currently in the works. Renovations will occur in 2024 and hopefully towards the end of 2024 with the new shelter.

* * * * *

* * * * *

Dr. Seaton moved, seconded by Mr. Garber, that the Board adjourn the meeting.

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


Chairman


County Administrator

h:3-8min.23